

Application for a Permit to Use Ground Water



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

Water-Use Permit Application Processing

1. Completeness Determination

The Department evaluates whether the application and accompanying map contain all of the information required under OAR 690-310-0040 and OAR 690-310-0050 (www.oregon.gov/owrd/law). The Department also determines whether the proposed use is prohibited by statute. If the Department determines that the application is incomplete, all fees have not been paid, or the use is prohibited by statute, the application and all fees submitted are returned to the applicant.

2. Initial Review

The Department reviews the application to determine whether water is available during the period requested, whether the proposed use is restricted or limited by rule or statute, and whether other issues may preclude approval of or restrict the proposed use. An Initial Review (IR) containing preliminary determinations is mailed to the applicant. The applicant has 14 days from the mailing date to withdraw the application from further processing and receive a refund of all fees paid minus \$200. The applicant may put the application on hold for up to 180 days and may request additional time if necessary.

3. Public Notice

Within 7 days of the mailing of the initial review, the Department gives public notice of the application in the weekly notice published by the Department at www.oregon.gov/owrd. The public comment period is 30 days from publication in the weekly notice.

4. Proposed Final Order Issued

The Department reviews any comments received, including comments from other state agencies related to the protection of sensitive, threatened or endangered fish species. Within 60 days of completion of the IR, the Department issues a Proposed Final Order (PFO) explaining the proposed decision to deny or approve the application. A PFO proposing approval of an application will include a draft permit, and may request additional information or outstanding fees required prior to permit issuance.

5. Public Notice

Within 7 days of issuing the PFO, the Department gives public notice in the weekly notice. Notice includes information about the application and the PFO. Protest must be received by the Department within 45 days after publication of the PFO in the weekly notice. Anyone may file a protest. The protest filing fee is \$350.00 for the applicant and \$700.00 for non-applicants. Protests are filed on approximately 10% of Proposed Final Orders. If a protest is filed, the Department will attempt to settle the protest but will schedule a contested case hearing if necessary.

6. Final Order Issued

If no protests are filed, the Department issues a Final Order consistent with the PFO. If the application is approved, a permit is issued that specifies the details of the authorized use and conditions that the Department deems appropriate.

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Minimum Requirements Checklist

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

Include this checklist with the application

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

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

Attachments:

- Land Use Information Form with approval and signature (*must be an original*) or signed receipt
- Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map. Example: A copy of the deed, land sales contract or title insurance policy.
- Fees - Amount enclosed: \$1,450
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 None

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SALEM, OREGON

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www.wrd.state.or.us

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant Information

NAME CLEARLAKE FARMS LLC		PHONE (HM)	
PHONE (WK) (503) 873-1200	CELL		FAX
ADDRESS 8474 HAZELGREEN ROAD NE			
CITY SILVERTON	STATE OR	ZIP 97381	E-MAIL *

Organization Information

NAME		PHONE		FAX
ADDRESS			CELL	
CITY	STATE	ZIP	E-MAIL *	

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

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

Note: Attach multiple copies as needed

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

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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. **WATER RESOURCES DEPT SALEM, OREGON**
- 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.



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

[Handwritten Signature]
Applicant Signature

Robert Gabriel
Print Name and title if applicable

5/20/16
Date

Applicant Signature

Print Name and title if applicable

Date

For Department Use		
App. No. <i>61-18341</i>	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: 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
Johnson Well	Clear Lake	4,250 feet	60 feet

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

See Well Log MARI 17388

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SALEM, OREGON

SECTION 4: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Irrigation	March 1 through October 31	58.5 AF

Exempt Uses: Please note that 15,000 gallons per day for single or group **domestic** purposes and 5,000 gallons per day for a single **industrial or commercial** purpose are exempt from permitting requirements.

For irrigation use only:

Please indicate the number of primary and supplemental acres to be irrigated (*must match map*).

Primary: 23.4 Acres Supplemental: 0 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: 58.5 AF

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

SECTION 5: WATER MANAGEMENT

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SALEM, OREGON

A. Diversion and Conveyance

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

Pump (give horsepower and type): 7.5 Hp submersible pump

Other means (describe): _____

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. Water will be conveyed through buried four-inch PVC mainline to the east with hydrants to attach portable handlines with impact sprinklers or drip lines.

B. Application Method

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

Impact sprinklers and drip lines

C. Conservation

Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; prevent damage to aquatic life and riparian habitat; prevent the discharge of contaminated water to a surface stream; prevent adverse impact to public uses of affected surface waters.

Irrigation of hay fields will be done with impact sprinklers and nursery stock or hops will be irrigated with a drip system using best management practices to prevent waste. A flow meter will be used to measure the amount of water used.

SECTION 6: STORAGE OF GROUND WATER IN A RESERVOIR

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

Reservoir name: NA Acreage inundated by reservoir: NA

Use(s): NA

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

Note: If the dam height is greater than or equal to 10.0' above land surface AND the reservoir will store 9.2 acre feet or more, engineered plans and specifications must be approved prior to storage of water.

SECTION 7: USE OF STORED GROUND WATER FROM THE RESERVOIR

If you would like to use stored ground water from the reservoir, complete this section (*if more than one reservoir, reproduce this section for each reservoir*).

Annual volume (acre-feet): NA

USE OF STORED GROUND WATER	PERIOD OF USE
NA	NA

SECTION 8: PROJECT SCHEDULE

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

Date construction will be completed: Within one year after the permit is issued

Date beneficial water use will begin: Within five years after the permit has been issued

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SALEM, OREGON

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*).

None

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: Clearlake Farms LLC
 First Last

Mailing Address: 8474 Hazelgreen Road NE

Silverton City OR State 97381 Zip Daytime Phone: (503) 873-1200

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:
6S	3W	23A	SE NE	800	EFV	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Irrigation
6S	3W	23A	SE NE	1100		<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Irrigation
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

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

Marion County	<div style="font-size: 2em; font-weight: bold; margin-bottom: 5px;">RECEIVED</div> <div style="font-size: 1.2em; margin-bottom: 5px;">JUL 15 2016</div>
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WATER RESOURCES DEPT
 SALEM, OREGON

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: 0.29 cubic feet per second
 gallons per minute
 acre-feet

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

Briefly describe:

A new groundwater application for irrigation of hay, nursery stock and/or hops.



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. →

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): MCC 17.136
- Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

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SALEM, OREGON

Name: LISA MILLIMAN Title: ASSOCIATE PLANNER
 Signature: Lisa Milliman Phone: 503.588.5038 Date: 6/30/16
 Government Entity: MARION 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: _____

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.

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WATER RESOURCES DEPT
SALEM, OREGON

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(s): Clearlake Farms LLC c/o Robert Gabriel

Mailing Address: 8474 Hazelgreen Rd NE

City: Silverton

State: OR

Zip Code: 97381

Daytime Phone: (503) 873-1200

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
<u>6S</u>	<u>3W</u>	<u>23A</u>	_____	<u>800</u>	<u>UT (PARTIAL)</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>6S</u>	<u>3W</u>	<u>23A</u>	_____	<u>1100</u>	<u>UT</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Irrigation</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:

City of Keizer

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B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

WATER RESOURCES DEPT
 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: 0.29
 cubic feet per second
 gallons per minute
 acre-feet

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

Briefly describe:

This Land Use Information Form is to accompany a new ground water use permit for irrigation of hay, nursery stock, and /or hops.

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. →

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): NOT REGULATED

Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

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WATER RESOURCES DEPT
SALEM, OREGON

Name: NATE BROWN Title: Com. Development DIRECTOR
 Signature: [Handwritten Signature] Phone: (503)856-3441 Date: 7/7/16
 Government Entity: City of Keizer

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: _____

MAIL TAX STATEMENTS TO:
No Change

AFTER RECORDING RETURN TO:

Robert W. Gabriel
Jill M. Gabriel
8474 Hazelgreen Road NE
Silverton, OR 97381

Clearlake Farms, L.L.C.
8474 Hazelgreen Road NE
Silverton, OR 97381

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PROPERTY LINE ADJUSTMENT DEED

WATER RESOURCES DEPT
SALEM, OREGON

Robert W. Gabriel and Jill M. Gabriel, as tenants by the entirety ("**Grantor**"), are the owners of real property located in Marion County, Oregon, referred to herein as "**Property A**," and more particularly described on **Exhibit "A**," which is attached hereto and by this reference incorporated herein. Clearlake Farms, L.L.C., an Oregon Limited Liability Company ("**Grantee**"), are the owners of real property located in Marion County, Oregon, referred to herein as "**Property B**," more particularly described on **Exhibit "B**," which is attached hereto and by this reference incorporated herein.

The purpose of this Property Line Adjustment Deed (the "**Deed**") is to effect a property line adjustment between Property A and Property B such that Property A will be reduced in size by approximately 87.53 acres and will hereafter consist of only the land described on **Exhibit "C**," which is attached hereto and incorporated herein by this reference, and Property B will be increased in size by approximately 87.53 acres and will hereafter consist of the land more particularly described on **Exhibit "D**," which is attached hereto and incorporated herein by this reference.

NOW THEREFORE, in order to effect the property line adjustment and to create the reconfigured lots as described on **Exhibits "C"** and **"D**," Grantor does hereby grant, transfer, and convey unto Grantee all of that certain real property situated in Marion County, Oregon, described on **Exhibit "E**," which is attached hereto and by this reference incorporated herein.

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. 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.

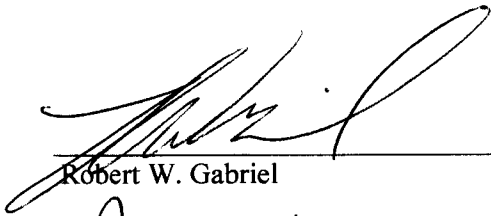
G-19391

The true and actual consideration for this transfer, stated in terms of dollars is _____.
The purpose of this Deed is to effect a property line adjustment, and the two parcels are to remain separate and distinct.

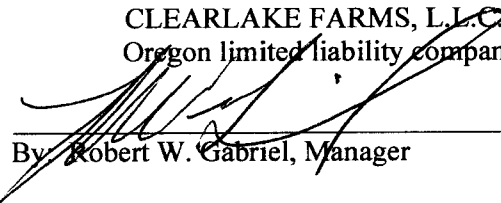
This Property Line Adjustment Deed is executed this 5th day of September, 2013.

GRANTOR

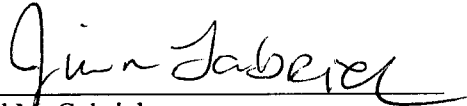
GRANTEE



Robert W. Gabriel

CLEARLAKE FARMS, L.L.C, an
Oregon limited liability company


By: Robert W. Gabriel, Manager



Jill M. Gabriel

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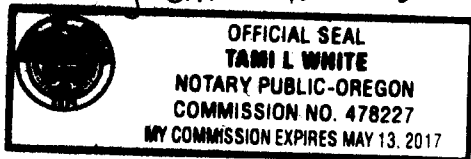
JUL 15 2016


WATER RESOURCES DEPT
SALEM, OREGON

State of Oregon)
) ss.
County of Marion)

This instrument was acknowledged before me on September 5, 2013, by
Robert W. Gabriel and Jill M. Gabriel.

Before me: TAMI WHITE
NOTARY
my comm. ex 5.13.17



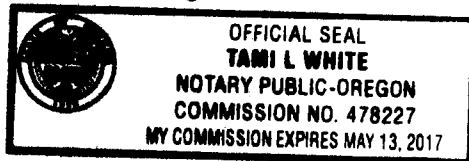


Notary Public for Oregon
My Commission Expires: 5.13.17

State of Oregon)
) ss.
County of Marion)

This instrument was acknowledged before me on September 5, 2013, by Robert W. Gabriel, acting on behalf of CLEARLAKE FARMS, L.L.C.

Before me: TAMI WHITE
NOTARY
my comm. ex: 5-13-17



Tami White
Notary Public for Oregon
My Commission Expires: 5-13-17

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JUL 15 2016

WATER RESOURCES DEPT
SALEM, OREGON

EXHIBIT "A"

Legal Description for:
Original Property "A"

Beginning on the East line of Section 23, in Township 6 South, Range 3 West of the Willamette Meridian in Marion County, Oregon, at a point which is 543.62 feet South from the Northeast corner of said Section; thence South, along the East line of said Section 426.28 feet; thence South 89°52' West 204.36 feet; thence North 427.00 feet to a point which is North 89°55' West from the place of beginning; thence South 89°55' East 204.36 feet to the place of beginning.

*Part of
Lot 200
Sec 23*

ALSO: Beginning on the East line of Section 23 in Township 6 South, Range 3 West of the Willamette Meridian in Marion County, Oregon, at a point which is 969.90 feet South from the Northeast corner of said Section; thence South, along the East line of said Section, 769.20 feet; thence North 89°55' West 1158.32 feet; thence North 0°05' East 325.00 feet; thence North 89°55' West 884.60 feet to a point in the County Road; thence North 40°44' East, along said road, 577.25 feet; thence North 89°52' East 1665.80 feet to the place of beginning.

*Lot 700 plus
Remainder
of 800 north
of Property
described in
Exhibit B*

ALSO: Beginning at a point 25.00 chains North of the 1/4 Section corner on the West line of Section 24, Township 6 South, Range 3 West of the Willamette Meridian in Marion County, Oregon; thence East, parallel with the North line of said Section, 20.00 chains to the line dividing the Northwest 1/4 of said Section into East and West halves; thence North, along said Division line, 15.00 chains to the North line of said Section; thence West, along the North line of said Section, 20.00 chains to the Northwest corner of said Section; thence South, along the West line of said Section, 15.00 chains to the place of beginning.

*North part
of Lot 800
in Sec 24*

ALSO: Beginning at the 1/4 Section corner on the West line of Section 24, Township 6 South, Range 3 West of the Willamette Meridian in Marion County, Oregon; thence North along the West line of said Section, 25.00 chains; thence East, parallel with the North line of said Section, 20.00 chains to the line dividing the Northwest quarter of said Section into East and West halves; thence South, along said Division line, 11.67 chains to the Northeast corner of a tract of land conveyed to E. C. McCandlish, et uz, by deed recorded in Volume 464, Page 422, Deed Records for Marion County, Oregon; thence West on the North line of said McCandlish tract, 15.00 chains to the Northwest corner thereof; thence South, along the West line of said tract, 13.33 chains to the Southwest corner thereof in the center of the County Road; thence West, along the center of the County Road, 5.00 chains to the place of beginning.

*South part
of Lot 800
in Sec 24*

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G-10341

EXHIBIT "B"

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WATER RESOURCES DEPT
SALEM, OREGON

Legal Description for:
Original Property "B"

PARCEL I:

Beginning on the South line of the North one-half of Section 23, Township 6 South, Range 3 West of the Willamette Meridian in Marion County, Oregon, at a point which is the quarter section corner on the East line of said section; thence West along the South line of the North one-half of said section, 396.44 feet; thence North parallel with the East line of said section 908.82 feet; thence East parallel with the South line of the North one-half of said section, 396.44 feet; thence South 908.82 feet to the place of beginning.

SAVE AND EXCEPT parcels of land previously deeded to Charles Johnson and Arlene Johnson, recorded in Reel 540, Page 642 and Reel 136, Page 776, Deed Records, Marion County, Oregon.

PARCEL II:

Beginning on the South line of the North one-half of Section 23, in Township 6 South, Range 3 West of the Willamette Meridian in Marion County, Oregon, at a point which is 396.44 feet West from the quarter section corner on the East line of said section; thence West along the South line of the North one-half of said section 396.44 feet; thence North parallel with the East line of said section, 908.82 feet; thence East parallel with the South line of the North one-half of said section, 396.44 feet; thence South 908.82 feet to the place of beginning.

SAVE AND EXCEPT: Beginning on the South line of the North one-half of Section 23, in Township 6 South, Range 3 West of the Willamette Meridian in Marion County, Oregon, at a point which is 508.90 feet West from the quarter section corner on the East line of said section; thence West along the South line of the North one-half of said section, 90 feet; thence North parallel with the East line of said section, 140 feet; thence East parallel with the South line of the North one-half of said section, 90 feet; thence South 140 feet to the place of beginning.

} Lm. 1100

PARCEL III:

Beginning on the South line of the North one-half of Section 23, in Township 6 South, Range 3 West of the Willamette Meridian in Marion County, Oregon, at a point which is 508.90 feet West from the quarter section corner on the East line of said section; thence West along the South line of the North one-half of said section, 90 feet; thence North parallel with the East line of said section, 140 feet; thence East parallel with the South line of the North one-half of said section, 90 feet; thence South 140 feet to the place of beginning.

Lot 1100

PARCEL IV:

Beginning on the South line of the North one-half of Section 23, in Township 6 South, Range 3 West of the Willamette Meridian in Marion County, Oregon, at a point which is 792.88 feet West from the quarter section corner on the East line of said section; thence West along the South line of the North one-half of said section, 396.44 feet; thence North parallel with the East line of said section, 908.82 feet; thence East, parallel with the South line of the North one-half of said section, 396.44 feet; thence South 908.82 feet to the place of beginning.

SAVE AND EXCEPT a parcel of land previously deeded to Virgil A. Boyd and Phyllis E. Boyd, recorded in Reel 549, Page 700, Deed Records, Marion County, Oregon.

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SALEM, OREGON

EXHIBIT "C"

Lot 700, Map 06 3W 23A

Legal Description for:
Adjusted Property "A"

A tract of land situated in the Section 23, Township 6 South, Range 3 West of the Willamette Meridian, Marion County, Oregon, more particularly described as follows:

Beginning at the most Westerly northwest corner of that tract of land conveyed to Robert W. Gabriel and Jill M. Gabriel, as tenants by the entirety, by deed recorded in Reel 2292, Page 80, Marion County Deed Records, said point recorded as being 969.60 feet South and 1665.80 feet South 89°52' West from the northeast corner of said Section 23; and running thence:

North 89°53'32" East 159.83 feet along the north line of said Gabriel tract to a 5/8-inch iron rod stamped "WILSON PLS 2687";

Lot 700

thence South 0°06'22" East 335.83 feet to a like iron rod;

thence South 89°41'07" West 450.58 feet to a point on the west line of said Gabriel tract;

thence North 40°38'26" East 445.44 feet along said west line to the Point of Beginning, containing 2.36 acres of land, more or less.

SUBJECT TO the rights of the public in and to that portion of the above described property lying within roads and roadways.

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SALEM, OREGON

G-18341

EXHIBIT "D" *All of Lot 800, Map, 06 3W 23A*

Legal Description for:
Adjusted Property "B"

A tract of land situated in the Sections 23 and 24, Township 6 South, Range 3 West of the Willamette Meridian, Marion County, Oregon, more particularly described as follows:

Beginning at the most Westerly northwest corner of that tract of land conveyed to Robert W. Gabriel and Jill M. Gabriel, as tenants by the entirety, by deed recorded in Reel 2292, Page 80, Marion County Deed Records, said point recorded as being 969.60 feet South and 1665.80 feet South 89°52' West from the northeast corner of said Section 23; thence North 89°53'32" East 159.83 feet along the north line of said Gabriel tract to a 5/8-inch iron rod stamped "WILSON PLS 2687" and the TRUE POINT OF BEGINNING of this description; and running thence: North 89°53'32" East 1301.22 feet along the north line of said Gabriel tract to an angle point thereof;
thence North 0°00'00" East 426.47 feet along the west line of said Gabriel tract to an angle point thereof;
thence South 89°55'00" East 204.75 feet along the north line of said Gabriel tract to a point on the west line of the aforementioned Section 24;
thence North 0°00'00" East 543.62 feet along said west line to the northwest corner of said Section 24;
thence South 89°58'05" East 1327.62 feet along the north line of Section 24 to the 1/16th Corner in said line;
thence South 0°07'17" East 1764.98 feet along the North-South 1/16th line to the northeast corner of that tract of land conveyed to E.C. McCandlish, et ux, by deed recorded in Volume 464, Page 422, Marion County Deed Records;
thence South 89°51'48" West 1002.96 feet along the north line of said McCandlish tract to the northwest corner thereof;
thence South 0°06'12" East 879.78 feet along the west line of said McCandlish tract to the southwest corner thereof, said point being at the centerline of the county road;
thence South 89°51'48" West 330.00 feet along said centerline to the 1/4 Corner in the west line of said Section 24;
thence North 0°00'00" East 220.00 feet along said west line to the northeast corner of that tract of land described in that instrument recorded in Reel 136, Page 776, Marion County Deed Records;
thence South 89°56'00" West 198.00 feet along the north line of said tract to the northwest corner thereof;

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SALEM, OREGON

thence South 0°00'00" West 220.00 feet along the west line of said tract to a point on the south line of the north half of Section 23;
thence South 89°56'00" West 310.90 feet along said south line;
thence North 0°00'00" East 140.00 feet;
thence South 89°56'00" West 90.00 feet;
thence South 0°00'00" West 140.00 feet to a point on the aforementioned south line of the north half of Section 23;
thence South 89°56'00" West 194.01 feet along said south line to the southeast corner of that tract of land described in that instrument recorded in Reel 2245, Page 7, Marion County Deed Records;
thence North 0°00'00" East 140.00 feet along the east line of said tract to the northeast corner thereof;
thence South 89°56'00" West 90.00 feet along the north line of said tract to the northwest corner thereof;
thence South 0°00'00" West 140.00 feet along the west line of said tract to a point on the aforementioned south line of the north half of Section 23;
thence South 89°56'00" West 200.19 feet along said south line to the southwest corner of that tract of land conveyed to Clearlake Farms, LLC, an Oregon limited liability company, by deed recorded in Reel 2914, Page 390, Marion County Deed Records;
thence North 0°00'00" East 919.14 feet along the west line of said Clearlake Farms, LLC tract to the northwest corner thereof;
thence South 89°33'23" East 31.30 feet along the north line of said Clearlake Farms, LLC tract to a point on the west boundary of the aforementioned Gabriel tract;
thence North 0°05'00" East 325.00 feet along the west line of said Gabriel tract to an angle point thereof;
thence South 89°41'07" West 884.60 feet along the south line of said Gabriel tract to the most Westerly southwest corner thereof;
thence North 40°38'26" East 132.41 feet along the west line of said Gabriel tract;
thence North 89°41'07" East 450.58 feet to a 5/8-inch iron rod with yellow plastic cap stamped "WILSON PLS 2687";
thence North 0°06'22" East 335.83 feet to the TRUE POINT OF BEGINNING, containing 110.90 acres of land, more or less.

SUBJECT TO the rights of the public in and to that portion of the above described property lying within roads and roadways.

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EXHIBIT "E"

Portion of Lot 800, Map 06 30 23A

Legal Description for:
Transferred Property

A tract of land situated in the Sections 23 and 24, Township 6 South, Range 3 West of the Willamette Meridian, Marion County, Oregon, more particularly described as follows:

Beginning at the most Westerly northwest corner of that tract of land conveyed to Robert W. Gabriel and Jill M. Gabriel, as tenants by the entirety, by deed recorded in Reel 2292, Page 80, Marion County Deed Records, said point recorded as being 969.60 feet South and 1665.80 feet South 89°52' West from the northeast corner of said Section 23; thence North 89°53'32" East 159.83 feet along the north line of said Gabriel tract to a 5/8-inch iron rod stamped "WILSON PLS 2687" and the TRUE POINT OF BEGINNING of this description; and running thence: North 89°53'32" East 1301.22 feet along the north line of said Gabriel tract to an angle point thereof;
thence North 0°00'00" East 426.47 feet along the west line of said Gabriel tract to an angle point thereof;
thence South 89°55'00" East 204.75 feet along the north line of said Gabriel tract to a point on the west line of the aforementioned Section 24;
thence North 0°00'00" East 543.62 feet along said west line to the northwest corner of said Section 24;
thence South 89°58'05" East 1327.62 feet along the north line of Section 24 to the 1/16th Corner in said line;
thence South 0°07'17" East 1764.98 feet along the North-South 1/16th line to the northeast corner of that tract of land conveyed to E.C. McCandlish, et ux, by deed recorded in Volume 464, Page 422, Marion County Deed Records;
thence South 89°51'48" West 1002.96 feet along the north line of said McCandlish tract to the northwest corner thereof;
thence South 0°06'12" East 879.78 feet along the west line of said McCandlish tract to the southwest corner thereof, said point being at the centerline of the county road;

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SALEM, OREGON

thence South 89°51'48" West 330.00 feet along said centerline to the 1/4 Corner in the west line of said Section 24;
thence North 0°00'00" East 908.55 feet along said west line to the northeast corner of that tract of land conveyed to Clearlake Farms, LLC, an Oregon limited liability company, by deed recorded in Reel 2914, Page 390, Marion County Deed Records;
thence North 89°33'23" West 1158.08 feet to a point in the west boundary of the aforementioned Gabriel tract;
thence North 0°05'00" East 325.00 feet along the west line of said Gabriel tract to an angle point thereof;
thence South 89°41'07" West 884.60 feet along the south line of said Gabriel tract to the most Westerly southwest corner thereof;
thence North 40°38'26" East 132.41 feet along the west line of said Gabriel tract;
thence North 89°41'07" East 450.58 feet to a 5/8-inch iron rod with yellow plastic cap stamped "WILSON PLS 2687";
thence North 0°06'22" East 335.83 feet to the TRUE POINT OF BEGINNING, containing 87.53 acres of land, more or less.

SUBJECT TO the rights of the public in and to that portion of the above described property lying within roads and roadways.

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WATER RESOURCES DEPT
SALEM, OREGON

REEL: 3541

PAGE: 304

September 05, 2013, 11:20 am.

CONTROL #: 346685

State of Oregon
County of Marion

I hereby certify that the attached instrument was received and duly recorded by me in Marion County records:

FEE: \$ 91.00

BILL BURGESS
COUNTY CLERK

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WATER RESOURCES DEPT
SALEM, OREGON

THIS IS NOT AN INVOICE.

14

AUG -5 1991

STATE OF OREGON
WATER WELL REPORT
(as required by ORS 837.765)

WATER RESOURCES DEPT.
SALEM, OREGON

MARION
17388

65130623 ad

(START CARD) # 30566

(1) OWNER: Well Number: 2935
Name RICK JOHNSON
Address 1585 Clearlake Rd. N.E.
City Keizer, Oregon 97301 State Zip

(2) TYPE OF WORK:
 New Well Deepen Recondition Abandon

(3) DRILL METHOD
 Rotary Air Rotary Mud Cable
 Other

(4) PROPOSED USE:
 Domestic Community Industrial Irrigation
 Thermal Injection Other

(5) BORE HOLE CONSTRUCTION:
Special Construction approval Yes No Depth of Completed Well 200' ft.
Explosives used Type Amount

HOLE			SEAL			Amount
Diameter	From	To	Material	From	To	sacks or pounds
14	0	19	1200lbs.	0	19	Dry Bentonite
8	0	200				

How was seal placed: Method A B C D E
 Other As Per 690-210-340
Backfill placed from ft. to ft. Material
Gravel placed from ft. to ft. Size of gravel

Casing/Liner	Diameter	From	To	Gauge	Steel				Welded		Threaded	
					Plastic	Welded	Threaded	Plastic	Welded	Threaded		
Casing	8"	+1	200	.250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Liner					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) 200'

(7) PERFORATIONS/SCREENS:
 Perforations Method Mills Knife (3/8" X 2 1/2")
 Screens Type Material

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
120	150		312			<input checked="" type="checkbox"/>	<input type="checkbox"/>
183	200		240			<input checked="" type="checkbox"/>	<input type="checkbox"/>

(8) WELL TESTS: Minimum testing time is 1 hour
 Pump Bailer Air Flowing Artesian
Yield gal/min Drawdown Drill stem at Time
500+ 199 1 hr.

Temperature of water 53° Depth Artesian Flow Found
Was a water analysis done? Yes By whom
Did any strata contain water not suitable for intended use? Too little
 Salty Muddy Odor Colored Other
Depth of strata:

(9) LOCATION OF WELL by legal description:
County Marion Latitude Longitude
Township 6S Nor S, Range 3W E or W, WM.
Section 23 SE 1/4 NE 1/4
Tax Lot Lot Block Subdivision
Street Address of Well (or nearest address)
1585 Clearlake Rd. N.E.

(10) STATIC WATER LEVEL:
62 ft. below land surface. Date 6/19/91
Artesian pressure lb. per square inch. Date

(11) WATER BEARING ZONES:
Depth at which water was first found 75

From	To	Estimated Flow Rate	SWL
75	200	XHFX1000+	

(12) WELL LOG: Ground elevation

Material	From	To	SWL
Topsoil	0	2	
Brown Clay	2	62	
Gray Clay	62	75	
Cemented Black Sand and Gravel	75	91	
Cemented Brown Sand and Gravel	91	150	
Blue Clay	150	172	
Cemented Black Sand and Gravel	172	180	
Black Sand and Gravel	180	200	

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SALEM, OREGON

Date started 6/17/91 Completed 6/19/91

(unbonded) Water Well Constructor Certification:
I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon well construction standards. Materials used and information reported above are true to my best knowledge and belief.
Signed Mark D. Beier WWC Number 753 Date 6/20/91

(bonded) Water Well Constructor Certification:
I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon well construction standards. This report is true to the best of my knowledge and belief. WILLAMETTE DRILLING CO.
Signed Mark D. Beier WWC Number 753 Date 6/20/91

G-18341