

Application for a Permit to Use Ground Water



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

Water-Use Permit Application Processing

1. Completeness Determination

The Department evaluates whether the application and accompanying map contain all of the information required under OAR 690-310-0040 and OAR 690-310-0050 (www.oregon.gov/owrd/law). The Department also determines whether the proposed use is prohibited by statute. If the Department determines that the application is incomplete, all fees have not been paid, or the use is prohibited by statute, the application and all fees submitted are returned to the applicant.

2. Initial Review

The Department reviews the application to determine whether water is available during the period requested, whether the proposed use is restricted or limited by rule or statute, and whether other issues may preclude approval of or restrict the proposed use. An Initial Review (IR) containing preliminary determinations is mailed to the applicant. The applicant has 14 days from the mailing date to withdraw the application from further processing and receive a refund of all fees paid minus \$200. The applicant may put the application on hold for up to 180 days and may request additional time if necessary.

3. Public Notice

Within 7 days of the mailing of the initial review, the Department gives public notice of the application in the weekly notice published by the Department at www.oregon.gov/owrd. The public comment period is 30 days from publication in the weekly notice.

4. Proposed Final Order Issued

The Department reviews any comments received, including comments from other state agencies related to the protection of sensitive, threatened or endangered fish species. Within 60 days of completion of the IR, the Department issues a Proposed Final Order (PFO) explaining the proposed decision to deny or approve the application. A PFO proposing approval of an application will include a draft permit, and may request additional information or outstanding fees required prior to permit issuance.

5. Public Notice

Within 7 days of issuing the PFO, the Department gives public notice in the weekly notice. Notice includes information about the application and the PFO. Protest must be received by the Department within 45 days after publication of the PFO in the weekly notice. Anyone may file a protest. The protest filing fee is \$350.00 for the applicant and \$700.00 for non-applicants. Protests are filed on approximately 10% of Proposed Final Orders. If a protest is filed, the Department will attempt to settle the protest but will schedule a contested case hearing if necessary.

6. Final Order Issued

If no protests are filed, the Department issues a Final Order consistent with the PFO. If the application is approved, a permit is issued that specifies the details of the authorized use and any terms, limitations or conditions that the Department deems appropriate.

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SALEM, OREGON

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SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant Information

NAME John Linda A Sims, RLT		PHONE (HM) 541 926 5640	
PHONE (WK)	CELL 541 990 8038		FAX
ADDRESS 451 NW Quarry Rd			
CITY Albany	STATE OR	ZIP 97321	E-MAIL* vollstedtfarms@comcast.net

Organization Information

NAME Vollstedt Farms		PHONE 541 926 5640		FAX
ADDRESS Same as above			CELL	
CITY	STATE	ZIP	E-MAIL*	

Agent Information – The agent is authorized to represent the applicant in all matters relating to this application.

AGENT / BUSINESS NAME		PHONE		FAX
ADDRESS			CELL	
CITY	STATE	ZIP	E-MAIL*	

Note: Attach multiple copies as needed

* By providing an e-mail address, consent is given to receive all correspondence from the department electronically. (paper copies of the final order documents will also be mailed.)

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By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application.
- I cannot use water legally until the Water Resources Department issues a permit.
- Oregon law requires that a permit be issued before beginning construction of any proposed well, unless the use is exempt. Acceptance of this application does not guarantee a permit will be issued.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be cancelled.
- The water use must be compatible with local comprehensive land-use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water-right holders to get water to which they are entitled.

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I (we) affirm that the information contained in this application is true and accurate.


Applicant Signature

Linda A Sims
Print Name and title if applicable

8/28/2015
Date

Applicant Signature

Print Name and title if applicable

Date

For Department Use		
App. No. <u>G-18136</u>	Permit No. _____	Date _____

SECTION 2: PROPERTY OWNERSHIP

Please indicate if you own all the lands associated with the project from which the water is to be diverted, conveyed, and used.

- Yes
 - There are no encumbrances.
 - This land is encumbered by easements, rights of way, roads or other encumbrances.
- No
 - I have a recorded easement or written authorization permitting access.
 - I do not currently have written authorization or easement permitting access.
 - Written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigation and/or domestic use only (ORS 274.040).
 - Water is to be diverted, conveyed, and/or used only on federal lands.

List the names and mailing addresses of all affected landowners (*attach additional sheets if necessary*).

You must provide the legal description of: 1. The property from which the water is to be diverted, 2. Any property crossed by the proposed ditch, canal or other work, and 3. Any property on which the water is to be used as depicted on the map.

SECTION 3: WELL DEVELOPMENT

WELL NO.	NAME OF NEAREST SURFACE WATER	IF LESS THAN 1 MILE:	
		DISTANCE TO NEAREST SURFACE WATER	ELEVATION CHANGE BETWEEN NEAREST SURFACE WATER AND WELL HEAD
	Willamette River	.6 miles	± 10

Please provide any information for your existing or proposed well(s) that you believe may be helpful in evaluating your application. For existing wells, describe any previous alteration(s) or repair(s) not documented in the attached well log or other materials (*attach additional sheets if necessary*).

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SECTION 3: WELL DEVELOPMENT, CONTINUED

G-18156

Total maximum rate requested: .61 cfs (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below).

The table below must be completed for each source to be evaluated or the application will be returned. If this is an existing well, the information may be found on the applicable well log. (If a well log is available, please submit it in addition to completing the table.) If this is a proposed well, or well-modification, consider consulting with a licensed well driller, geologist, or certified water right examiner to obtain the necessary information.

OWNER'S WELL NAME OR NO.	PROPOSED	EXISTING	WELL ID (WELL TAG) NO.* OR WELL LOG ID**	FLOWING ARTESIAN	CASING DIAMETER	CASING INTERVALS (IN FEET)	PERFORATED OR SCREENED INTERVALS (IN FEET)	SEAL INTERVALS (IN FEET)	MOST RECENT STATIC WATER LEVEL & DATE (IN FEET)	PROPOSED USE			
										SOURCE AQUIFER***	TOTAL WELL DEPTH	WELL-SPECIFIC RATE (GPM)	ANNUAL VOLUME (ACRE-FEET)
	<input type="checkbox"/>	<input type="checkbox"/>	BENT 1614	<input type="checkbox"/>	10"	38'	27 1/2 - 38	20	20 1/2	Blue Sandstone	50	350	120 af
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									

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* Licensed drillers are required to attach a Department-supplied Well Tag, with a unique Well ID or Well Tag Number to all new or newly altered wells. Landowners can request a Well ID for existing wells that do not have one. The Well ID is intended to serve as a unique identification number for each well.
 ** A well log ID (e.g. MARI 1234) is assigned by the Department to each log in the agency's well log database. A separate well log is required for each subsequent alteration of the well.
 *** Source aquifer examples: Troutdale Formation, gravel and sand, alluvium, basalt, bedrock, etc.

SECTION 4: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Irrigation	April 1 - Oct 31	120 af

Exempt Uses: Please note that 15,000 gallons per day for single or group **domestic** purposes and 5,000 gallons per day for a single **industrial or commercial** purpose are exempt from permitting requirements.

For irrigation use only:

Please indicate the number of primary and supplemental acres to be irrigated (*must match map*).

Primary: 48.62 Acres Supplemental: _____ Acres

List the Permit or Certificate number of the underlying primary water right(s): _____

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: _____

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households: _____
- If the use is **mining**, describe what is being mined and the method(s) of extraction: _____

SECTION 5: WATER MANAGEMENT

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A. Diversion and Conveyance

What equipment will you use to pump water from your well(s)?

Pump (give horsepower and type): 25 H.P. Turbine

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Other means (describe): _____

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water.

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler)

wheel line

C. Conservation

Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; prevent damage to aquatic life and riparian habitat; prevent the discharge of contaminated water to a surface stream; prevent adverse impact to public uses of affected surface waters.

SECTION 6: STORAGE OF GROUND WATER IN A RESERVOIR

If you would like to store ground water in a reservoir, complete this section (*if more than one reservoir, reproduce this section for each reservoir*).

Reservoir name: _____ Acreage inundated by reservoir: _____

Use(s): _____

Volume of Reservoir (acre-feet): _____ Dam height (feet, if excavated, write "zero"): _____

Note: If the dam height is greater than or equal to 10.0' above land surface AND the reservoir will store 9.2 acre feet or more, engineered plans and specifications must be approved prior to storage of water.

SECTION 7: USE OF STORED GROUND WATER FROM THE RESERVOIR

If you would like to use stored ground water from the reservoir, complete this section (*if more than one reservoir, reproduce this section for each reservoir*).

Annual volume (acre-feet): _____

USE OF STORED GROUND WATER	PERIOD OF USE

SECTION 8: PROJECT SCHEDULE

Date construction will begin: as soon as permit is issued

Date construction will be completed: within 5 yrs of permit

Date beneficial water use will begin: within 5 yrs of permit

SECTION 9: WITHIN A DISTRICT

Check here if the point of diversion or place of use are located within or served by an irrigation or other water district.

Irrigation District Name	Address
City	State

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SECTION 10: REMARKS

Use this space to clarify any information you have provided in the application (*attach additional sheets if necessary*).

Legal Description
of property (DEED)
Signed Land Use Form
\$1900

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Land Use Information Form



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

This form is NOT required if:

- 1) Water is to be diverted, conveyed, and/or used only on federal lands; **OR**
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and **all** of the following apply:
 - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
 - b) The application involves a change in place of use only;
 - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; **and**
 - d) The application involves irrigation water uses only.

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

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Land Use

Information Form



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1266
 (503) 986-0900
 www.wrd.state.or.us

Applicant: Linda Sims
First Last

Mailing Address: 457 NW Quarry Rd
Albany OR 97321 Daytime Phone: 541 926 5640
City State Zip

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
10S	4W	25	NE SE SE SE			<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
"	"	36	NENE			<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
"	3W	30	NW SW SWEW			<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- Permit to Use or Store Water
 Water Right Transfer
 Permit Amendment or Ground Water Registration Modification
 Limited Water Use License
 Allocation of Conserved Water
 Exchange of Water

Source of water: Reservoir/Pond
 Ground Water
 Surface Water (name) _____

Estimated quantity of water needed: .661 cfs
 cubic feet per second
 gallons per minute
 acre-feet

Intended use of water: Irrigation
 Commercial
 Industrial
 Domestic for _____ household(s)
 Municipal
 Quasi-Municipal
 Instream
 Other _____

Briefly describe:

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Note to applicant: If the Land Use Information Form cannot be completed where water is proposed, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

See bottom of Page 3. →

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

- Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): Chapter 55, BC Code
- Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

Farm use allowed outright in EFU Zone.

Name: Chris Bentley Title: Senior Planner
 Signature: [Signature] Phone: 541-766-6819 Date: 9-1-15
 Government Entity: Benton County, Oregon

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

Receipt for Request for Land Use Information

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Applicant name: _____
 City or County: _____ Staff contact: SEP 03 2015
 Signature: _____ Phone: _____ Date: _____
WATER RESOURCES DEPT
SALEM, OREGON

Date _____

(For staff use only)



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):

- SECTION 1: _____
- SECTION 2: _____
- SECTION 3: _____
- SECTION 4: _____
- SECTION 5: _____
- SECTION 6: _____
- SECTION 7: _____
- SECTION 8: _____
- SECTION 9: _____
- SECTION 10: _____
- Land Use Information Form _____
- Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.
- Fees _____

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MAP

- Permanent quality and drawn in ink
- Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
- North Directional Symbol
- Township, Range, Section, Quarter/Quarter, Tax Lots
- Reference corner on map
- Location of each well, and/or dam if applicable, by reference to a recognized public land survey corner (distances north/south and east/west). Each well must be identified by a unique name and/or number.
- Indicate the area of use by Quarter/Quarter and tax lot clearly identified
- Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
- Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)
- Other:

WARRANTY DEED -- STATUTORY FORM

Grantor: LINDA A. SIMS, Trustee

Grantee: LINDA A. SIMS, Trustee

After recording return to:

**LINDA A. SIMS, Trustee
451 NW Quarry Road
Albany, OR 97321**

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SALEM, OREGON

Address for tax statements:

**LINDA A. SIMS, Trustee
451 NW Quarry Road
Albany, OR 97321**

Consideration: The true consideration for this conveyance is \$NONE. The actual consideration consists of other value given.

LINDA A. SIMS, Trustee of the PHYLLIS E. VOLLSTEDT Revocable Living Trust dated December 20, 2001, Grantor, conveys and warrants to LINDA A. SIMS, Trustee of the LINDA A. SIMS Revocable Living Trust dated July 5, 2005, Grantee, the following described real property free of encumbrances except as specifically set forth herein situated in Benton County, Oregon:

SEE EXHIBIT "A" ATTACHED HERETO WHICH BY THIS REFERENCE IS MADE A PART HEREOF.

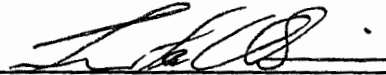
The said property is free from encumbrances except easements, conditions, restrictions and roadways of record.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 and 195.305 to 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009 AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW THE USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED

G-18136

IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.


Dated this 15th day of October, 2014.


LINDA A. SIMS, Trustee of the PHYLLIS E. VOLLSTEDT Revocable Living Trust dated December 20, 2001

STATE OF OREGON)
County of Linn) ss. October 15, 2014.

Personally appeared the above-named **LINDA A. SIMS, Trustee of the PHYLLIS E. VOLLSTEDT Revocable Living Trust dated December 20, 2001**, and acknowledged the foregoing instrument to be her voluntary act and deed.




Notary Public for Oregon
My Commission expires: 3/7/2016

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SALEM, OREGON

EXHIBIT "A"

Parcel 1: Benton County Assessor's Acct. No. 301952, Map No. T10S-R4W-S25, Tax Lot 102 (lot) described as follows:

Beginning at a point on the North line of that parcel described in deed conveyed to Jacob McKinney and recorded in Book E. Page 672, Benton County Deed Records which point is 9.30 chains N. 14 deg. 00'20" E. along the claim line and 1242.77 feet N. 89 deg. 59'03" E. of the interior corner on the West line of the Gallatin Adkins D.L.C. 43, T. 10 S., R. 4 W., W.B.&M., Benton County, Oregon; thence N. 4 deg. 54'15" E. 1023.35 feet; thence N. 89 deg. 59'03" E. 1873.14 feet to the East line of that parcel described in contract recorded in M-23508 Benton County Deed Records; thence S. 4 deg. 54'30" W. along the east line of said last mentioned parcel 1023.35 feet to the North line of said McKinney parcel; thence S. 89 deg. 59'03" W. along the North line of said McKinney Parcel 1133.55 feet; thence N. 0 deg. 09'15" E. 70.64 feet to a 5/8" iron rod; thence N. 89 deg. 47'13" W. 50 feet to a 5/8" iron rod; thence S. 0 deg. 09'15" W. 70.84 feet to the North line of said McKinney Parcel; thence S. 89 deg. 59'03" W. along the North line of said McKinney Parcel 349 feet to the East line of the parcel described in said contract; thence S. 3 deg. 24'15" W. along the East line of the parcel described in said contract 919.98 feet to a 5/8" iron rod; thence S. 78 deg. 55'45" W. 69.38 feet to a 5/8" iron rod; thence N. 31 deg. 28' W. 500.26 feet to a 5/8" iron rod; thence N. 4 deg. 54'15" E. 506.75 feet to the point of beginning. Containing 50 acres.

SAVE AND EXCEPT: Beginning at a 3/4 inch pipe on the northerly extension of the west line of that parcel described in deed recorded in Microfilm No. 38698, Benton County Microfilm Records which point is 1149.13 feet South 89 deg. 58' West, 3548.40 feet North 3 deg. 26'46" East and 1302.58 feet North 89 deg. 58'53" West of the southeast corner of the Gallatin Adkins Donation Land Claim No. 79, Township 10 South, Range 3 West, Willamette Base and Meridian, Benton County, Oregon; thence South 89 deg. 58'53" East 1302.58 feet to a 5/8 inch rod; thence South 3 deg. 26'46" West 20.84 feet to a 5/8 inch iron rod; thence North 89 deg. 47'25" West 1302.07 feet to the East line of said parcel; thence North 3 deg. 24'15" East 21.62 feet to the point of beginning.

Parcel 2: Beginning at a point which is South 89 deg. 58' West 1149.13 feet and North 3 deg. 29' East 3475.95 feet from the Southeast corner of Gallatin Adkins D.L.C. No. 79 in the Southeast quarter of Section 25 in the Northeast quarter of Section 36 in Township 10 South, Range 4 West of the Willamette Meridian, Benton County, Oregon, to the true point of beginning; thence North 3 deg. 29' East 72.45 feet; thence South 89 deg. 59'53" West 64.59 feet; thence Southeasterly 97.06 feet to the point of beginning.

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SALEM, OREGON

G-18136

Parcel 3: Benton County Assessor's Acct. No. 000319, Map No. T10S-R3W-S31, Tax Lot 701 (451 NW Quarry Rd., Albany) described as follows:

Gallatin Adkins D.L.C. 79, T. 10 S., R. 3 W., W.B. & M..

Beginning at a 5/8" iron rod on the west line of that parcel conveyed to the Spring Hill Country Club, Inc. and described in deed recorded in Microfilm No. 1370 Benton County Deed Records which point is 380.89 feet South, 89 deg. 58' West along the claim line and 180 feet North 3 deg. 22'30" East of the southeast corner of the Gallatin Adkins D.L.C. 79, T. 10 S., R. 3 W., W.B. & M., Benton County, Oregon; thence along the west line of said parcel North 3 deg. 22'30" East 900.68 feet, North 43 deg. 36' East 161.28 feet and North 3 deg. 11'30" East 2054 feet to a 5/8" iron rod on the south line of that parcel described in deed recorded in Book 189, Page 352, said deed records; thence North 50 deg. 37'30" West along the south line of said latter parcel 531.81 feet to the north line of that parcel, described in deed recorded in Book 80, Page 198, said deed records; thence along the lines of said latter parcel South 89 deg. 50' West 430.07 feet and South 3 deg. 27'30" West 3547.41 feet to the South line of said claim; thence North 89 deg. 58' East along said claim line 486.35 feet to a point which is 282.07 feet South 89 deg. 58' West of the southwest corner of said Spring Hill Country Club, Inc. parcel; thence North 3 deg. 22'30" East 180 feet to a 5/8" iron rod; thence North 89 deg. 58' East 282.07 feet to the point of beginning. Containing 65.09 acres, more or less.

EXCEPTING therefrom the following described real property, to-wit:

Beginning at the southwest corner of that parcel described in deed recorded in Microfilm No. 1370 Benton County Deed Records which point is on the claim line and 380.89 feet South 89 deg. 58' West of the southeast corner of the Gallatin Adkins D.L.C. 79, T. 10 S., R. 3 W., W.B. & M., Benton County, Oregon; thence North 3 deg. 22'30" East along the west line of said parcel 180 feet to a 5/8" iron rod; thence South 89 deg. 58' West 282.07 feet to a 5/8" iron rod; thence South 3 deg. 22'30" West 180 feet to the south line of said claim; thence North 89 deg. 58' East 282.07 feet to the point of beginning. Containing 1.164 acres

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WATER RESOURCES DEPT
SALEM, OREGON

REVOCABLE LIVING TRUST AGREEMENT

DATED: December 20, 2001

BETWEEN: LINDA A. SIMS, as Trustor

AND: LINDA A. SIMS and PHYLLIS E. VOLLSTEDT, herein called Trustee, each with the authority to act individually on behalf of the trust.

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ARTICLE ONE

CREATION OF MY TRUST

WATER RESOURCES DEPT
SALEM, OREGON

Section 1. My Trust

I, LINDA A. SIMS, as Trustor, hereby establish a trust with my Trustee. My trust is a revocable living trust. For purposes of this agreement and for all legal purposes, my trust shall be referred to as a Living Trust. All references to "my trust", "trust", "estate", or "trust estate", unless otherwise stated, shall refer to this Living Trust and the trusts created in it. All references to Trustee shall refer to my initial Trustee or Trustees, or their successors or successors in trust.

Notwithstanding anything in my trust to the contrary, when I am serving as a Trustee under my trust, I may act for and conduct business on behalf of my trust as a Trustee without the consent of any other Trustee.

Section 2. Name of My Trust

For convenience, my trust shall be known as the:

LINDA A. SIMS Revocable Living
Trust dated Dec-20, 2001.

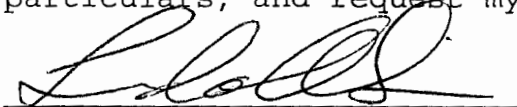
For purposes of beneficiary designations and transfers directly to my trust, my trust shall be referred to as:

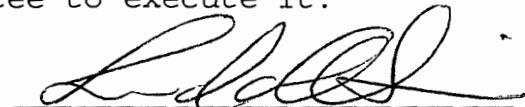
LINDA A. SIMS and PHYLLIS E. VOLLSTEDT, Trustees
under the LINDA A. SIMS Revocable Living Trust
dated Dec 20, 2001, and any amend-
ments thereto.

EXECUTION OF TRUST

I have executed this agreement the day and year first above written.

I certify that I have read my foregoing revocable living trust agreement, and that it correctly states the terms and conditions under which my trust property is to be held, managed, and disposed of by my Trustee. I approve this revocable living trust in all particulars, and request my Trustee to execute it.


LINDA A. SIMS


LINDA A. SIMS
SS#: 540-52-2751


PHYLLIS E. VOLLSTEDT

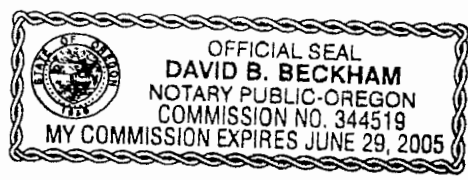
"Trustor"

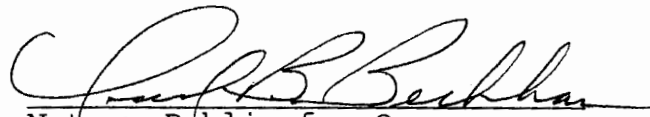
"Trustees"

STATE OF OREGON)
) ss.
County of Linn)

Personally appeared the above named LINDA A. SIMS and acknowledged the foregoing revocable living trust agreement to be her voluntary act and deed.

Dated this 20 day of December, 2001.




Notary Public for Oregon
My Commission Expires: 6-29-2005

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