

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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Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050 & ORS 537.615)

Include this checklist with the application

Check that each of the following items is included. The application will be returned if all required items are not included. If you have questions, please call the Water Rights Customer Service Group at (503) 986-0900.

- SECTION 1: applicant information and signature
- SECTION 2: property ownership
- SECTION 3: well development
- SECTION 4: water use
- SECTION 5: water management
- SECTION 6: storage of groundwater in a reservoir
- SECTION 7: use of stored groundwater from the reservoir
- SECTION 8: project schedule
- SECTION 9: within a district
- SECTION 10: remarks

Attachments:

- Land Use Information Form with approval and signature (*must be an original*) or signed receipt
- 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. Example: A copy of the deed, land sales contract or title insurance policy.
- Fees - Amount enclosed: \$2,350
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.

Provide a map and check that each of the following items is included:

- 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 Memorandum of Land Sale Contract

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Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant Information

NAME STANLEY J. AND LORI L. BOSHART		PHONE (HM) (541) 928-8662	
PHONE (WK)	CELL	FAX	
ADDRESS 32818 TANGENT LOOP			
CITY TANGENT	STATE OR	ZIP 97389	E-MAIL*

Organization Information

NAME		PHONE	FAX
ADDRESS			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 DOANN HAMILTON/PACIFIC HYDRO-GEOLOGY, INC		PHONE (503) 632-5016	FAX (503) 632-5983
ADDRESS 18487 S. VALLEY VISTA ROAD			CELL (503) 349-6946
CITY MULINO	STATE OR	ZIP 97042	E-MAIL* PHGDMH@GMAIL.COM

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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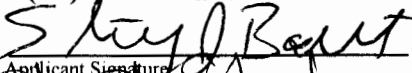
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By my signature below I confirm that I understand:

- 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.

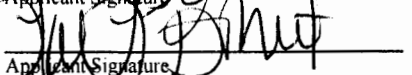
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I (we) affirm that the information contained in this application is true and accurate.


Applicant Signature

Stanley J. Boshart
Print Name and title if applicable

10-27-15
Date


Applicant Signature

Lori L. Boshart
Print Name and title if applicable

10-27-15
Date

For Department Use		
App. No. <u>G-19164</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
Well 1	S. Santiam River	4,250 feet	10 feet
Well 2	S. Santiam River	3,050 feet	10 feet

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*).

Well specifications provided in the table below are estimates and subject to change based on actual conditions encountered in the field.

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G-10164

6-10-14

SECTION 3: WELL DEVELOPMENT, CONTINUED

Total maximum rate requested: 2.53 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)
Well 1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	NA	<input type="checkbox"/>	10 inch	0 to 100 feet	150 to 200 feet	0 to 100 feet	NA	Alluvium	200 feet		
Well 2	<input checked="" type="checkbox"/>	<input type="checkbox"/>	NA	<input type="checkbox"/>	10 inch	0 to 100 feet	150 to 200 feet	0 to 100 feet	NA	Alluvium	200 feet		
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>						Total:		1,135 gpm	527.5 AF
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	RECEIVED								
	<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"/>									

* 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	March 1 through October 31	527.5 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: 211.0 Acres Supplemental: NA Acres

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

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 527.5 AF

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

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SECTION 5: WATER MANAGEMENT

A. Diversion and Conveyance

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

Pump (give horsepower and type): 7TLC-3 Stage 6" submersible Turbine 40 Hp motor

Other means (describe): _____

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. . From the well the mainline will run north-south through the hazelnuts with hydrants evenly spaced along the length. From these hydrants laterals will be attached to assemble drip line system along each row of hazelnut trees.

B. Application Method

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

A drip line system will be installed at the base of the hazelnut trees.

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.

Irrigation of the hazelnuts will be done with a drip irrigation system using best management practices to prevent waste. A flow meter will be used to measure the amount of water used.

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: NA Acreage inundated by reservoir: NA

Use(s): NA

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

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): NA

USE OF STORED GROUND WATER	PERIOD OF USE
NA	NA

SECTION 8: PROJECT SCHEDULE

Date construction will begin: As soon as the permit is issued

Date construction will be completed: Five years after permit is issued

Date beneficial water use will begin: Five years after permit is issued

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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 NA	Address	
City	State	Zip

SECTION 10: REMARKS

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

The land has just recently been purchased – see attached memorandum of Land Sale Contract.

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 Customer Service Group at 503-986-0801.

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WR

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: Stanley J. and Lori L Boshart
First Last

Mailing Address: 32818 Tangent Loop

Tangent OR 97389 Daytime Phone: 541-928-8662
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	3W	36		100	Farm Use	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Irrigation
10S	3W	36		200	Farm Use	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Irrigation
						<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:

Linn County	<div style="font-size: 2em; font-weight: bold; text-align: center;">RECEIVED</div> <div style="font-size: 1.2em; font-weight: bold; text-align: center;">NOV 19 2015</div>
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B. Description of Proposed Use

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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: 2.53 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:

Drip irrigation will be installed to irrigate Hazelnut trees.



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.

See bottom of Page 3. →

G-02164

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): 928.310(B)(2).

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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2015-0267

Name: Alyssa Boles Title: Planner
 Signature: Alyssa Boles Phone: 541-967-3816 Date: 10/26/15
 Government Entity: Linn 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: _____
 City or County: _____ Staff contact: _____
 Signature: _____ Phone: _____ Date: _____

LINN COUNTY, OREGON 2010-16185
C-CONMEM
Cnt=1 Str=7 COUNTER 10/08/2010 11:26:40 AM
\$40.00 \$20.00 \$11.00 \$15.00 \$9.00 \$105.00



I, Steve Druckenmiller, County Clerk for Linn County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.
Steve Druckenmiller - County Clerk



MEMORANDUM OF LAND SALE CONTRACT

Sellers: Charlane R. Lines, Trustee, Marilyn S. Lines, aka Marilyn Sue Everett, Trustee & Barbara J. Robertson, aka Barbara Jane Hough, Trustee

Buyers: James H. Sapp, Marilee K. Sapp, Randall V. Sapp, Tamiaka L. Sapp, Stanley J. Boshart, Lori L. Boshart, Charles F. Moe, Linda M. Moe, Bryan M. Gilder, Suzanne E. Gilder and Dennis J. McLain

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

Linda Moe
34877 Knox Butte Road E
Albany, OR 97321

After recording, return: Charlane Lines
421 2nd Street SW
Sidney, MT 59270

The true and actual consideration for this transfer is TWO MILLION DOLLARS AND NO/100 (\$2,000,000.00).

Charlane R. Lines, Trustee, Marilyn S. Lines, aka Marilyn Sue Everett, Trustee & Barbara J. Robertson, aka Barbara Jane Hough, Trustee, as Sellers, and James H. Sapp, Marilee K. Sapp, Randall V. Sapp, Tamiaka L. Sapp, Stanley J. Boshart, Lori L. Boshart, Charles F. Moe, Linda M. Moe, Bryan M. Gilder, Suzanne E. Gilder and Dennis J. McLain, as Buyers, do hereby acknowledge execution of a Land Sale Contract this date for the sale and purchase of that certain real property situated in Linn County, State of Oregon, described as follows:

THAT CERTAIN PROPERTY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO WHICH BY THIS REFERENCE IS MADE A PART HEREOF.

Each parcel described is sold separately and in no way is the contract intended to result in a consolidation of the parcels described on Exhibit "A".

Together with the following items of personal property:

- 1. Refrigerator.
- 2. Range.

This memorandum is executed for recording in the Deed Records of Linn County, Oregon.

The property described in this instrument may not be within a fire protection district protecting structures. The property is subject to land use laws and regulations, which, in farm or forest zones, may not authorize construction or siting of a residence and which limit lawsuits against farming or forest practices as defined in ORS 30.930 in all zones. 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 existence of fire protection for structures.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)). THIS INSTRUMENT DOES 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 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)).

After Recording Return To: AmeriTitle 503-605-2995

G-18164

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SALEM, OREGON

Accepted and Approved: Dated: 10-7-10

[Signature]
James H. Sapp

[Signature]
Marilee K. Sapp

[Signature]
Randall V. Sapp

[Signature]
Tamiaka L. Sapp

[Signature]
Stanley J. Boshart

[Signature]
Lori L. Boshart

[Signature]
Charles F. Moe

[Signature]
Linda M. Moe

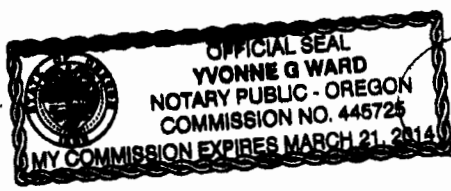
[Signature]
Bryan M. Gilder

[Signature]
Suzanne E. Gilder

[Signature]
Dennis J. McLain

State of Oregon -
County of Linn

This instrument was acknowledged before me on Oct 7, 2010 by James H. Sapp, Marilee K. Sapp, Randall V. Sapp, Tamiaka L. Sapp, Stanley J. Boshart, Lori L. Boshart, Charles F. Moe, Linda M. Moe, Bryan M. Gilder, Suzanne E. Gilder and Dennis J. McLain.



[Signature]
(Notary Public for Oregon)

My commission expires 3/21/14

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SALEM, OREGON

Dated this 29th day of Sept., 2010

SELLERS:

Charlane R. Lines, Trustee of the Russell L. Lines
Revocable Living Trust dated September 21, 2009

Marilyn S. Everett, Trustee of the Russell L. Lines
Revocable Living Trust dated September 21, 2009

M. H. ROBERTSON
Colbert H. Brown II, Trustee of the David L.
Robertson and Barbara J. Robertson joint tenants
udt dated September 28, 1993; Barbara J. Robertson,
Trustee of the Barbara's Bypass Trust udt dated
September 28, 1993 and Barbara J. Robertson,
Trustee of the Survivor's Trust udt dated
September 28, 1993

STATE OF OREGON)
) ss.
County of _____)

Personally appeared the above named **Charlane R. Lines** and acknowledged the foregoing instrument to be her act and deed.

Before me:

Notary Public for Oregon
My commission expires: _____

STATE OF OREGON)
) ss.
County of _____)

Personally appeared the above named **Marilyn S. Everett** and acknowledged the foregoing instrument to be her act and deed.

Before me:

Notary Public for Oregon
My commission expires: _____

STATE OF OREGON)
) ss.
County of _____)

Personally appeared the above named _____, and acknowledged the foregoing instrument to be his/her act and deed.

Before me:

Notary Public for Oregon
My commission expires: _____

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6-18164

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of LOS ANGELES

On 9/29/2010 before me, BRIAN L. FOLKS, Notary Public
(Here insert name and title of the officer)

personally appeared GILBERT H. BROWN, II

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Brian L. Folks
 Signature of Notary Public



(Notary Seal)

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

MEMORANDUM OF LAND
(Title or description of attached document)

SALE CONTRACT
(Title or description of attached document continued)

Number of Pages 2 Document Date _____

(Additional information)

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is to be recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. ~~he/she/they~~, is /are) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
 - ❖ Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
 - ❖ Indicate title or type of attached document, number of pages and date.
 - ❖ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document

CAPACITY CLAIMED BY SIGNER

Individual (s)

Corporate Officer

(Title)

Partner(s)

Attorney-in-Fact

Trustee(s)

Other _____

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Exhibit "A"

The following separate legal parcels:

Parcel I:

Beginning at the Northeast corner of the D.L.C. of John Earl and wife, Claim No. 41, in Township 10 South of Range 3 West of the Willamette Meridian, in Linn County, Oregon, and running thence West on the North line of said claim, 25.75 chains; thence South 41.03 chains; thence East 15.75 chains to the East line of said claim; thence 41.03 chains to the place of beginning.

ALSO, Beginning 41.03 chains South of the Northeast corner of the John Earl and wife, D.L.C. No. 41, Township 10 South, Range 3 West, Willamette Meridian, in Linn County, Oregon, thence South along the claim line 300 feet to the North line of a County Road, thence West 10 feet; thence North 300 feet; thence East 10 feet; to the place of beginning.

Parcel II:

Commencing at the Northeast corner of the D.L.C. of John Earl and wife, Claim No. 41, in Township 10 South of Range 3 West of the Willamette Meridian, in Linn County, Oregon; and running thence West on the North line of said claim 25.75 chains; and thence South 5.96 chains, the true place of beginning of the property herein described; thence running West 30.06 chains to the West line of said claim; thence South on said claim line 15.05 chains; thence East 30.06 chains, more or less, to a point due South of the true place of beginning, thence North 15.05 chains to the true point of beginning.

Parcel III:

The East 2.58 acres of even width of Lot No. 3 in Section No. 36 in Township 10 South of Range 3 West of the Willamette Meridian, Oregon. Also, Beginning at a point on the East boundary line of and 41.03 chains South of the Northeast corner of the Donation Land Claim of John Earl and Frances Earl, his wife, Notification No. 1713 and Claim No. 41 in Township 10 South of Range Three West of the Willamette Meridian, Oregon and running thence West 55.65 chains to the West boundary line of said claim, thence South 24.62 chains; thence East 55.65 chains, thence North 24.62 chains to the place of beginning.

Also, a right of way and roadway fifteen feet on each side of the following described line, to-wit:

Beginning on the North boundary line of and at a point 316 1/2 feet East of the Northwest corner of that certain tract of land conveyed by F. E. Lines to said Little Foley on October 19, 1907, the deed thereof being recorded in Volume No. 82 at Page 319 of the Deed Records for Linn County, Oregon, said Northwest corner of said tract being at a point of 2°11' East 5.77 chains distant and 45 links East from the angle in the Donation Land Claim of John Earl, Claim 41 in Township 10 South of Range 3 West of the Willamette Meridian, Oregon, said Northwest corner being also South 19.96 chains distant and East 13.56 chains distant from the quarter section corner between Sections 35 and 36 in said Township and Range and running thence South in a straight line 32.05 chains to the South boundary line of said tract of land so conveyed as aforesaid at a point on the South boundary line which is 449 feet distant East from the Southwest corner of said tract of land conveyed as aforesaid.

SAVE AND EXCEPT the following:

Beginning 41.03 chains South of the Northeast corner of the John Earl and wife, D.L.C. No. 41, Township 10 South, Range 3 West, Willamette Meridian, in Linn County, Oregon; thence South along the claim line 300 feet to the North line of a County Road; thence West 10 feet; thence North 300 feet; thence East 10 feet; to the place of beginning.

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Parcel IV:

That part of the D.L.C. of Robert Earl and wife being Claim No. 41 in Township 10 South, Range 3 West of the Willamette Meridian, in Linn County, Oregon, described as follows, to-wit: Beginning on the East line of and South 65.64 chains from the Northeast corner of said claim; thence South 32.82 chains; thence West 54.17 chains, more or less, to the East line of that part of the tract of land lying in the said Claim conveyed to Ruth A. Murphy by deed recorded in Deed Record 168, Page 121, thence North 2°12' West along said Ruth A. Murphy's line 32.85 chains, more or less, to a point due West of the place of beginning; thence East 55.20 chains to the place of beginning, except that part of said premises conveyed to Frank Lines by Deed Record 72, Page 564.

Parcel V:

Tract 1:

Part of the William N. Basye D.L.C. #41 in Township 10 South, Range 2 West of the Willamette Meridian and of Claim #77 in Township 10 South, Range 3 West of the Willamette Meridian, described as follows:

Beginning at the point of intersection of the Northwesterly line of the right-of-way of the abandoned Southern Pacific Company's Mill City Branch with the East line of the John Earl D.L.C. No. 41 in Township 10 South, Range 3 West of the Willamette Meridian, said point of beginning also being the Southwest corner of the premises conveyed to Enoch Jackson by deed recorded in Book 169, Page 645, Deed Records; thence South along the East line of said D.L.C. 67.62 feet to the point of intersection of the Southwest line of the said right-of-way with said East line of said John Earl Claim #41; thence North 62°32' East along the Southwesterly line of said right-of-way to a point 18.94 chains when measured along the Northwesterly line of said right-of-way and 60 feet South of the point of beginning; thence North 60 feet to the most Easterly corner of said Jackson tract; thence South 62°32' West 18.94 chains to the place of beginning.

Tract 2:

Beginning at the Northwest corner of the D.L.C. of William N. Basye and Elizabeth Basye, his wife, Notification No. 1625 and Claim No. 77 in Township 10 South, Range 3 West of the Willamette Meridian, said beginning point being in Section 36, said Township and Range; thence South 9.23 chains to the Northerly line of the abandoned right of way of the Willamette Valley and Coast Railroad Company; thence North 61° East along the Northerly line of said right of way 18.94 chains to the North boundary line of said D.L.C.; thence North 88°51' West along the North boundary line of said D.L.C. 16.66 chains to the place of beginning.

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