

Application for a Permit to Use Ground Water



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

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Water-Use Permit Application Processing

MAY 31 2016

1. Completeness Determination

SALEM, OR

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 ~~its terms, limitations or~~ conditions that the Department deems appropriate.

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Minimum Requirements Checklist

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

Include this checklist with the application

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

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

Attachments:

- Land Use Information Form with approval and signature (*must be an original*) or signed receipt
- Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map. Example: A copy of the deed, land sales contract or title insurance policy.
- Fees - Amount enclosed: \$ _____
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 _____

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SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant Information

NAME Jason Young, Arauco Project Manager / <i>Environmental Manager</i>		PHONE (HM) N/A	
PHONE (WK) (541) 928-3341 x222	CELL (541) 928-3341	FAX (541) 917-1996	
ADDRESS 2550 Old Salem Rd NE			
CITY Albany	STATE OR	ZIP 97321	E-MAIL* jason.young@arauco-na.com

Organization Information

NAME Auraco North America (Flakeboard-Duraflake Particleboard)		PHONE (541) 928-3341	FAX (541) 917-1996
ADDRESS 2550 Old Salem Rd NE		CELL N/A	
CITY Albany	STATE OR	ZIP 97321	E-MAIL* N/A

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

AGENT / BUSINESS NAME Shawn Spargo, Kennedy/Jenks Project Engineer		PHONE (503) 423-4041	FAX (503) 295-4901
ADDRESS 421 SW 6th St, Suite 1000		CELL (503) 333-7113	
CITY Portland	STATE OR	ZIP 97204	E-MAIL* shawnspargo@kennedyjenks.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.)

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application.
- I cannot use water legally until the Water Resources Department issues a permit.
- Oregon law requires that a permit be issued before beginning construction of any proposed well, unless the use is exempt. Acceptance of this application does not guarantee a permit will be issued.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be cancelled.
- The water use must be compatible with local comprehensive land-use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water-right holders to get water to which they are entitled.

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

Jason Young
Applicant Signature

Applicant Signature

Jason Young, Environmental Mng. 3-24-2016
Print Name and title if applicable Date

Print Name and title if applicable

Date

For Department Use		
App. No. <u>G-18348</u>	Permit No. _____	Date _____

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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.

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Yes

- There are no encumbrances.
- This land is encumbered by easements, rights of way, roads or other encumbrances.

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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.

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List the names and mailing addresses of all affected landowners (*attach additional sheets if necessary*).

None. See Attachment A for property ownership information.

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
5091	Murder Creek	150 ft	23 ft

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*).

International Paper currently supplies water to Arauco's fire pond to support Arauco's industrial processing and manufacturing activities, and fire water supply. On June 30, 2016 International Paper will be discontinuing water supply to Arauco's fire pond. Arauco relies on the fire pond water to support it's industrial processing and manufacturing, and for fire protection. Because the source of water supply is being discontinued by International Paper, Arauco is applying for a ground water

right to use it's existing water well to supply the water needed to support it's industrial processing and manufacturing activities (a separate water connection to the City's water line is proposed to provide fire water supply to the Arauco facility). The existing well was constructed in 2010 and has no previous alterations or repairs. See Attachment B for drawdown test and well log for the existing well.

Auraco is also applying to install a new second well with the same capacity as the current existing well that will pull from the same aquifer. The existing and new well will ensure process water supply to the facility. The total volume of water utilized by the plant for process water is expected to remain the same.

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Revised 2/1/2012

Ground Water/5

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SECTION 3: WELL DEVELOPMENT, CONTINUED

Total maximum rate requested: 30 gpm for 24 hours (43,200 gpd) (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)
5091	<input type="checkbox"/>	<input checked="" type="checkbox"/>	L102068	<input type="checkbox"/>	6	1-60	165-345	0-1 1-60	9' 3.75" (6/02/2010)	sandstone and basalt	345	30	48.4
	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	6					sandstone and basalt	345	30	48.4
	<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"/>									

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* Licensed drillers are required to attach a Department-supplied Well Tag, with a unique Well ID or Well Tag Number to all new or newly altered wells. Landowners can request a Well ID for existing wells that do not have one. The Well ID is intended to serve as a unique identification number for each well.
 ** A well log ID (e.g. MARI 1234) is assigned by the Department to each log in the agency's well log database. A separate well log is required for each subsequent alteration of the well.
 *** Source aquifer examples: Troutdale Formation, gravel and sand, alluvium, basalt, bedrock, etc.

SECTION 4: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Industrial	Year Round	48.4

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: _____ 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: _____

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- 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: _____

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SECTION 5: WATER MANAGEMENT

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A. Diversion and Conveyance

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

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Pump (give horsepower and type): 2 hp vertical turbine well pump

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Other means (describe): _____

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. Groundwater will be pumped to a nearby fire pond via a 2" pipeline, see Drawings C100 and C101. The facility has an existing conveyance system that draws water from the pond for their industrial process. The rate that the groundwater is pumped into the fire pond matches the rate that process water is withdrawn. In other words, the fire pond is not meant for storage and is a "bulge" in the line. The well pump will be automatically controlled to turn on and off via a level sensor in the well.

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler)
 No land application. Water will be used for industrial purposes.

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.

An additional level control switch will be installed in the nearby pond to provide an override pump off signal to turn off the well pump when the water level in the pond is above normal operating conditions.

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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: _____

Use(s): _____

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

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

SECTION 7: USE OF STORED GROUND WATER FROM THE RESERVOIR

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

Annual volume (acre-feet): _____

USE OF STORED GROUND WATER	PERIOD OF USE

SECTION 8: PROJECT SCHEDULE

Date construction will begin: April 2016

Date construction will be completed: September 2016

Date beneficial water use will begin: June 2016

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SECTION 9: WITHIN A DISTRICT

Check here if the point of diversion or place of use are located within or served by an irrigation or other water district.

Irrigation District Name	Address	
City	State	Zip

SECTION 10: REMARKS

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

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SALEM, OR

Land Use

Information Form



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
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NOTE TO APPLICANTS

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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

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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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SALEM, OR

Land Use Information Form



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Salem, Oregon 97301-1266
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Applicant: Jason First Young Last

Mailing Address: 2550 Old Salem Road NE

Albany City OR State 97321 Zip Daytime Phone: (541) 928-3341

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:	Proposed Land Use:
10S	3W	33N W	1/4 NE	151	Existing Industrial	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	N/A
						<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:

Linn County, Albany **RECEIVED BY OWRD**

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B. Description of Proposed Use

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

- Permit to Use or Store Water Water Right Transfer Permit Amendment or Ground Water Registration Modification
 Limited Water Use License Allocation of Conserved Water Exchange of Water

Source of water: Reservoir/Pond Ground Water Surface Water (name) _____

Estimated quantity of water needed: 30 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:

International Paper currently supplies water to Arauco's fire pond to support Arauco's industrial processing and manufacturing activities, and fire water supply. On June 30, 2016 International Paper will be discontinuing water supply to Arauco's fire pond. Arauco relies on the fire pond water to support it's industrial processing and manufacturing, and for fire protection. Because the source of water supply is being discontinued by International Paper, Arauco is applying for a ground water right to use it's existing water well to supply the water needed to support it's industrial processing and manufacturing activities (a separate water connection to the City's water line is proposed to provide fire water supply to the Arauco facility).

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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.** →

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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): Millersburg Land Use Development Code
- 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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Name: _____ Title: BARBARA CASTILLO CITY ADMINISTRATOR / RECORDER

Signature: Barbara Castillo Phone: 541-928-4523 Date: 3/24/16

Government Entity: CITY OF MILLERSBURG

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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Date _____

(For staff use only)



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

WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):

- SECTION 1: _____
- SECTION 2: _____
- SECTION 3: _____
- SECTION 4: _____
- SECTION 5: _____
- SECTION 6: _____
- SECTION 7: _____
- SECTION 8: _____
- SECTION 9: _____

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Land Use Information Form _____

Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.

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Fees _____

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MAP

- Permanent quality and drawn in ink
- Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
- North Directional Symbol
- Township, Range, Section, Quarter/Quarter, Tax Lots
- Reference corner on map
- Location of each well, and/or dam if applicable, by reference to a recognized public land survey corner (distances north/south and east/west). Each well must be identified by a unique name and/or number.
- Indicate the area of use by Quarter/Quarter and tax lot clearly identified
- Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
- Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)
- Other _____

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Appendix A

Property Ownership Information

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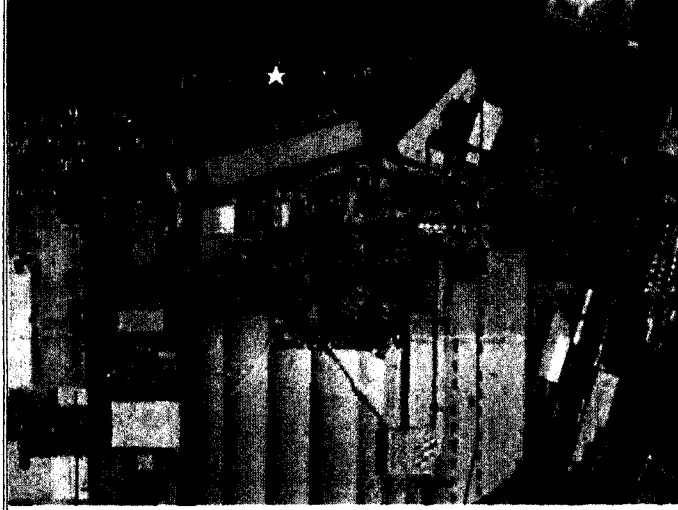
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OWRD Basic Web Mapping Application (beta)

①

Latitude: 44.664348 , Longitude: -123.064
Oregon Lambert Coordinate: 645455.97, 11

- OWRD Data
- Base Data
- Imagery



TRSQQ: 10.0DS-03.0DW-33-MENW
 County: Linn
 Basin: Willamette
 WM District: 2
 WM Region: NW
 Withdrawn Area:
 WAB: WILLAMETTE R > COLUMBIA R - /
 14191000 (183)
 Priority WAB:
 Rule 4D: Rules apply
 Groundwater
 Restricted:
 Scenic Water Way:
 Division 33: LOWER COLUMBIA
 Water Quality Limited: Yes
 Water Rights: See Water Rights in this section (i
 Well Logs: See Well Logs in this section

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AUG 11 2010

WATER RESOURCES DEPT
SALEM, OREGON

LAND OWNER SUBMITTED MAP

6-18349

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STATE OF OREGON WATER SUPPLY WELL REPORT (as required by ORS 537.765 & OAR 690-205-0210)

WELL LABEL # L 102068 START CARD # 205742

SALEM, OR

(1) LAND OWNER Owner Well I.D. 5091 First Name Last Name Company Flakeboard Address P.O. Box 428 City Albany State OR Zip 97321

(2) TYPE OF WORK [X] New Well [] Deepening [] Conversion [] Alteration (repair/recondition) [] Abandonment

(3) DRILL METHOD [X] Rotary Air [] Rotary Mud [] Cable [] Auger [] Cable Mud [] Reverse Rotary [] Other

(4) PROPOSED USE [] Domestic [] Irrigation [] Community [X] Industrial/ Commercial [] Livestock [] Dewatering [] Thermal [] Injection [] Other

(5) BORE HOLE CONSTRUCTION Special Standard [] Attach copy Depth of Completed Well 345 ft.

Table with columns: Dia, From, To, Material, From, To, Amt, Sacks/lbs. Rows include Cement and Bentonite.

How was seal placed: Method [] A [] B [X] C [] D [] E [X] Other Poured dry Backfill placed from ft. to ft. Material Filter pack from ft. to ft. Material Size Explosives used: [] Yes Type Amount

(6) CASING/LINER Casing Liner Dia + From To Gauge Stl Plstc Wld Thrd Shoe [] Inside [] Outside [] Other Location of shoe(s) Temp casing [X] Yes Dia 10 From 0 To 40

(7) PERFORATIONS/SCREENS Perf/S Casing/ Screen Perforations Method Drilled Screens Type Material Table with columns: Perf, Liner, Dia, From, To, width, length, slots, pipe size

(8) WELL TESTS: Minimum testing time is 1 hour [] Pump [] Bailer [X] Air [] Flowing Artesian Yield gal/min Drawdown Drill stem/Pump depth Duration (hr) Table with columns: Yield, Drawdown, Depth, Duration

Temperature 54 °F Lab analysis [] Yes By Water quality concerns? [] Yes (describe below) Table with columns: From, To, Description, Amount, Units

(9) LOCATION OF WELL (legal description) County LINN Twp 10 S N/S Range 3 W E/W WM Sec 33 NW 1/4 of the NE 1/4 Tax Lot 151 Tax Map Number Lot Lat Long [] Street address of well [] Nearest address 2550 NE Old Salem Rd., Albany, OR 97321

(10) STATIC WATER LEVEL Date SWL(psi) + SWL(ft) Existing Well / Predeepening Completed Well 05-20-2010 9 Flowing Artesian? [] Dry Hole? []

WATER BEARING ZONES Depth water was first found 130 SWL Date From To Est Flow SWL(psi) + SWL(ft) Table with columns: SWL Date, From, To, Est Flow, SWL(psi), SWL(ft)

(11) WELL LOG Ground Elevation Material From To Table with columns: Material, From, To. Includes text: RECEIVED JUN 10 2010 WATER RESOURCES DEPT JONES DRILLING & CO. INC. 29400 SANTIAM HWY. LEBANON, OR 97355 541-367-2560 541-451-2686 1-800-915-8388

Date Started 05-17-2010 Completed 05-20-2010

(unbonded) Water Well Constructor Certification I certify that the work I performed on the construction, deepening, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. License Number 1411 Date 05-27-2010 Signed [Signature]

(bonded) Water Well Constructor Certification I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates reported above. License Number 1684 Date 05-27-2010 Signed [Signature] Contact Info (optional) Jonesdrilling@hotmail.com

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Appendix B

Drawdown Test and Well Log

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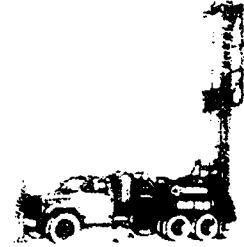
G-18748



29404 Santiam Hwy

LEBANON OREGON 97036

PHONE 457-2686 FAX 457-2687



Flakeboard
P.O. Box 428
Albany, OR 97321

Date : 6/02/2010

Location: 2550 NE Old Salem Rd., Albany, OR 97321

This well was pumped for a total of 20 hours. The average flow was 52.49 gallons per minute. The total gallons pumped was 62,988 gallons. Recovery was taken for 8 hours continuous and 3 later measurements. This well never had a full recovery in a 24 hour period.

After reviewing the well flow testing, it seems as though the well is confined to a small fractured bedrock area which limits the amount of water flow connected by surrounding water bearing zones. I would recommend no more than 25,000 gallons of water be pumped in a 24 hour period of repeated usage (day after day). This well could be pumped at a continuous flow of 15 - 20 gallons per minute for the entire day, or it could be pumped at a higher flow (40 - 50 gallons per minute) for shorter periods of time off and on throughout the day.

This well could be pumped intermittently (once or twice a week) at a rate of 55,000 gallons per day. There could be other limiting factors in connected water strata, that further restrict continual usage, that was not detected on the 20 hour pumping session.

Sincerely,

Bret Jones

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Oregon Water Resources Department
PUMP TEST DATA SHEET

Application: _____ Permit: _____ Certificate: _____ Pod_Id: _____

All water-level measurements must either be in feet and inches, or feet and decimal fractions.

Drawdown Data

Recovery Data

Date	Time	Drawdown Data			Comments	Date	Time	Recovery Data			Comments
		Time Since Pump Started (minutes)	Depth to Water Below Measuring Pt	Depth to Water Below Land Surface				Time Since Pump Stopped (minutes)	Depth to Water Below Measuring Pt	Depth to Water Below Land Surface	
5/25/2010	12:00 pm		9' 3.75"								
	12:20 pm		9' 3.75"								
	12:40 pm		9' 3.75"								
	1:00 pm		9' 3.75"								
	1:20 pm		9' 3.75"								
	1:40 pm		9' 3.75"								
	2:00 pm		9' 3.75"								
	2:02 pm	2		62							
	2:04 pm	4		78							
	2:06 pm	6		85							
	2:08 pm	8		92							
	2:10 pm	10		96							
	2:15 pm	15	103' 8"								
	2:20 pm	20	108' 1"		61 gpm						
	2:25 pm	25	111' 4.25"		62 gpm						
	2:30 pm	30	112' 3.75"		58 gpm						
	2:45 pm	45	119'		59 gpm						
	3:00 pm	60	124' 2.5"		58.67 gpm						
	3:15 pm	75	127' 9.5"		58 gpm						
	3:30 pm	90	130' 3.75"		56.33 gpm						
	3:45 pm	105	132' 7"		58.67 gpm						
	4:00 pm	120	134' 6.75"		56.47 gpm						
	4:15 pm	135	136' 1"		56.53 gpm						
	4:30 pm	150	137' 7.25"		56 gpm						
	4:45 pm	165	139' 2"		56.67 gpm						
	5:00 pm	180	140' 4.75"		55 gpm						
	5:15 pm	195	141' 5"		54.67 gpm						
	5:30 pm	210	142' 7.25"		55.33 gpm						
	5:45 pm	225	143' 8"		57.67 gpm						
	6:00 pm	240	144' 8"		54.33 gpm						
	6:30 pm	270	145' 1.75"		53.83 gpm						
	7:00 pm	300	148' 11"		55.10 gpm						
	7:30 pm	330	148' 6"		54 gpm						
	8:00 pm	360	150' 3.5"		53.73 gpm						
	8:30 pm	390	151' 10"		53.60 gpm						
	9:00 pm	420	153' 2.5"		53 gpm						
	9:30 pm	450	154' 6"		52.17 gpm						
	10:00 pm	480	156'		53.4 gpm						
	11:00 pm	540	160' 1.5"		52.28 gpm						
5/26/2010	12:00 am	600	161' 9"		51.72 gpm						

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Oregon Water Resources Department
PUMP TEST DATA SHEET

Application: _____ Permit: _____ Certificate: _____ Pod_Id: _____

All water-level measurements must either be in feet and inches, or feet and decimal fractions.

Drawdown Data

Recovery Data

Date	Time	Time Since Pump Started (minutes)	Depth to Water Below Measuring Pt	Depth to Water Below Land Surface	Comments	Date	Time	Time Since Pump Stopped (minutes)	Depth to Water Below Measuring Pt	Depth to Water Below Land Surface	Comments
5/26/2010	1:00 am	660	163' 1"		50.17 gpm						
	2:00 am	720	165' 11"		51.63 gpm						
	3:00 am	780	167' 10.5"		51.95 gpm						
	4:00 am	840	169' 9.5"		50.57 gpm						
	5:00 am	900	172' 5"		51.27 gpm						
	6:00 am	960	173' 10.5"		50.17 gpm						
	7:00 am	1020	175' 6"		50.78 gpm						
	8:00 am	1080	176'		49.63 gpm						
	9:00 am	1140	178' 2.5"		49.93 gpm						
	10:00 am	1200	179' 10"		48.12 gpm						
						5/26/2010	10:02 am	2	156' 8"		
							10:04 am	4	135' 6"		
							10:06 am	6	111' 5"		
							10:07 am	7	110' 3"		
							10:08 am	8	98' 7.5"		
							10:10 am	10	91' 6"		
							10:15 am	15	82' 6.25"		
							10:20 am	20	77' .25"		
							10:25 am	25	71' .75"		
							10:30 am	30	67' 6"		
							10:45 am	45	62' 3.63"		
							11:00 am	60	58' 2.25"		
							11:15 am	75	55' 1.63"		
							11:30 am	90	52' 10.88"		
							11:45 am	105	50' 6.25"		
							12:00 pm	120	48' 7.5"		
							12:15 pm	135	46' 11"		
							12:30 pm	150	45' 5"		
							12:45 pm	165	44' 2"		
							1:00 pm	180	42' 11.75"		
							1:15 pm	195	41' 10.75"		
							1:30 pm	210	40' 11"		
							1:45 pm	225	39' 11"		RECEIVED BY OWRD
							2:00 pm	240	39' 1.88"		
							2:15 pm	255	38' 4.38"		
							2:30 pm	270	37' 8"		MAY 31 2016
							2:45 pm	285	37'		
							3:00 pm	300	36' 4.5"		SALEM, OR
							3:15 pm	315	35' 8.25"		

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Oregon Water Resources Department

PUMP TEST DATA SHEET

Page 3 of 3

Application: _____ Permit: _____ Certificate: _____ Pod Id: _____

All water-level measurements must either be in feet and inches, or feet and decimal fractions.

Drawdown Data

Recovery Data

Date	Time	Drawdown Data			Comments	Date	Time	Recovery Data			Comments
		Time Since Pump Started (minutes)	Depth to Water Below Measuring Pt	Depth to Water Below Land Surface				Time Since Pump Stopped (minutes)	Depth to Water Below Measuring Pt	Depth to Water Below Land Surface	
					5/26/2010	3:30 pm	330	35' 2.25"			
						3:45 pm	345	34' 7.75"			
						4:00 pm	360	34'			
						4:15 pm	375	33' 7.5"			
						4:30 pm	390	33' 2.25"			
						4:45 pm	405	32' 9"			
						5:00 pm	420	32' 4"			
						5:15 pm	435	31' 11.5"			
						5:30 pm	450	31' 7"			
						5:45 pm	465	31' 3"			
						6:00 pm	480	30' 11"			
						8:55 pm	655	27' 8"			
						9:00 pm	660	27'			
					5/27/2010	7:30 am	1290	21' 5.5"			
						5:28 pm	1888	18' 8"			
					5/28/2010	7:30 am	2730	16' 4.5"			
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Appendix C

Project Design Drawings

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First American

First American Title Company of Oregon
2405 14th Ave SE, Ste B
Albany, OR 97322
Phn - (541)926-8808
Fax - (866)847-2139

LINN COUNTY TITLE UNIT
FAX (866)847-2139

Title Officer: **David Trivett**
(541)926-8808
dtrivett@firstam.com

LOT BOOK SERVICE

Kennedy/Jenks Consultants
421 SW 6th Avenue, Suite 1000
Portland, OR 97204

Order No.: 7099-2596552
February 12, 2016

Attn: Ramon Sera
Phone No.: (503)423-4005 - Fax No.: (503)295-4901
Email: ramonsera@kennedyjenks.com

Re:

Fee: \$500.00

We have searched our Tract Indices as to the following described property:

The land referred to in this report is described in Exhibit A attached hereto.

and as of February 04, 2016 at 8:00 a.m.

We find that the last deed of record runs to

Flakeboard America Limited, a Delaware corporation

We find the following apparent encumbrances within ten (10) years prior to the effective date hereof:

1. The rights of the public in and to that portion of the premises herein described lying within the limits of streets, roads and highways.
2. Terms and provisions of any unrecorded permit or permits for the right of crossing over, under or across the Railroad Right of Way; or any loss or claim occasioned by the possible lack of such permit or other provision for access over, under or across said right of way, serving the subject premises.
3. Easement, including terms and provisions contained therein:
Recording Information: April 22, 1929 as Book 136, Page 429, Deed Records
In Favor of: Mountain States Power Company
For: Electrical distribution line

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- 4. Easement, including terms and provisions contained therein:
 Recording Information: December 02, 1954 as Book 240, Page 507, Deed Records
 In Favor of: Western Kraft Corporation
 For: Pipelines, pumping station, common use rights, private roadway and electric transmission and telephone lines

- 5. Easement, including terms and provisions contained therein:
 Recording Information: December 13, 1954 as Book 240, Page 635, Deed Records
 In Favor of: Western Kraft Corporation
 For: Pipelines

- 6. Easement, including terms and provisions contained therein:
 Recording Information: June 10, 1955 as Book 243, Pages 578 and 579, Deed Records
 In Favor of: Mountain States Power Company
 For: Maintain, operate, communication facilities, also to trim trees, along said facilities

- 7. Easement, including terms and provisions contained therein:
 Recording Information: December 31, 1956 as Book 252, Pages 337 and 340, Deed Records
 In Favor of: Pacific Power and Light Company
 For: Electric power and/or telephone lines

- 8. Easement, including terms and provisions contained therein:
 Recording Information: September 29, 1958 as Book 261, Page 652, Deed Records
 In Favor of: Oscar Nygren
 For: roadway

 Modification and/or amendment by instrument:
 Recording Information: August 09, 1960 as Book 272, Page 536, Deed Records

- 9. Easement, including terms and provisions contained therein:
 Recording Information: December 10, 1959 as Book 268, Page 633, Deed Records
 In Favor of: Oscar Nygren, et al
 For: Roadway

- 10. Easement, including terms and provisions contained therein:
 Recording Information: May 27, 1960 as Book 271, Page 402, Deed Records
 In Favor of: Southern Pacific Company
 For: Railroad purposes

- 11. Easement, including terms and provisions contained therein:
 Recording Information: June 29, 1961 as Book 277, Page 336, Deed Records
 In Favor of: Pacific Power and Light Company
 For: Electric transmission & distribution lines

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- 12. Easement, including terms and provisions contained therein:
 Recording Information: December 05, 1969 as Book 345, Page 32, Deed Records
 In Favor of: Southern Pacific Company
 For: Railroad and transportation purposes and access roadway

- 13. Easement, including terms and provisions contained therein:
 Recording Information: March 11, 1970 as Book 347, Page 42, Microfilm Records
 In Favor of: Northwest Natural Gas Company
 For: Gas pipeline

- 14. Easement, including terms and provisions contained therein:
 Recording Information: June 10, 1970 as Book 350, Page 217, Microfilm Records
 In Favor of: Willamette Industries, Inc.
 For: Pipelines

- 15. Easement, including terms and provisions contained therein:
 Recording Information: August 18, 1971 as Volume 21, Page 999, Microfilm Records
 In Favor of: Pacific Power and Light Company, a corporation
 For: Electric transmission and distribution lines

- 16. Easement, including terms and provisions contained therein:
 Recording Information: August 13, 1973 as Volume 69, Page 164, Microfilm Records
 In Favor of: Georgia-Pacific Corporation
 For: Roadway

- 17. Easement, including terms and provisions contained therein:
 Recording Information: August 22, 1979 as Volume 241, Page 894, Microfilm Records
 In Favor of: City of Millersburg
 For: Sewer pipeline system

- 18. Easement, including terms and provisions contained therein:
 Recording Information: April 20, 1987 as Volume 440, Page 17, Microfilm Records
 In Favor of: City of Millersburg
 For: Sewer pipeline system

- 19. Easement, including terms and provisions contained therein:
 Recording Information: April 20, 1987 as Volume 440, Page 21, Microfilm Records
 In Favor of: City of Millersburg
 For: Sewer pipeline system

- 20. Easement, including terms and provisions contained therein:
 Recording Information: May 07, 1999 as Volume 1033, Page 11, Microfilm Records
 In Favor of: Teledyne Industries, Inc., dba Oremet-Wah Chang
 For: Pipeline, pipeline interconnection facilities and other pipelines

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- 21. Easement, including terms and provisions contained therein:
 Recording Information: December 27, 2001 as Volume 1249, Page 20, Microfilm Records
 In Favor of: TDY Industries, Inc., an Oregon Corporation dba Wah Chang
 For: Fiber optic cable

- 22. Easement, including terms and provisions contained therein:
 Recording Information: May 28, 2004 as Volume 1586, Page 307, Microfilm Records
 In Favor of: Union Pacific Railroad Company, a Delaware corporation
 For: Existing electrical power lines and appurtenances facilities

- 23. An easement reserved in a deed, including the terms and provisions thereof;
 Recorded: July 28, 2006
 Recording Information: Instrument No. 2006-18397
 From: Weyerhaeuser Company, a Washington corporation
 To: Flakeboard America Limited, a Delaware corporation
 For: Access, utilities and surface flowage/drainage
 Affects: Undisclosed

- 24. Deed of Trust and Assignment of Rents .
 Grantor/Trustor: Flakeboard America Limited, a Delaware corporation
 Grantee/Beneficiary: Royal Bank of Canada, a Canadian chartered bank, as administrative agent
 Trustee: Stewart Title of Oregon, Inc., an Oregon corporation
 Amount: \$249,425,000.00
 Recorded: January 16, 2007
 Recording Information: Instrument No. 2007-01243

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Note: This Deed of Trust contains Line of Credit privileges. If the current balance owing on said obligation is to be paid in full in the forthcoming transaction, confirmation should be made that the beneficiary will issue a proper request for full reconveyance.

The beneficial interest under said Deed of Trust has been assigned to Credit Suisse AG, by Assignment recorded November 02, 2011 as Instrument No. 2011-15383.

Modification and/or amendment by instrument:

Recording Information: November 02, 2011 as Instrument No. 2011-15384

- 25. Easement, including terms and provisions contained therein:
 Recording Information: September 29, 2009 as Instrument No. 2009-17105
 In Favor of: PacifiCorp, an Oregon corporation, its successors and assigns
 For: Right of way
 Affects: 12 feet in width and 240 feet in length, more or less

- 26. Easement, including terms and provisions contained therein:
 Recording Information: January 28, 2011 as Instrument No. 2011-01457
 In Favor of: TDY Industries, Inc., a California corporation, d/b/a Wah Chang
 For: Gas and Waterline

NOTE: An easement appurtenant to the herein described property for access, utilities and surface flowage/drainage, including the terms and provisions thereof, as set forth in instrument recorded July 28, 2006 as Instrument No. 2006-18397, Official Records of Linn County, Oregon.

NOTE: An easement appurtenant to the herein described property for roadway and private utility, including the terms and provisions thereof, as set forth in instrument recorded January 28, 2011 as Instrument No. 2011-01458, Official Records of Linn County, Oregon.

We have also searched our General Index for Judgments and State and Federal Liens against the Grantee(s) named above and find:

NONE

We find the following unpaid taxes and city liens:

NOTE: Taxes for the year 2015-2016 PAID IN FULL

Tax Amount: \$50,762.78
Map No.: 10S03W33-A0-00151
Property ID: 46884
Tax Code No.: 00805

NOTE: Taxes for the year 2015-2016 PAID IN FULL

Tax Amount: \$47,158.75
Map No.: 10S03W33-A0-00151
Property ID: 586178
Tax Code No.: 00805

(Affects Personal Property)

NOTE: Taxes for the year 2015-2016 PAID IN FULL

Tax Amount: \$3,494.71
Map No.: 10S03W33-A0-00151 A1
Property ID: 866446
Tax Code No.: 00805

(Affects improvements only)

NOTE: Taxes for the year 2015-2016 PAID IN FULL

Tax Amount: \$419,835.16
Map No.: 10S03W33-A0-00151 E1
Property ID: 940748
Tax Code No.: 00805

(Affects improvements only)

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- 1. City liens, if any, of the City of Millersburg.

NOTE: An easement appurtenant to the herein described property for private utility, including the terms and provisions thereof, as set forth in instrument recorded January 28, 2011 as Instrument No. 2011-01458, Official Records of Linn County, Oregon.

THIS IS NOT a title report since no examination has been made of the title to the above described property. Our search for apparent encumbrances was limited to our Tract Indices, and therefore above listings do not include additional matters which might have been disclosed by an examination of the record title. We assume no liability in connection with this Lot Book Service and will not be responsible for errors or omissions therein. The charge for this service will not include supplemental reports, rechecks or other services.

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Exhibit "A"

Real property in the County of Linn, State of Oregon, described as follows:

PARCEL A:

PARCEL 1:

ALL THAT PIECE OR PARCEL OF LAND SITUATED, LYING AND BEING IN THE SOUTHWEST 1/4 OF SECTION 28 AND THE NORTHWEST 1/4 OF SECTION 33, TOWNSHIP 10 SOUTH, RANGE 3 WEST, WILLAMETTE MERIDIAN IN LINN COUNTY, OREGON; AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT IN THE CENTER LINE OF A COUNTY ROAD DISTANT SOUTH 17°20'00" EAST, 344.52 FEET FROM THE SOUTHEAST CORNER OF THE ISAAC MILLER DONATION LAND CLAIM NO. 46; THENCE SOUTH 0°21'00" WEST, ALONG SAID CENTER LINE OF COUNTY ROAD, 344.74 FEET TO THE SOUTHEASTERLY CORNER OF THE LAND DESCRIBED IN WARRANTY DEED DATED SEPTEMBER 26, 1958 FROM OSCAR NYGREN TO WESTERN KRAFT CORPORATION, RECORDED SEPTEMBER 29, 1958 IN BOOK 261, PAGE 652, DEED RECORDS OF LINN COUNTY, OREGON AND THE ACTUAL POINT OF BEGINNING OF THE PARCEL OF LAND TO BE DESCRIBED; THENCE SOUTH 0°21'00" WEST, CONTINUING ALONG SAID CENTER LINE, 1110.40 FEET; THENCE SOUTH 88°54'00" WEST, 700.00 FEET; THENCE NORTH 1°06'00" WEST, 882.57 FEET TO A POINT IN THE SOUTHERLY LINE OF SAID LAND DESCRIBED IN WARRANTY DEED DATED SEPTEMBER 26, 1958; THENCE NORTH 71°33' EAST, ALONG SAID SOUTHERLY LINE, 762.80 FEET TO THE ACTUAL POINT OF BEGINNING.

PARCEL 2:

A PARCEL OF LAND SITUATE IN THE SOUTH HALF OF SECTION 28 AND THE NORTH HALF OF SECTION 33, TOWNSHIP 10 SOUTH, RANGE 3 WEST OF THE WILLAMETTE MERIDIAN, IN LINN COUNTY, OREGON, DESCRIBED AS FOLLOWS:

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BEGINNING AT A POINT IN THE CENTER LINE OF A COUNTY ROAD DISTANT SOUTH 17°20' EAST, 344.52 FEET FROM THE SOUTHEAST CORNER OF THE ISAAC MILLER DONATION LAND CLAIM NO. 46, AND ALSO DISTANT NORTH 0°21' EAST, MEASURED ALONG SAID CENTER LINE, 344.74 FEET FROM THE SOUTHEASTERLY CORNER OF THE LAND DESCRIBED IN WARRANTY DEED DATED SEPTEMBER 26, 1958 FROM OSCAR NYGREN TO WESTERN KRAFT CORPORATION, RECORDED SEPTEMBER 29, 1958 IN BOOK 261, PAGE 652, DEED RECORDS OF LINN COUNTY; THENCE SOUTH 0°21' WEST ALONG SAID CENTER LINE OF COUNTY ROAD, 1456.46 FEET TO A POINT IN THE SOUTHERLY LINE OF THE LAND DESCRIBED IN WARRANTY DEED DATED NOVEMBER 20, 1959 FROM OSCAR NYGREN AND PERSIS H. NYGREN TO SOUTHERN PACIFIC COMPANY, RECORDED DECEMBER 10, 1959 IN VOLUME 268, PAGE 633, DEED RECORDS OF LINN COUNTY; THENCE NORTH 88°51' EAST, ALONG SAID SOUTHERLY LINE, 37.37 FEET TO A LINE THAT IS PARALLEL WITH AN DISTANT 30 FEET NORTHWESTERLY MEASURED AT RIGHT ANGLES FROM THE ORIGINAL LOCATED CENTER LINE OF THE MAIN TRACK OF THE SOUTHERN PACIFIC COMPANY, THENCE NORTH 14°15' EAST, ALONG SAID PARALLEL LINE, 368.78 FEET; THENCE SOUTH 88°51' WEST 57.78 FEET; THENCE NORTH 1°09' WEST, 327.53 FEET; THENCE NORTH 88°51' EAST, 148.00 FEET TO A LINE THAT IS PARALLEL WITH AND DISTANT 30 FEET NORTHWESTERLY MEASURED AT RIGHT ANGLES FROM SAID ORIGINAL LOCATED CENTER LINE; THENCE NORTH 14°15' EAST, ALONG LAST SAID PARALLEL LINE, 790.71 FEET TO THE NORTHEASTERLY LINE OF THE LAND DESCRIBED IN WARRANTY DEED DATED NOVEMBER 20, 1959 FROM OSCAR NYGREN AND PERSIS H. NYGREN TO SOUTHERN PACIFIC COMPANY RECORDED DECEMBER 10, 1959 IN VOLUME 268, PAGE 630, DEED RECORDS OF LINN COUNTY; THENCE NORTH 74°55' WEST, ALONG SAID NORTHEASTERLY LINE, 37.83 FEET TO THE NORTHERLY LINE OF SAID LAND DESCRIBED IN LAST SAID DEED DATED NOVEMBER 20, 1959; THENCE SOUTH 88°51' WEST, ALONG SAID NORTHERLY LINE, 361.05 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION OF SAID PROPERTY LYING BELOW A DEPTH OF 500 FEET MEASURED VERTICALLY FROM THE CONTOUR OF THE SURFACE THEREOF.

ALSO, SAVE AND EXCEPT THE FOLLOWING:

A PARCEL OF LAND SITUATE IN THE SOUTH HALF OF SECTION 28 AND THE NORTH HALF OF SECTION 33, TOWNSHIP 10 SOUTH, RANGE 3 WEST, WILLAMETTE BASE AND MERIDIAN, COUNTY OF LINN, STATE OF OREGON, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE CENTER LINE OF A COUNTY ROAD DISTANT SOUTH 17°20' EAST, 344.52 FEET FROM THE SOUTHEAST CORNER OF THE ISAAC MILLER DONATION LAND CLAIM NO. 46, AND ALSO DISTANT NORTH 0°21' EAST, MEASURED ALONG SAID CENTER LINE, 344.74 FEET FROM THE SOUTHEASTERLY CORNER OF THE LAND DESCRIBED IN WARRANTY DEED DATED SEPTEMBER 26, 1958 FROM OSCAR NYGREN TO WESTERN KRAFT CORPORATION, RECORDED SEPTEMBER 29, 1958 IN BOOK 261, PAGE 652, DEED RECORDS OF LINN COUNTY; THENCE NORTH 88°51' EAST 284.34 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION. THENCE ALONG THE NORTHERLY LINE OF THE LAND DESCRIBED IN WARRANTY DEED DATED NOVEMBER 20, 1959 FROM OSCAR NYGREN AND PERSIA H. NYGREN TO SOUTHERN PACIFIC COMPANY RECORDED DECEMBER 10, 1959 IN VOLUME 268, PAGE 630, DEED RECORDS FOR LINN COUNTY, OREGON, NORTH 88°51' EAST 76.92 FEET TO A 1/2 INCH IRON ROD; THENCE ALONG THE NORTHEASTERLY LINE OF SAID LAND DESCRIBED IN LAST SAID DEED, DATED NOVEMBER 20, 1959, SOUTH 74°55' EAST 37.84 FEET TO A 1/2 INCH IRON ROD ON THE WESTERLY EDGE OF THE SOUTHERN PACIFIC COMPANY RAILROAD RIGHT OF WAY; THENCE ALONG SAID WESTERLY RIGHT OF WAY LINE, SOUTH 14°15' WEST 349.57 FEET TO A 1/2 X 30" IRON ROD; THENCE NORTH 75°45' WEST 112.00 FEET TO A 1/2 X 30" IRON ROD; THENCE NORTH 14°15' EAST 329.69 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL 3:

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First American Title

SALEM, OR

G-18348

A PARCEL ON LAND SITUATE IN THE SOUTH HALF OF SECTION 28 AND THE NORTH HALF OF SECTION 33, TOWNSHIP 10 SOUTH, RANGE 3 WEST, WILLAMETTE MERIDIAN, COUNTY OF LINN, STATE OF OREGON, DESCRIBED AS FOLLOWS: COMMENCING AT A POINT IN THE CENTER LINE OF A COUNTY ROAD DISTANT SOUTH 17°20' EAST, 344.52 FEET FROM THE SOUTHEAST CORNER OF THE ISAAC MILLER DONATION LAND CLAIM NO. 46, AND ALSO DISTANT NORTH 0°21' EAST, MEASURED ALONG SAID CENTER LINE 344.74 FEET FROM THE SOUTHEASTERLY CORNER OF THE LAND DESCRIBED IN WARRANTY DEED DATED SEPTEMBER 26, 1958 FROM OSCAR NYGREN TO WESTERN KRAFT CORPORATION, RECORDED SEPTEMBER 29, 1958 IN BOOK 261, PAGE 652, DEED RECORDS OF LINN COUNTY; THENCE SOUTH 0°21' WEST, ALONG SAID CENTER LINE OF COUNTY ROAD, 1456.46 FEET TO A POINT IN THE SOUTHERLY LINE OF THE LAND DESCRIBED IN WARRANTY DEED DATED NOVEMBER 20, 1959 FROM OSCAR NYGREN AND PERSIS H. NYGREN TO SOUTHERN PACIFIC COMPANY, RECORDED DECEMBER 10, 1959 IN VOLUME 268, PAGE 633, DEED RECORDS OF LINN COUNTY AND THENCE NORTH 88°51' EAST ALONG SAID SOUTHERLY LINE 37.37 FEET TO A LINE PARALLEL WITH AND DISTANCE 30 FEET NORTHWESTERLY MEASURED AT RIGHT ANGLES FROM THE ORIGINAL LOCATED CENTER LINE OF THE MAIN TRACK OF THE SOUTHERN PACIFIC COMPANY; THENCE NORTH 14°15' EAST, ALONG SAID PARALLEL LINE 368.78 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 88°51' WEST 57.78 FEET; THENCE NORTH 1°09' WEST 327.53 FEET; THENCE NORTH 88°51' EAST, 148.00 FEET TO A LINE THAT IS PARALLEL WITH AND DISTANT 30 FEET NORTHWEST MEASURED AT RIGHT ANGLES FROM SAID ORIGINAL LOCATED CENTER LINE; THENCE SOUTH 14°15' WEST, ALONG LAST SAID PARALLEL LINE, 339.72 FEET MORE OR LESS TO THE POINT OF BEGINNING.

PARCEL 4:

A PORTION OF THAT WEYERHAEUSER TRACT PREVIOUSLY KNOWN AS THE WESTERN KRAFT CORPORATION TRACT DESCRIBED BY DEED RECORDED IN BOOK 261, PAGE 656 IN THE LINN COUNTY OREGON DEED RECORDS ON SEPTEMBER 29, 1958 WHICH PORTION BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE ISSAC MILLER SR. DONATION LAND CLAIM NUMBER 46 IN TOWNSHIP 10 SOUTH, RANGE 3 WEST, WILLAMETTE MERIDIAN, IN LINN COUNTY, OREGON; THENCE SOUTH 17°20' EAST 344.52 FEET; THENCE SOUTH 00°21' WEST 344.74 FEET; THENCE SOUTH 71°34'40" WEST 763.55 FEET; THENCE NORTH 01°10'00" WEST 222.54 FEET TO A 5/8 INCH IRON ROD ON THE BOUNDARY LINE OF SAID WEYERHAEUSER TRACT AT THE TRUE POINT OF BEGINNING, SAID 5/8 INCH ROD BEING SOUTH 01°10'00" EAST 45.01 FEET OF A 1/2 INCH ROD SET IN COUNTY SURVEY NUMBER 10400 FILED IN THE OFFICE OF THE LINN COUNTY SURVEYOR; THENCE SOUTH 84°20'47" EAST 187.06 FEET TO A 5/8 INCH ROD; THENCE SOUTH 89°00'32" EAST 229.29 FEET TO A 5/8 INCH ROD ON THE NORTH RIGHT OF WAY LINE OF NYGREN ROAD; THENCE SOUTH 71°34'40" WEST, ALONG SAID NORTH RIGHT OF WAY LINE, 434.41 FEET TO A POINT ON THE BOUNDARY LINE OF SAID WEYERHAEUSER TRACT; THENCE NORTH 01°10'00" WEST 159.71 FEET TO THE POINT OF BEGINNING.

NOTE: This Legal Description was created prior to January 01, 2008.

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