



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

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SEP 28 2015

WATER RESOURCES DEPT
 SALEM, OREGON

**Application for a Permit to
 Store Water
 in a Reservoir
 (Alternate Review)**

Alternate Review Process (ORS 537.409): You may use this form for any reservoir storing less than 9.2 acre-feet or with a dam less than 10 feet high.

Use a separate form for each reservoir

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. If any requested information does not apply, insert "n/a". A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/OWRD/PUBS/forms.shtml.

1. APPLICANT INFORMATION

Applicant: Patrick Zweifel; Oregon Coastal Flowers LLC
First Last

Mailing Address: 9455 Kilchis River Rd.

Tillamook Oregon 97141
City State Zip
 Phone: (503)815-3762 (503)812-9190
Home Work Other

Fax: _____ E-Mail Address*: sales@oregoncoastalflowers.com

* 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.)

2. AGENT INFORMATION

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

Agent: Thompson Warren
First Last

Mailing Address: 596 Idylwood Dr SE

Salem Oregon 97302
City State Zip
 Phone: (503)585-9416 (503)314-0699
Home Work Other

Fax: _____ E-Mail Address*: thethom@comcast.net

* 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.)

3. LOCATION AND SOURCE

A. Reservoir Name: Kilchis Reservoir

B. Source: Provide the name of the water body or other source from which water will be diverted, and the name of the stream or lake it flows into. Indicate if source is run-off, seepage, or an unnamed stream or spring.
 Source: Surface Runoff Tributary to: Kilchis River

C. County in which diversion occurs: Tillamook

App. No. <u>R-99073</u>	For Department Use	Date _____
	Permit No. _____	

D. Reservoir Location

Township (N or S)	Range (E or W)	Section	quarter/quarter	tax lot number
1N	9W	32	SE/SW	600

E. Dam: Maximum height of dam: zero feet feet. If excavated, write "zero feet".

F. Quantity: Amount of water to be stored in the reservoir at maximum capacity. List volume in acre-feet: 9.19

Is this project fully or partially funded by the American Recovery and Reinvestment Act? (Federal stimulus dollars) Yes No

4. WATER USE

Indicate the proposed use(s) of the stored water. **NOTE: You may wish to consider filing for "Multipurpose use" for your reservoir. Multipurpose use does not limit the types of future uses for the stored water. Multipurpose covers all uses including: stockwater, fish and wildlife, aesthetics, domestic, irrigation, agriculture, fire protection and pollution abatement.** If any use will be out of reservoir use, regardless of the type of storage listed, a secondary application must be filed to appropriate the stored water.

This stored water will be used for irrigation and agriculture use. The secondary permit (S-54535) is filed under the original reservoir Permit, Permit R-14445. This application is being filed to allow another source (surface runoff) to fill the reservoir. Meetings with WRD staff and district watermaster have agreed that the original secondary permit is sufficient for out of reservoir use since the addition of another source to fill the same reservoir does not need another secondary permit.

5. PROPERTY OWNERSHIP

Please provide a copy of the recorded deed(s).

Do you own all the land where you propose to divert, transport, and use water?

Yes (please check appropriate box below then skip to section 5)

There are no encumbrances

This land is encumbered by easements, right of way, roads of way, roads or other encumbrances

No (Please check the appropriate box below)

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 irrigated and/or domestic use only (ORS 274.040). (Do not check this box if you described your use as "Multipurpose" in #3 above.)

List the names and mailing addresses of all affected landowners:

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6. ENVIRONMENTAL IMPACT

- A. **Channel:** Is the reservoir: in-stream or off channel?
- B. **Wetland:** Is the project in a wetland? Yes No Don't know
- C. **Existing:** Is this an existing reservoir? Yes No
If yes, how long has it been in place? _____ years.
- D. **Fish Habitat:** Is there fish habitat upstream of the proposed structure? Yes No Don't know
If yes, how much? _____ miles.
- E. **Partnerships:** Have you been working with other agencies? Yes No
Indicate agency, staff and phone numbers of those involved. Also indicate any agencies that are cost sharing in this project.

7. 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	Zip

8. DESCRIPTION

Provide a description of the design and operation of the proposed diversion, including a description of how live flow will be passed outside the authorized storage season. Use this space for narrative. You may also provide narrative and sketches on separate pages.

The diversion for the pond (aka Kilchis Reservoir) is really not a diversion at all. It is water that is natural runoff from seasonal runoff which flows into the pond from the natural slope uphill from the pond. The runoff only occurs during the rainy season and is entirely within the allowed storage date range defined by Permit R-14445. Any runoff outside the allowed storage date range can be evacuated by pumping if deemed necessary by WRD. The other storage permit (R-14445) allows for usage from Kilchis River but according to Mr. Zweifel, the majority of water stored in the pond comes from this runoff source, which is the main reason for submitting this application. If at any time WRD requires emptying the pond, it can be accomplished through the pumping set up on the pond for his distribution to irrigation.

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If the diversion involves a dam, use this space for sketches of the diversion (e.g. cross-section of the dam with its dimensions, dimension and placement of outlet pipe, means of passing live flow outside of the authorized storage season, and means for providing fish passage).

There is no dam. The pond is an excavation. It is totally off channel.

9. SIGNATURE

I swear that all statements made and information provided in this application are true and correct to the best of my knowledge.


Landowner Signature

8-7-15
Date

Before you submit your application be sure you have:

- Answered each question completely.
- Included a legible map that includes Township, Range, Section, quarter-quarter and tax lot number.
- The map must meet map requirements to be accepted.
- Included a land use form or receipt stub signed by a local planning official.
- Included a check payable to Oregon Water Resources Department for the appropriate amount.

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WATERMASTER ALTERNATE RESERVOIR APPLICATION REVIEW SHEET

Recommendations for Water Right Applications under the Alternate Reservoir review process (ORS 537.409)

In lieu of the water right application process set forth in ORS 537.140 to 537.211, an owner of a reservoir may submit an alternate reservoir application for a reservoir that has a storage capacity less than 9.2 acre-feet or a dam or impoundment structure less than 10 feet in height. ORS 537.409 describes the criteria used to evaluate alternate reservoir applications.

The review shall be limited to issues pertaining to: a) water availability, b) potential detrimental impact to existing fishery resources; and c) potential injury to existing water rights. (ORS 537.409 (6))

Within 60 days after the department provides public notice...any person may submit detailed, legally obtained information in writing, requesting the department to deny the application for a permit on the basis that the reservoir: (a) Would result in injury to an existing water right; or (b) Would pose a significant detrimental impact to existing fishery resources. (ORS 537.409 (5))

The review of alternate reservoirs is limited to these criteria only.

Application #: R-

Applicant's Name: PATRICK ZWEIFEL

1) Does the proposed reservoir have the potential to injure existing water rights?

NO YES

Explain: No river discharge will be stored.

2) Can conditions be applied to mitigate the potential injury to existing water rights?

NO YES

If YES, which conditions are recommended: Adhere to all conditions of permit and store water during November 1 to June 30.

3) Did you meet with staff from another agency to discuss this application?

NO YES

Who:

Agency:

Date:

Who:

Agency:

Date:

Watermaster signature:

Nikki Hendricks Date: 8-10-15

WRD Contact:

Caseworker:

Water Rights Division, 503-986-0900 / Fax 503-986-0901

NOTE: This completed form must be returned to the applicant

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ODFW Alternate Reservoir Application Review Sheet

This portion to be completed by the applicant.

Applicant Name/Address/Phone/Email: PATRICIA ZWEIFEL, DBA OREGON COASTAL FLOWERS, LLC
9455 KILCHIS RIVER RD.; TILLAMOOK, OR. 97141

Reservoir Name: KILCHIS Source: SURFACE RUNOFF Volume (AF): 9.19

Twp Rng Sec QQ: 1N 9W 32 SE SW (PC) Basin Name: NORTH COAST in-channel off-channel

Note: It is unlikely that ODFW will be able to complete this form while you wait, nevertheless we recommend making an appointment to submit the form so as to provide any necessary clarifications. See pg. 6 of Instructions for contact information.

This portion to be completed by Oregon Department of Fish and Wildlife (ODFW) District staff.

- 1) Is the proposed project and AO¹ off channel? x YES NO
 (if yes then proceed to #4; if no then proceed to #2)
- 2) Is the proposed project or AO located where NMF² are or were historically present?..... YES NO
 (if yes then proceed to #3; if no then proceed to #4)
- 3) If NMF are or were historically present:
 - a. Is there an ODFW-approved fish-passage plan?..... YES NO
 - b. Is there an ODFW-approved fish-passage waiver or exemption?..... YES NO

If fish passage is required under ORS 509.580 through .910, then either 3(a) or 3(b) must be "Yes" to move forward with the application. If responses to 3(a) and 3(b) are "No", then the proposed reservoir does not meet the requirements of Oregon Fish Passage Law and shall not be constructed as proposed.

4) Would the proposed project pose any other significant detrimental impact to an existing fishery resource locally or downstream?..... **RECEIVED**
 Explain below (for example, list STE species or other existing fishery resources that would be impacted negatively.)

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- Any diversion or appropriation of water for storage during the period _____ through _____ poses a significant detrimental impact to existing fishery resources (For example, if diversion of water for storage during a certain time period would cause a significant detrimental impact to an existing fishery resource, then ODFW should recommend conditions or limitations.)
 If NMF fish are present at the project site or point of water diversion then the applicant should be advised that a fish screen consistent with screening criteria will be required.
- This proposed pond or reservoir contemplates impounding water in the Columbia Basin above Bonneville Dam. ODFW has determined that additional diversions of water in this area pose a significant detrimental impact to existing fishery resources during the period April 15 through September 30.

_____ The pond in question is located off-channel, immediately adjacent to Myrtle Creek and the Kilchis River. This pond and _____ associated water right collects surface runoff from off channel upland locations for storage. Since the pond is located _____

¹ AO = Artificial Obstruction means any dam, diversion, culvert or other human-made device placed in waters of this state that precludes or prevents the migration of native migratory fish. ORS 509.580 (1)

² NMF = Native Migratory Fish Species in Oregon as defined by OAR 635 - 412 - 0005 (32)

R-80133

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: PATRICK ZWEIFEL
First Last

Mailing Address: 9455 KILCHIS RIVER RD.
TILLAMOOK OR 97141 Daytime Phone: (503) 815-3762
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:
<u>1N</u>	<u>9W</u>	<u>32</u>	<u>SE SW</u>	<u>600</u>		<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	<u>WATER STORAGE</u>
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input 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:

TILLAMOOK COUNTY

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) RUNOFF

Estimated quantity of water needed: 9.19 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 AGRICULTURE

Briefly describe:

THIS WATER HAS ALREADY BEEN FILED FOR STORAGE APPLICATION R-86709, PERMIT R-14445, THIS NEW APPLICATION IS ONLY FOR AN ADDITIONAL SOURCE FOR THE SAME POND.

Note to applicant: If the Land Use Information Form cannot be completed while you wait, 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.

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See bottom of Page 3. →

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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): Tillamook County Land Use Ordinance Section 3.002: Farm - Farming is use permitted outright
- 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.

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Name: Timothy J. Murphy Title: Associate Planner
 Signature: [Signature] Phone: 503-842-3408 x3314 Date: 8/7/15
 Government Entity: Tillamook County

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

Applicant name: Patrick Zweifel
 City or County: Tillamook Co. Staff contact: Timothy J. Murphy, Associate Planner
 Signature: [Signature] Phone: 503-842-3408 x3314 Date: 8/7/15

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WARRANTY DEED

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Use

GRANTOR: COLLEEN COLBY

GRANTEE: PATRICK J ZWEIFEL

Until a change is requested, all tax statements shall be sent to the following address:

PATRICK J ZWEIFEL
9169 TRASK RIVER RD
TILLAMOOK, OR 97141

Escrow No. 29-66209 Title No. 29-66209

After recording return to:
PATRICK J ZWEIFEL
9169 TRASK RIVER RD
TILLAMOOK, OR 97141

STATUTORY WARRANTY DEED

COLLEEN M COLBY, _____ Grantor, conveys and warrants to PATRICK J ZWEIFEL AND MONIKA A ZWEIFEL, AS TENANTS BY THE ENTIRETY _____ Grantee, the following described real property free of encumbrances except as specifically set forth herein situated in TILLAMOOK County, Oregon, to wit:

SEE 'LEGAL DESCRIPTION' ATTACHED HERETO AND BY REFERENCE MADE A PART HEREOF.

THIS INSTRUMENT WILL NOT ALLOW 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 APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.0930. The said property is free from encumbrances except: SEE 'DEED EXCEPTIONS' ATTACHED HERETO AND BY REFERENCE MADE A PART HEREOF.

The true consideration for this conveyance is \$450,000.00 (Here comply with the requirements of ORS 93.030)

Dated this 21st day of August 20 02

Colleen Colby
COLLEEN COLBY

State of Oregon, County of Tillamook
The foregoing instrument was acknowledged before me this 21st day of August, 2002, by COLLEEN COLBY

Carla Steele
Notary Public for Oregon
My commission expires: 7-1-03



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ADDENDUM A

Addendum to Earnest Money Agreement Between Colleen Colby (Seller) and Patrick & Monica Zweifel (Buyers) dated 5-8-02

The following provisions form a part of and are in addition to the provisions contained in the Earnest Money Agreement dated 5-8-02 between the parties.

1. Seller is retaining all rights to the rock and gravel, including the right to remove rock and gravel so long as the Seller obtains the applicable permits for such removal, for a period of ten years commencing from the date of closing.
2. The parties understand that Seller intends to file for a conditional use permit to remove rock from the property. Buyers agree that they will not oppose Seller's efforts to obtain a conditional use permit (either before or subsequent to closing) and will execute whatever documents are necessary to process the application to obtain the permit.
3. As part of the permit application process, Seller intends to hire an engineer to map out the area for the rock removal. Seller agrees to work with the engineer in order for the map to be prepared and Seller's agent has shown Buyer the proposed rock removal area.
4. Notwithstanding Seller's right to obtain a continual use permit for the removal of rock and/or gravel, Buyer shall have the right to excavate a water holding pond at such time as he so desires. He will not be restricted to any size or location regarding this pond but Seller shall have the right to any material excavated from the pond such as topsoil and/or rock for her own use.
5. If Seller is successful in obtaining a permit and removes rock or gravel pursuant to the permit, Seller shall pay Buyer \$40,000.00 for the rock removed. If the conditional use permit obtained is for an area less than the excavation proposed by Seller's engineer, the amount of money payable to the Buyer for the rock will be reduced by the same percentage as any reduction by the permitting agency for the excavation site proposed by Seller in the permit application process. Rock shall be paid on the 10th of the month for all rock removed the previous month at \$.50 per yard until the full amount or reduction amount is paid in full.
6. Buyer has been renting the property for the sum of \$2,000.00 per month. This Rental Agreement shall continue until the date of closing and rent shall be prorated during the final month that the closing occurs. Buyers acknowledge that they have had an opportunity to inspect the property and are buying the Property and are buying the Property "as is" with no warranty by Seller as to the property's physical condition or any improvements thereon.
7. Buyer may pour cement in the Blue Barn located next to the house prior to closing. So long as it does not interfere with Buyer's use of the property, Seller may store some items of personal property after closing for a reasonable period of time and after obtaining permission from Buyer to do so.
8. Buyer shall notify Seller immediately upon obtaining financing for the purchase of the property in order to allow the precise scheduling of the closing date.
9. In addition to the precise area where the rock is to be removed, Buyer grants Seller a right of way to a reasonable area around the rock removal area so long as it does not interfere with Buyer's farm or planting areas on the property. In addition, Buyer grants Seller a right of way for access to the excavation area through the gate to Kilchis River Rd. and for an adequate area to stockpile rock and/or topsoil removed from the place of excavation.

This Addendum agreed to this 8 day of May 2002 March 2000. *eme* *PK*

OWNER
Colleen Colby
COLLEEN COLBY

BUYER
Patrick Zweifel
PATRICK ZWEIFEL
Monica Zweifel
MONICA ZWEIFEL

eme
INITIAL

PK
INITIAL

MZ
INITIAL

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LEGAL DESCRIPTION

Parcel 1 of PARTITION PLAT NO. 2002-014, a replat of adjusted Parcel 1 of Partition Plat No. 1996-066, situated in the Southeast of the Southeast quarter of Section 31, Township 1 North, Range 9 West of the Willamette Meridian, and the Southwest quarter of Section 32, Township 1 North, Range 9 West, Willamette Meridian, in Tillamook County, Oregon, as recorded August 16, 2002 in Plat Cabinet B-754-0, Partition Plat Records of Tillamook County, Oregon. -----

DEED EXCEPTIONS

As disclosed by the tax rolls, the premises herein described have been zoned or classified for farm use. At any time that said land is disqualified for such use, the property will be subject to additional taxes or penalties and interest.

As disclosed by the tax rolls, the premises herein described have been zoned or classified as forest lands. At any time that said land is disqualified for such use, the property will be subject to additional taxes or penalties and interest pursuant to the provisions of ORS chapter 321.

Rights of the public and governmental bodies in and to any portion of the premises herein described lying below high water mark of the Kilchis River and Myrtle Creek, including any ownership rights which may be claimed by the State of Oregon below the high water mark.

Any adverse claim based upon the assertion that:

Said land or any part thereof is now or at any time has been below the ordinary high water mark of the Kilchis River and Myrtle Creek.

Some portion of said land has been created by artificial means or has accreted to such portion so created.

Some portion of said land has been brought within the boundaries thereof by an avulsive movement of the Kilchis River and Myrtle Creek or has been formed by an accretion to any such portion.

Such rights and easements for navigation and fishing as may exist over that portion of the property lying beneath the waters of Kilchis River and Myrtle Creek.

Rights of the public in and to that portion lying within streets, roads and highways.

Easement, including the terms and provisions thereof,
From: Donald Darby and Virginia Darby, husband and wife
To: City of Bay City
Recorded: August 8, 1980
Book: 270 Page: 965
Records of TILLAMOOK County, Oregon.

02411851

I hereby certify that the within instrument was received for record and recorded in the County of Tillamook, State of Oregon.

AUG. 23 2 21 PM '02

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Witness by hand and seal affixed.



	DEPUTY
DWARR	15.00
A&T	10.00
ADMIN	1.00
OLISF	1.00
PLCP	9.00