

D & B Farms, LLC

PO Box 567
Eugene, OR 97440
541.228.8388
dandbfarmsllc@gmail.com

December 29, 2015

Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1266

Dear OWRD,

Please find enclosed our application for a water right for our farm, including attachments:

1. Application
2. Recorded Deed of trust showing D & B Farms as the owner of the property
3. State of Oregon Water Supply Well Report
4. Lane County Public Works Land Use Approval – Land Use Information Form
5. Water Right Map prepared by Certified Water Right Examiner
6. Check payable to OWRD in the amount of \$1900.00. (\$1150 for the application fee; \$300 for one cubic foot per second; \$450 for the permit recording fee)

We are working with Tim Fessbender, Certified Water Right Examiner, who helped us make sure our application is complete and in order.

Since we are hoping to receive a permit to draw water as soon as possible, please let us know if there is more we can do to satisfy OWRD requirements.

Thank you,

Diane L. Downey
Manager
D & B Farms, LLC

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

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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.

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 - deed included / attached
- ☒ SECTION 3: well development - report attached
- ☒ SECTION 4: water use
- ☒ SECTION 5: water management
- ☒ SECTION 6: storage of groundwater in a reservoir (N/A)
- ☒ SECTION 7: use of stored groundwater from the reservoir (N/A)
- ☒ SECTION 8: project schedule
- ☒ SECTION 9: within a district (N/A)
- ☒ SECTION 10: remarks (N/A)

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: \$ 1900.00
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 _____ N/A

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

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant Information

NAME D & B FARMS, LLC		PHONE (HM)	
PHONE (WK)	CELL	FAX	
ADDRESS PO BOX 567			
CITY EUGENE	STATE OR	ZIP 97410	E-MAIL *

Organization Information

NAME D		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 DIANE DOWNEY		PHONE 541-228-8388	FAX
ADDRESS PO BOX 567		CELL	
CITY EUGENE	STATE OR	ZIP 97440	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

Applicant Signature

Print Name and title if applicable

Print Name and title if applicable

Date

Date

owner

For Department Use

App. No. G-18225

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
WELL1	FERN RIDGE RES.	7464 FEET	2 FEET
WELL 2			

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*).

Applicant will be using the existing well on the property for irrigation of lands and for domestic use of existing home on the property. Applicant may in the next year drill a new well near the southerly property line for irrigation purposes only and using the existing well for domestic purposes only.

6-10225
SECTION 3: WELL DEVELOPMENT, CONTINUED

Total maximum rate requested: 1/40 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	☐	☒	L112117	☐	6"	see attached well log			17.5 ft				
	☐	☐		☐	6"-8"	+1--97		18'	N/A	Sand gravel	97	.475 cfs	47.5
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									

* 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 through September	19 x 2.5 ac ft

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: 19 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: 2.5

- If the use is **municipal or quasi-municipal**, attach **Form M**
 - If the use is **domestic**, indicate the number of households: 1
- If the use is **mining**, describe what is being mined and the method(s) of extraction: _____

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): 2.5hp

☐ Other means (describe): _____

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. water pumped from well via a submersible pump into buried mainline to valves servicing above ground hand line and drip system

B. Application Method

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

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.

watering will be used only when needed and only amounts that are beneficial. Property is level and there is no adjacent riparian habit or surface stream which water can reach.

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: _____

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: April 2016

Date construction will be completed: September 2017

Date beneficial water use will begin: September 2018

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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	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*).

G-18225

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.

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: D and B Farms, LLC
First Last

Mailing Address: P.O. Box 567

Eugene OR 97440 Daytime Phone: 541-228-8388
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:
16	05	35	32	00100	EFU-40	☐ Diverted	☐ Conveyed	☒ Used	Farm
(See "Addendum" attached)						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	

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

Junction City, Lane County
↓
(outside city limits)

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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: 1/40 ☒ cubic feet per second ☐ gallons per minute ☐ acre-feet

Intended use of water: ☒ Irrigation ☐ Commercial ☐ Industrial ☒ Domestic for 2 household(s)
☐ Municipal ☐ Quasi-Municipal ☐ Instream ☐ Other _____

Briefly describe:

Irrigation of farmland, crops, and nursery stock —
commercial agriculture/farm use.

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. →

Land Use Information Form

(Addendum)

Oregon Water Resources Department

D and B Farms, LLC
P.O. Box 567
Eugene, OR 97440

Phone: 541.228.8388

A. Land and Location

Township	Range	Section	¼ / ¼	Tax Lot #	Plan Designation	Water to be	Proposed Land Use
16S	5W	35	NE / SW	500	EFU 40	used	Irrigation /Nursery Operations
16S	5W	35	NW / SW	100	EFU 40	used	Nursery Operations
16S	5W	35	NW / SW	100	EFU 40	used	Nursery Operations
16S	5W	35	NW / SW	101	EFU 40	used	Irrigation /Nursery Operations
16S	5W	35	NW / SW	301	EFU 40	used	Irrigation /Nursery Operations
16S	5W	35	NW / SW	400	EFU 40	used	Irrigation /Nursery Operations
16S	5W	35	NW / SW	501	EFU 40	used	Irrigation /Nursery Operations
16S	5W	35	NW / SW	600	EFU 40	used	Irrigation /Nursery Operations
16S	5W	35	NW / SW	700	EFU 40	used	Irrigation /Nursery Operations
16S	5W	35	NE / SW	1700	RR1	used	Domestic – 2 Households

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G-18225



LAND MANAGEMENT DIVISION

Date Received:

RECEIVED DEC 11 2015

**LAND USE APPLICATION - ADMINISTRATIVE
Land Use Compatibility Statement**

PUBLIC WORKS DEPARTMENT 3050 N. DELTA HWY, EUGENE OR 97401 Planning: 682-3577

For Office Use Only: FILE #

500A-
PA15-05813

FEE:

\$130.⁰⁰

Applicant (print name):

D + B Farms, LLC

Mailing address:

PO Box 567, Eugene, OR 97440

Phone:

541-228-8388

Email:

dandbfarmsllc@gmail.com

Applicant Signature:

Deane L. Downey

PROPERTY LOCATION

16 05 35 32 00100

Township

Range

Section

Taxlot

Subdivision/partition

lot/parcel

block

Site address

91052 Commercial St., Junction City, OR
97448

The Land Use Compatibility Statement (LUCS) is the form used when a customer needs a written response from the Planning Program, including State permit sign-offs. It is intended to assist customers who have a question that can not be answered in 10 minutes by the Planner at the front desk.

In the space below, write the question/request you have for the Planner. Attach additional pages if necessary.

OWRD LUCS for Irrigation / Farm Use

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Version 1/2013

G-18225

JAN 04 2016

For Local Government Use Only

SALEM, OR

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): LC 16.212(3)(a)

☐ 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:	
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ 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.

Irrigation for Farm Use Allowed per Lane Code 16.212(3)(a)

Name: Matt Laird Title: Planner
 Signature: [Signature] Phone: 541.662.4904 Date: 12/11/2015
 Government Entity: Lane 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: D+B Farms, LLC
 City or County: Lane County Staff contact: Matt Laird
 Signature: [Signature] Phone: 541.662.4904 Date: 12/11/2015

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: _____
- ☐ 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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SALEM, OR

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 _____

G-18225

AFTER RECORDING RETURN TO:
CASCADE TITLE COMPANY
811 WILLAMETTE ST., EUGENE, OR 97401



Lane County Clerk
Lane County Deeds and Records

2015-025230



\$52.00

01503796201500252300020024

06/05/2015 09:25:31 AM

RPR-DEED Cnt=1 Stn=40 CASHIER 01

\$10.00 \$11.00 \$21.00 \$10.00

16-05-55-52 *100

TITLE NO. 0290205 AF

ESCROW NO. EU15-1608

TAX ACCT. NO. 0062487, 1853942, 0062610, 0062735

TAX ACCT. NO. 0062743, 0062768, 0062776, 0062784

TAX ACCT. NO. 0062792, 0062800, 4100945

MAP/TAX LOT NO. 16 05 35 31 00500; 01700

MAP/TAX LOT NO. 16 05 35 33 00100; 00101;

MAP/TAX LOT NO. 00301; 00400; 00501; 00600;

MAP/TAX LOT NO. 00700

GRANTOR

JAMES C. HOOKER

GRANTEE

D & B FARMS, LLC AN OREGON LIMITED LIABILITY COMPANY

18000 AND DRIVE P.O. Box 567

EUGENE, OR 97401 Eugene, Oregon 97440

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

After recording return to:
CASCADE TITLE CO.
811 WILLAMETTE
EUGENE, OR 97401

WARRANTY DEED -- STATUTORY FORM

JAMES C. HOOKER, Grantor,

conveys and warrants to

D & B FARMS, LLC AN OREGON LIMITED LIABILITY COMPANY, Grantee,

the following described real property free of encumbrances except as specifically set forth herein:

SEE ATTACHED EXHIBIT "A"

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 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 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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Except the following encumbrances:

COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS OF RECORD.

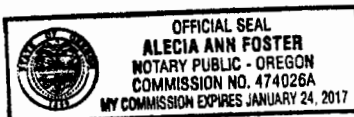
The true consideration for this conveyance is \$220,500.00 A PORTION AS PAID BY/TO AN ACCOMMODATOR PURSUANT TO IRC 1031.

Dated this 04 day of June, 2015.

James C. Hooker
JAMES C. HOOKER

State of Oregon
County of Lane

This instrument was acknowledged before me on June 4, 2015 by JAMES C. HOOKER.



(Notary Public for Oregon)
My commission expires 1/24/17

WRD-EX (AA)

G-18225

EXHIBIT "A"
PARCEL 1:

Lots 1 through 7, inclusive and Lots 9 through 12, inclusive, in Block 66; Lots 1 through 24, inclusive, in Block 67 and Lots 1 through 24, inclusive, in Block 68, of the 2ND AMENDED PLAT OF FERN RIDGE, as platted and recorded in Book 6, Page 28, Lane County Oregon Plat Records, in Lane County, Oregon.

ALSO: The South half of vacated Third Street, bounded on the West by the East line of "B" Street and on the East by the West line of Railroad Street, lying North of Blocks 66, 67 and 68 of the 2ND AMENDED PLAT OF FERN RIDGE, as platted and recorded in Book 6, Page 28, Lane County Oregon Plat Records, in Lane County, Oregon.

PARCEL 2:

All of Blocks 73, 74, 75, 76, 77, and 78, SECOND AMENDED PLAT OF FERN RIDGE, as platted and recorded in Book 6, Page 28, Lane County Oregon Plat Records, in Lane County, Oregon.

TOGETHER WITH the following vacated streets and alleys: Those portions of Second Street, the South half of First Street and the North half of Third Street bounded on the West by the East line of B Street and on the East by the West line of Railroad Street; those portions of A Street and Main Street bounded on the North by the South line of First Street and on the South by the North line of Third Street; the West half of Railroad Street bounded on the North by the centerline of First Street and on the South by the North line of Third Street; and all those alleys lying within Blocks 73, 74, 77 and 78; all as shown on the SECOND AMENDED PLAT OF FERN RIDGE, as platted and recorded in Book 6, Page 28, Lane County Oregon Plat Records, in Lane County, Oregon.

EXCEPT THE FOLLOWING: Beginning at the intersection of the centerline of Railroad Street (vacated) and the centerline of First Street (vacated) in the SECOND AMENDED PLAT OF FERN RIDGE, as platted and recorded in Book 6, Page 28, Lane County Oregon Plat Records; and running thence along the centerline of First Street (vacated), West 769.30 feet to the intersection with the Northerly projection of the East right of way line of B Street, said East right of way line being 30.00 feet from the centerline of B Street when measured at right angles; thence along said Northerly projection of the East right of way line of B Street, South 0° 11' 05" East 10.75 feet to a point; thence leaving said Northerly projection, South 89° 42' 21" East 769.33 feet to a point on the centerline of Railroad Street (vacated) that is 14.70 feet South 0° 11' 50" East of the point of beginning; thence along the centerline of Railroad Street (vacated), North 0° 11' 50" West 14.70 feet to the point of beginning, being all in Lane County, Oregon.

PARCEL 3:

Commencing at a 5/8 inch rebar marking the Northwest corner of Block 65, SECOND AMENDED PLAT OF FERN RIDGE, Book 6, Page 28, Lane County Oregon Plat Records; thence along the West boundary of Block 65, SECOND AMENDED PLAT OF FERN RIDGE, South 0° 36' 02" West a distance of 208.54 feet to a 5/8 inch rebar with yellow plastic cap "Poage Eng. & Surv. Inc." set in County Survey File No. 37968 and the true point of beginning; thence South 0° 34' 24" West a distance of 444.10 feet to a 3/4 inch iron pipe as set in County Survey File No. 13596; thence North 89° 16' 21" West a distance of 266.16 feet to a 5/8 inch rebar with yellow plastic cap, "D.W. BAKER PLS 1978", set in County Survey File No. 42320 to the centerline of vacated Railroad Street; thence along the centerline of vacated Railroad Street, North 0° 35' 15" East a distance of 444.25 feet to a 5/8 inch rebar with yellow plastic cap "D.W. BAKER PLS 1978"; thence leaving the centerline of vacated Railroad Street, South 89° 15' 46" East a distance of 266.05 feet to the true point of beginning, all in Lane County, Oregon.

PARCEL 4:

That portion of land described in the deed from George Midgley, et al, to the Portland Eugene & Eastern Railway Company, dated August 1, 1911, and recorded in Book 89, Page 472, Lane County Oregon Deed Records, lying within Third Street as said street is shown on the AMENDED PLAT OF FERN RIDGE, as platted and recorded in Book 6, Page 12, Lane County Oregon Plat Records, in Lane County, Oregon.

PARCEL 5:

All that part of Lot 8, Block 65 of the SECOND AMENDED PLAT OF FERN RIDGE, as platted and recorded in Book 6, Page 28, Lane County Oregon Plat Records, lying South of the following described line: Beginning at a 5/8 inch rebar marking the Northwest corner of Block 65 of the SECOND AMENDED PLAT OF FERN RIDGE; thence along the West boundary of said Block 65 South 00° 35' 28" West 401.41 feet to a point referenced by a 5/8 inch rebar with a yellow plastic cap stamped "Poage Engr. & Surv. Inc." said point being the true point of beginning; thence leaving said West boundary running South 89° 15' 48" East 98.17 feet to a point on the West margin of Commercial Street and there ending, all in Lane County, Oregon.

Bearings used hereon are based on County Survey File No. 13596 on file in the office of the Lane County Surveyor.

ALSO: Lot 9, Block 65 of the SECOND AMENDED PLAT OF FERN RIDGE, as platted and recorded in Book 6, Page 28, Lane County Oregon Plat Records, in Lane County, Oregon.

ALSO: Lot 10 of the SECOND AMENDED PLAT OF FERN RIDGE, Amendment of Lots 10 & 11, Block 65, as platted and recorded Reception No. 2012-022773, Lane County Deeds and Records, in Lane County, Oregon.

PIERCEALL Jeffrey D

From: htimfass@aol.com
Sent: Wednesday, January 06, 2016 10:09 AM
To: PIERCEALL Jeffrey D; dandbfarmsllc@gmail.com
Subject: Revised application map
Attachments: D&B Farms LLC revised map.pdf

Jeffrey<

Attached is the revised water right application map for D & B Farms LLC as requested by Diane. I located Well #2 on the map along with the tie to the DLC corner. I also checked the location of well #2 to Fern Ridge Res. and the Long Tom River. The reservoir is 6800 feet from the well and the river is 9000 feet from the well, (both measurements taken from the nearest point to point).

If you have any further questions, please let me know.

Respectfully,

Tim Fassbender, PLS, CWRE

RECEIVED

JAN 06 2016

WATER RESOURCES DEPT
SALEM, OREGON

648225