

Sign (both)

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 S. Tremaine & Gail M. ARKLEY		PHONE (HM) 503 838-4886	
PHONE (WK) 503 838-4886	CELL 503 551-1864		FAX
ADDRESS 9775 HULTMAN ROAD			
CITY INDEPENDENCE	STATE OR	ZIP 97351	E-MAIL* Tremaine@arkley.net

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		PHONE	FAX
ADDRESS			CELL
CITY	STATE	ZIP	E-MAIL*

Note: Attach multiple copies as needed

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

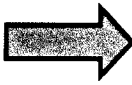
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By my signature below I confirm that I understand:

JUN 02 2016

- 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.

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

[Signature]
Applicant Signature

S. Tremaine Arkley
Print Name and title if applicable

6-2-16
Date

[Signature]
Applicant Signature

Gail M. Arkley
Print Name and title if applicable

6/2/16
Date

For Department Use		
App. No. G-19308	Permit No. _____	Date _____

Application for a Permit to Use Ground Water

Original



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
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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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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
FARM WELL	Willamette River	4450'	30'
Farm Well	DUCK SLOUGH	2300'	20-30'

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

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SECTION 3: WELL DEVELOPMENT, CONTINUED

.315 CFS

Total maximum rate requested: _____ (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)
Farm well	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	10-12'					Gravel / Alluvium	40-50' 168	168	67.5
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									

* 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.

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SECTION 4: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
NURSERY	YEAR ROUND	67.5

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: 15 Acres Supplemental: Acres
 List the Permit or Certificate number of the underlying primary water right(s):
 Indicate the maximum total number of acre-feet you expect to use in an irrigation season:

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

SECTION 5: WATER MANAGEMENT

A. Diversion and Conveyance

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

- Pump (give horsepower and type): TBD
 Other means (describe):

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

B. Application Method

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

SPRINKLERS, DRIP, HAND WATERING,

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. Water used as needed. NO runoff, water will percolate into the soil. Meter water use at well site as needed. Specific irrigation at SITES as needed. All riparian habitats will be outside the acres to irrigate.

SECTION 6: STORAGE OF GROUND WATER IN A RESERVOIR

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

Reservoir name: Acreage inundated by reservoir:

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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: upon permit issuance

Date construction will be completed: 5 years from permit issuance

Date beneficial water use will begin: within one year of permit issuance or as soon as well is drilled and irrigation system is in place.

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*).

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WR

point to sign off

Land Use Information Form



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

NOTE TO APPLICANTS

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

This form is NOT required if:

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

NOTE TO LOCAL GOVERNMENTS

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

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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: _____
 First S. Tremaine Last Arkley
Gail M. ~~Tracy~~ ARKLEY
 Mailing Address: _____
9775 HULTMAN ROAD
 _____ Independence _____
 City State Zip
OR 97351 Daytime Phone: 503 838-4886

A. Land and Location 094140000500

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
<u>9S</u>	<u>4W</u>	<u>14</u>	<u>NW¼</u>	<u>500</u>	<u>EFU</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>EFU</u>
			<u>NENE¼</u>			<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>EFU</u>
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

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:

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SALEM, OREGON

- 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: 1375 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 NURSERY

Briefly describe:

1 NEW WELL, USED FOR IRRIGATION FOR NURSERY STOCK, NO STORAGE FARM USE ONLY.

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. →

TO POLK CO.

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): 136.030 (F) Farm Use
- 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.

The two potential well locations are located outside of the regulated floodplain. Any structural or non-structural floodplain development would require compliance with PCZO 178 and would require a floodplain development permit.

Name: _____ Title: _____

Signature: Sidney Mulder Assistant Planner

Phone: _____ Date: 5-20-16

503-623-9237

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: _____

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**EXHIBIT A
(Legal Description)**

Beginning at a point which is 53.79 chains North 00°09' East and 11.745 chains South 89°47' East from the Southeast corner of Alexander V. McCartv Donation Land Claim No. 64. in Township 9 South, Range 4 West of the Willamette Meridian in Polk County, Oregon, said point also being 1517.0 feet South 89°47' East from the P.I. of the 27° curve right (County Road M-17); thence North 00°09' East 1341.45 feet to a point; thence North 89°48' West 20.0 feet to an iron rod; thence North 89°48' West 976.9 feet to an iron rod; thence South 12°16 ½' East 735.9 feet to an iron rod; thence South 19°01' East 659.3 feet to an iron rod in County Road No. 943; thence South 89°47' East 617.8 feet to an iron rod which is the point of beginning.

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WATER RESOURCES DEPT
SALEM, OREGON

G-18308

**AFFIDAVIT FOR THE PARTIAL DIMINUTION OF A
WATER RIGHT PERMIT**

State of Oregon)
County of POLK) ss)

I (We) (or authorized agent), S Tremaine Arkley, Gail M. Arkley residing at 9775 Hultman Road, Independence, OR 97351 being first duly sworn depose and say:

1. I/We are the legal owner(s) of the property described as tax lot number 500 within the NWNW 1/4 1/4, Section 14, Township 9S N/S, Range 4W E/W, of the Willamette Meridian, in POLK County, Oregon, as shown on the attached map and described in the attached deed and legal description and made part of this affidavit:

2. A portion of water right permit number G11357 issued to DENNIS KING with a date of priority of 12/5/1990 for use of 2.24 (CFS) AF of water from _____ (sources) for the purpose of IRRIGATION (uses) is appurtenant to my/our property:

3. The appurtenant water right is/is not located within the boundaries of an irrigation, drainage, water improvement, or water control district, or federal reclamation project (if the right is located within a district or reclamation project, name it here: _____):

4. If the water right is issued in the name of an irrigation district, then the affiant must have the concurrence of the district to the diminishment of the portion of the water right. (Signature of district manager on the line below documents concurrence of the district.)

Signature of District Manager Printed Name Date

5. I/We have obtained a Permit (e.g., better, more economical) source of water for the primary irrigation of the portion of this water right shown on the attached map and described as follows: The right to the use of 375 (CFS) AF from WELL for the irrigation of 15 acres located:

<u>NW</u> 1/4	<u>NW</u> 1/4	<u>4.8</u>	Acres
<u>NE</u> 1/4	<u>NW</u> 1/4	<u>5.3</u>	Acres
_____	_____	_____	Acres
_____	_____	_____	Acres
_____	_____	_____	Acres

Section 14
Township 9S N/S, Range 4W E/W, WM:

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WATER RESOURCES DEPT
SALEM, OREGON

G-18308

**AFFIDAVIT FOR THE PARTIAL DIMINUTION OF A
WATER RIGHT PERMIT
(CONTINUED)**

6. I/we request the water right be diminished from a right for supplemental irrigation of the lands described above in item #5;

7. I/We agree that if this change is approved, it is permanent and the right to the use of water from The well (source) cannot be changed back to the primary source unless otherwise provided by law. I/We also agree that so long as there is sufficient water available from the new primary source, I am/we are not entitled to use any water from The well (source) for primary irrigation of these lands.

[Signature] _____ Date 5/23/16
Signature of legal owner as listed on deed, or authorized agent

[Signature] _____ Date 5/23/16
Signature of legal co-owner as listed on deed
(if applicable)

Subscribed and Sworn to Before Me this 23 day of May, 2016



[Signature]
Notary Public for Oregon

My Commission Expires 3-16-2018

PLEASE ATTACH A LEGIBLE COPY OF : 1) A DEED WHICH LISTS LAND OWNERS AND INCLUDES A LEGAL DESCRIPTION OF AFFECTED LANDS, AND 2) AN ADJUDICATION MAP, WATER RIGHT FINAL PROOF MAP, OR A TAX LOT MAP WITH THE PORTION OF THE WATER RIGHT AND/OR LANDS TO BE DIMINISHED CLEARLY DRAWN AND IDENTIFIED. IF ACTING AS AN AUTHORIZED AGENT, INCLUDE COPY OF POWER OF ATTORNEY OR OTHER DOCUMENTS GRANTING AUTHORITY TO ACT ON BEHALF OF LEGAL OWNER(S) AS LISTED ON THE DEED.

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SALEM, OREGON

After recording, return to
(File No. 05100002)

Theresa M. Wade, Esq.
P. O. Box 749
Salem, Oregon 97308-0749

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

Arkley Family Trust
9775 Hultman Road
Independence, Oregon 97351

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SALEM, OREGON

RECORDED IN POLK COUNTY
Valerie Unger, County Clerk

2006-003648



\$36.00

00152026200600036480030030

03/07/2006 04:43:44 PM

REC-BS Cnt=1 Stn=1 K. WILLIAMS
\$15.00 \$10.00 \$11.00

STATUTORY BARGAIN AND SALE DEED

(ORS 93.860)

S. Tremaine Arkley and Gail M. Arkley, husband and wife, Grantors, convey to **S. Tremaine Arkley and Gail M. Arkley, Trustees of the Arkley Family Trust dated March 6, 2006**, Grantee, the following described real property located in Polk County, Oregon:

See Exhibit A appended hereto and by reference made a part hereof.

SUBJECT TO: All easements, rights of way, covenants, conditions, restrictions, liens and encumbrances of record.

The above described property has a situs address of 9775 Hultman Road, Independence, Oregon 97351, and Account No. R 094140000500.

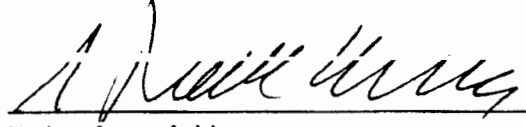
The true consideration for this conveyance is \$0.00 (transfer to Grantor Trust).

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THE 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

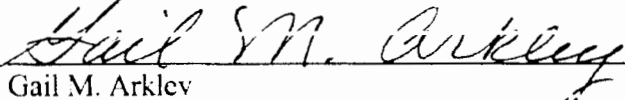
G1-18308

DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES
AS DEFINED IN ORS 30.930. ORS 93.040(1)

DATED this 6th day of March, 2006.



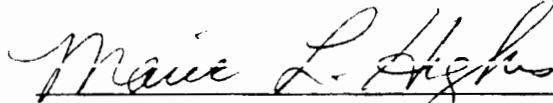
S. Tremaine Arkley



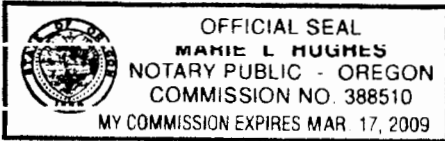
Gail M. Arkley

STATE OF OREGON)
) ss.
County of Marion)

This instrument was acknowledged before me on March 6, 2006, by **S. Tremaine Arkley and Gail M. Arkley.**



NOTARY PUBLIC FOR OREGON
My Commission Expires: 3-17-2009



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JUN 02 2016

WATER RESOURCES DEPT
SALEM, OREGON

G-18308

STATE OF OREGON

COUNTY OF POLK

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

DENNIS AND SUSAN KING
9730 HULTMAN ROAD
INDEPENDENCE, OREGON 97351

503-838-3910

to use the waters of A WELL in the WILLAMETTE RIVER BASIN for IRRIGATION OF 179.0 ACRES.

This permit is issued approving Application G-12328. The date of priority is DECEMBER 5, 1990. The use is limited to not more than 2.24 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the well.

The well is located as follows:

NW 1/4 SE 1/4, SECTION 14, T 9 S, R 4 W, W.M.; 80 FEET SOUTH AND 640 FEET EAST FROM CENTER 1/4 CORNER, SECTION 14.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the proposed place of use under the permit is as follows:

SW 1/4 NE 1/4	1.5 ACRES
NE 1/4 NW 1/4	5.3 ACRES
NW 1/4 NW 1/4	40.0 ACRES
SW 1/4 NW 1/4	22.3 ACRES
SE 1/4 NW 1/4	1.1 ACRES
NE 1/4 SW 1/4	22.2 ACRES
NW 1/4 SW 1/4	25.1 ACRES
SW 1/4 SW 1/4	13.0 ACRES
SECTION 14	
NE 1/4 NE 1/4	40.0 ACRES
NW 1/4 NE 1/4	8.5 ACRES
SECTION 15	
TOWNSHIP 9 SOUTH, RANGE 4 WEST, W.M.	

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The well shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times. When required by the department, the permittee shall install and maintain a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of ground water withdrawn.

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PERMIT G-11357

G-18308

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

Actual construction work shall begin on or before September 30, 1992, and shall be completed on or before October 1, 1993. Complete application of the water shall be made on or before October 1, 1994.

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

This permit is for beneficial use of water without waste. The water user is advised that new regulations may require use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water shall be limited when it interferes with any prior surface or ground water rights.

Issued this date, SEPTEMBER 30, 1991.

/s/ WILLIAM H. YOUNG

Water Resources Department
William H. Young
Director

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