

Application for a Permit to Use Surface 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.oar). 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 can issue a Final Order within 60 days of the date of the period for receiving protest. If the application is approved, a permit is issued. The permit specifies the details of the authorized use and any terms, limitations or conditions that the Department deems appropriate.

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SALEM, OREGON

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Application for a Permit to Use Surface Water



LUC 16-51
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 EUGENE KAZEMIER/RICKREAL DAIRY LLC		PHONE (HM) NA	
PHONE (WK) (503) 623-8422	CELL NA		FAX NA
ADDRESS 8845 RICKREAL ROAD			
CITY RICKREAL	STATE OR	ZIP 97371	E-MAIL * LOUIE@RICKREALDAIRY.COM

Organization Information

NAME RICKREAL DAIRY		PHONE (503) 623-8422	FAX NA
ADDRESS 8845 RICKREAL ROAD			CELL NA
CITY RICKREAL	STATE OR	ZIP 97371	E-MAIL * LOUIE@RICKREALDAIRY.COM

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

AGENT / BUSINESS NAME BRUCE D. WILSON/H&R ENGINEERING LLC		PHONE (866) 493-3243	FAX (503) 980-4952
ADDRESS 1975 ROCK LEDGE DR. NE			CELL (503) 881-4254
CITY KEIZER	STATE OR	ZIP 97303	E-MAIL * BDWENG@COMCAST.NET

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:

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- 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 package.
- I cannot legally use water until the Water Resources Department issues a permit to me.
- The Department encourages all applicants to wait for a permit to be issued before beginning construction of any proposed diversion. Acceptance of this application does not guarantee a permit will be issued.
- If I begin construction prior to the issuance of a permit, I assume all risks associated with my actions.
- 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

Print Name and title if applicable

Date

Applicant Signature

Print Name and title if applicable

Date

Revised

For Department Use		
App. No. _____	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*).

NA

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: SOURCE OF WATER

A. Proposed Source of Water

Provide the commonly used name of the water body from which water will be diverted, and the name of the stream or lake it flows into. If unnamed, say so:

Source 1: <u>Unnamed Stream</u>	Tributary to: <u>Baskett Slough</u>
Source 2: _____	Tributary to: _____
Source 3: _____	Tributary to: _____
Source 4: _____	Tributary to: _____

If any source listed above is stored water that is authorized under a water right permit, certificate, or decree, attach a copy of the document or list the document number (for decrees, list the volume, page and/or decree name).

B. Applications to Use Stored Water

Do you, or will you, own the reservoir(s) described in item 3A above?

- Yes.
- No. (Please enclose a copy of your written notification to the operator of the reservoir of your intent to file this application, which you should have already mailed or delivered to the operator.)

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If *all* sources listed in item 3A are stored water, the Department will review your application using the expedited process provided in ORS 537.147, unless you check the box below. Please see the instruction booklet for more information.

By checking this box, you are requesting that the Department process your application under the standard process outlined in ORS 537.150 and 537.153, rather than the expedited process provided by ORS 537.147. To file an application under the standard process, you must enclose the following:

- A copy of a signed non-expired contract or other agreement with the owner of the reservoir (if not you) to impound the volume of water you propose to use in this application.
- A copy of your written agreement with the party (if any) delivering the water from the reservoir to you.

SECTION 4: WATER USE

Provide the amount of water you propose to use from each source, for each use, in cubic feet-per-second (cfs) or gallons-per-minute (gpm). If the proposed use is from storage, provide the amount in acre-feet (af):
(1 cfs equals 448.8 gpm. 1 acre-foot equals 325,851 gallons or 43,560 cubic feet)

SOURCE	USE	PERIOD OF USE	AMOUNT
Unnamed Stream	Dairy Process Water	October to June	150 <input type="checkbox"/> cfs <input checked="" type="checkbox"/> gpm <input type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af

For irrigation use only:
 Please indicate the number of primary and supplemental acres to be irrigated.
 Primary: NA 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: NA

- 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 source?

Pump (give horsepower and type): 5 horsepower Centrifugal

Other means (describe): _____

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

Water diverted from the Unnamed Stream will be pumped to wastewater storage pond #2 (WSP2) during the period from October to June. Water will be withdrawn from WSP2 as needed to provide water for cleaning barn alleyways and other areas containing animal manure. The water used for cleaning purposes will be captured in a collection tank and pumped into wastewater storage pond #1 (WSP1) for storage. During the summer months wastewater stored in WSP1 and WSP2 will be pump and applied to surrounding fields at agronomic rates to utilize the nutrients and organics in the wastewater as a nutrient source.

B. Application Method

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

NA

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 public uses of affected surface waters.

Water is needed for barn cleaning and other cleaning purposes for Rickreall Dairy. Water will only be diverted during the winter months to reduce impacts on downstream surface water sources. The additional water will help to reduce withdrawals from Rickreall Creek and other water sources during the summer months.

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SECTION 6: RESOURCE PROTECTION

In granting permission to use water from a stream or lake, the state encourages, and in some instances requires, careful control of activities that may affect the waterway or streamside area. See instruction guide for a list of possible permit requirements from other agencies. Please indicate any of the practices you plan to undertake to protect water resources.

- Diversion will be screened to prevent uptake of fish and other aquatic life.
Describe planned actions: The pump intake will be screened to prevent aquatic organisms from being captured and pumped to the wastewater storage pond.
- Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.
Describe planned actions: The amount of disturbance to the streamside areas will be kept to a minimum to reduce negative impacts to riparian vegetation and aquatic life.
- Operating equipment in a water body will be managed and timed to prevent damage to aquatic life.
Describe: There are no plans to operate equipment in the unnamed stream.
- Water quality will be protected by preventing erosion and run-off of waste or chemical products.
Describe: The amount of disturbance to the streamside areas will be minimized to reduce erosion and contaminated runoff into the unnamed stream. Once the pump station is constructed the surrounding area will be seeded to reduce erosion and prevent contamination of the unnamed stream.

SECTION 7: PROJECT SCHEDULE

Date construction will begin: June 1, 2016

Date construction will be completed: October 15, 2016

Date beneficial water use will begin: October 15, 2016

SECTION 8: 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 NA	
City NA	State NA	Zip NA

SECTION 9: REMARKS

Use this space to clarify any information you have provided in the application.

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SALEM, OREGON

Land Use

Revised 2/1/2012

Surface Water/7



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

Information Form

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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**WATER RESOURCES DEPT
SALEM, OREGON**

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: Rickreall Dairy, Eugene Kazemier owner
First Last

Mailing Address: 8845 Rickreall Road

Rickreall OR 97371 Daytime Phone: 503-623-8422
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:
7S	4W	29	NW, NW	201	EFU	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farm Use
						<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:

Polk County

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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) Unnamed Stream

Estimated quantity of water needed: 150 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 Dairy Farm Process Water

Briefly describe:

Water will be diverted by pumping from an unnamed stream October to June each year to Rickreall Dairy wastewater storage pond #2 (WSP2) and used for cleanup of dairy barns and other uses on the dairy.

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.



For Local Government Use Only

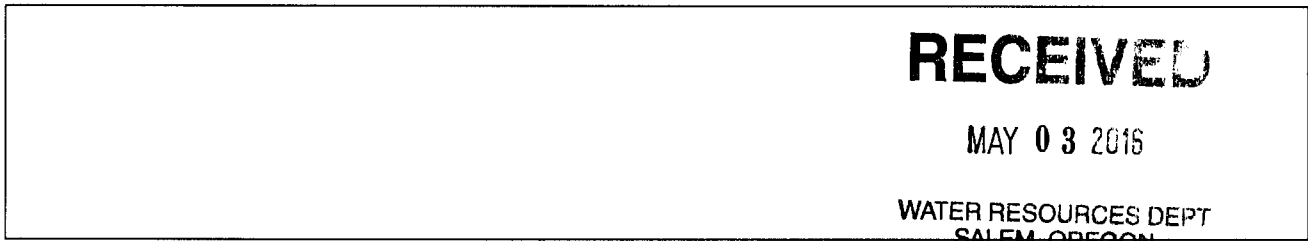
The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval 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): PC20, 35.050(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:	
		<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.



Name: MARK BERNARD Title: SENIOR PLANNER
 Signature:  Phone: 541-523-9237 Date: MAY 3, 2016
 Government Entity: POLK 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: _____

WARRANTY DEED



AMERICAN PACIFIC TITLE 9854F

CALVIN KENNEDY and LUCILLE KENNEDY, husband and wife, as Grantors,

convey and warrant to

GUS WYBENGA and SYLVIA MARIE WYBENGA, as Co-Trustees of the Wybenga Trust, established by Declaration of Trust dated June 15, 1988, as Grantees,

the real property described on Exhibit "A" attached hereto, free of all encumbrances.

Excepted from the operation of warranties implied by law are:

- (a) Easements and access restrictions as described in Notice of Contract recorded October 14, 1977, in Volume 112, Page 2385, Book of Records for Polk County, Oregon;
- (b) Oil and Gas Lease, including the terms and provisions thereof, by and between Calvin Kennedy and Lucille Kennedy, husband and wife, Lessor, and Depco, Inc., a Delaware Corporation, Lessee, dated October 25, 1979, and recorded May 29, 1980, in Volume 149, Page 493, Book of Records for Polk County, Oregon;
- (c) Easement Agreement, including the terms and provisions thereof, by and between, Marcus B. Findley, Trustee of the Marcus B. Findley Trust under agreement dated October 17, 1985, and Martha E. Findley, Trustee of the Martha E. Findley Trust under agreement dated October 17, 1985, and Calvin Kennedy and Lucille Kennedy, husband and wife, Grantor, and Willamette Seed Co., an Oregon corporation, Grantee, dated April 5, 1988, and recorded April 5, 1988, in Volume 211, Page 2184, Book of Records for Polk County, Oregon;
- (d) Unrecorded Lease, including the terms and provisions thereof, by and between Calvin Kennedy and Lucille Kennedy, husband and wife, Lessors, and Polk County Farmers Co-op, Lessees, dated July 20, 1983, as disclosed by Mortgage recorded May 7, 1985, in Volume 186, Page 1442, Book of Records for Polk County, Oregon; and
- (e) Buyers' interest in the property pursuant to this agreement;

Until a change is requested, all tax statements shall be sent to the following address: Gus + Sylvia Marie Wybenga
13950 Haven Avenue Ontario, California 91761

WARRANTY DEED - 1
ckw/23:ken (KE8021-001)

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SALEM, OREGON

This deed is given in performance of that certain land sale contract dated December 23, 1988, in which Grantors were Sellers and Grantees were Buyers of the subject property.

The true consideration for this conveyance, stated in terms of dollars, is \$450,000.00.

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.

Duly executed November 23, 1988.

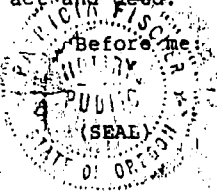
Calvin Kennedy
Calvin Kennedy

Lucille Kennedy
Lucille Kennedy

GRANTORS

Marion County, Oregon - ss.

On this 23 day of November, 1988, personally appeared CALVIN KENNEDY and LUCILLE KENNEDY, husband and wife, and acknowledged the foregoing instrument to be their voluntary act and deed.



Patricia Leeche
Notary Public for Oregon

My commission expires 12-11-89

AFTER RECORDING, RETURN TO:

WARRANTY DEED - 2
ckw/23:ken (KE8021-001)

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SALEM, OREGON

EXHIBIT 'A'

Beginning at a point 8.47 chains East of the Northeast corner of the Donation Land Claim of David Goff and wife, in Township 7 South, Range 4 West of the Willamette Meridian; thence South 14°30' West along the East boundary line of the right of way of the Southern Pacific Company, 48.69 chains to a point where said East boundary line intersects the North boundary line of the grounds of Derry Station; thence South 75° 30' East along the said North boundary line 273 links to a point, the same being the Northeast corner of said Station grounds; thence South 14°30' West along East boundary line of said Station grounds, 11.14 chains to a point; thence North 85°43' East, a distance of 44.46 chains to a point; thence South 85°17' East, a distance of 18.13 chains to a point; thence North 56.90 chains to a point; thence West 50.53 chains to the place of beginning, save and except a portion of said land as deeded to George Clanfield in Deed dated November 17, 1923 and recorded December 21, 1923, in Volume 78, page 559, Deed Records, Polk County, Oregon.

SAVE AND EXCEPT therefrom the following described premises, to-wit:

Title in fee simple to the following described real property for right of way purposes:

A parcel of land lying in Section 29, Township 7 South, Range 4 West, Willamette Meridian, Polk County, Oregon, and being a portion of that property described in that deed to M. Bayard Findley and Martha Findley, recorded in Book 128, page 527 of Polk County Record of Deeds; the said Parcel being that portion of said property included in a strip of land variable in width, lying on each side of the center line of the Willamina-Salem Highway as said highway has been relocated, which center line is described as follows:

Beginning at Engineer's center line Station "L2" 886+85.19, which station equals Engineer's Station 703+73 on the center line of the relocated Pacific Highway West, said Station being 3323.35 feet North and 107.85 feet East of the Southeast corner of the Nathaniel Ford D.L.C. No. 44, Township 7 South, Range 4 West, Willamette Meridian; thence South 85°52'30" East 9314.81 feet to Engineer's center line Station "L2" 960+00.

The widths in feet of the strip of land above referred to are as follows:

Station	to Station	Width on Northerly Side of Center Line	Width on Southerly Side of Center Line
"L2"909+00	"L2"913+00	135	135
"L2"913+00	"L2"928+00	135 taper to 80	135 taper to 80
"L2"928+00	"L2"950+00	80	80

Bearings are based upon the Oregon Co-ordinate System, North Zone.

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SALEM, OREGON

ALSO SAVE AND EXCEPT: A part of that tract of land described in Book 218 on pages 1517 and 1518 and in Memorandum of Sale Agreement Book 218 on Pages 1519 thru 1521 said Parcel B described as follows:

Beginning at the Northeast corner of the grounds of the Derry Station and running thence South 75°30' East, a distance of 24.95 feet; thence South 5°02' East, a distance of 407.32 feet; thence North 75°30' West, a distance of 161.13 feet to the East line of said Derry Station; thence North 14°30' East on said East line, said line is common with the West line of the Wybenga Rickreal Dairy Tract, 383.88 feet to the beginning, located in the Southwest 1/4 of Section 29, Township 7 South, Range 4 West, Willamette Meridian, Polk County, Oregon.

ALSO SAVE AND EXCEPT: A part of that tract of land described in Book 218 on Pages 1517 and 1518 and as described in Memorandum of Sale Agreement Book 218 on Pages 1519 thru 1521, said Parcel A is described as follows:

Beginning at the Southeast corner of the grounds of the Derry Station, a point on the North right of way of the Old Salem-Dallas Highway; and running thence North 14°30' East along the East line of said Derry Station, a line common with the West line of the Wybenga Rickreal Dairy Tract, 353.99 feet; thence South 75°30' East, a distance of 161.13 feet; thence South 5°02' East, a distance of 279.82 feet to the North right of way of the Old Salem Dallas Highway; thence South 84°59' West, on said right of way 270.22 feet to the beginning, located in the Southwest 1/4 of Section 29, Township 7 South, Range 4 West, Willamette Meridian, Polk County, Oregon.
521

339946

STATE OF OREGON)
County of Polk) ss.

I hereby certify that the within was received and duly recorded by me in Polk County records:

B.O.R. 233 Page 1059

FILED
POLK COUNTY OREGON

90 JUN 22 PM 2:32

LINDA DAWSON
COUNTY CLERK

BY *[Signature]* DEPUTY

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SALEM, OREGON