

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: \$3,550
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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WATER RESOURCES DEPT
SALEM, OREGON

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 any terms, limitations or conditions that the Department deems appropriate.

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WATER RESOURCES DEPT
SALEM, OREGON
WR

G-10413

Application for a Permit to Use Ground Water



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

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant Information

NAME HIGH SPIRIT ACRES LLC C/O PATRICK POOLER			PHONE (HM)
PHONE (WK)	CELL (503) 913-7340		FAX
ADDRESS 27503 SE NELSON ROAD			
CITY SANDY	STATE OR	ZIP 97055	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.)

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.


Applicant Signature

Patrick J Pooler
Print Name and title if applicable

11/2/2016
Date

Applicant Signature

Print Name and title if applicable

Date **RECEIVED**

For Department Use		DEC 02 2016
App. No. <i>G18413</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

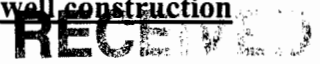
You must provide the legal description of: 1. The property from which the water is to be diverted, 2. Any property crossed by the proposed ditch, canal or other work, and 3. Any property on which the water is to be used as depicted on the map.

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
Well 1	Unnamed tributary to North Fork Eagle Creek	440 feet	80 feet
Well 2	Unnamed tributary to North Fork Eagle Creek	445 feet	80 feet
Well 3	Unnamed tributary to North Fork Eagle Creek	850 feet	45 feet
Well 4	Unnamed tributary to North Fork Eagle Creek	925 feet	20 feet
Well 5	Unnamed tributary to North Fork Eagle Creek	1,200 feet	10 feet
Well 6	North Fork Eagle Creek	755 feet	220 feet
Well 7	North Fork Eagle Creek	820 feet	200 feet
Well 8	North Fork Eagle Creek	670 feet	200 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*).

The well specifications given in the table below are estimates only. The actual well construction will be based on conditions encountered in the field.



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27481-9 SECTION 3: WELL DEVELOPMENT, CONTINUED

Total maximum rate requested: 0.45 cfs (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below).

The table below must be completed for each source to be evaluated or the application will be returned. If this is an existing well, the information may be found on the applicable well log. (If a well log is available, please submit it in addition to completing the table.) If this is a proposed well, or well-modification, consider consulting with a licensed well driller, geologist, or certified water right examiner to obtain the necessary information.

OWNER'S WELL NAME OR NO.	PROPOSED	EXISTING	WELL ID (WELL TAG) NO.* OR WELL LOG ID**	FLOWING ARTESIAN	CASING DIAMETER	CASING INTERVALS (IN FEET)	PERFORATED OR SCREENED INTERVALS (IN FEET)	SEAL INTERVALS (IN FEET)	MOST RECENT STATIC WATER LEVEL & DATE (IN FEET)	PROPOSED USE			
										SOURCE AQUIFER***	TOTAL WELL DEPTH	WELL-SPECIFIC RATE (GPM)	ANNUAL VOLUME (ACRE-FEET)
Well 1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	NA	<input type="checkbox"/>	6 inch	0 to 50	TBD	0 to 50	NA	Volcanics	500-600 feet		
Well 2	<input checked="" type="checkbox"/>	<input type="checkbox"/>	NA	<input type="checkbox"/>	6 inch	0 to 50	TBD	0 to 50	NA	Volcanics	450-550 feet		
Well 3	<input checked="" type="checkbox"/>	<input type="checkbox"/>	NA	<input type="checkbox"/>	6 inch	0 to 50	TBD	0 to 50	NA	Volcanics	450-550 feet		
Well 4	<input checked="" type="checkbox"/>	<input type="checkbox"/>	NA	<input type="checkbox"/>	6 inch	0 to 50	TBD	0 to 50	NA	Volcanics	500-600 feet		
Well 5	<input checked="" type="checkbox"/>	<input type="checkbox"/>	NA	<input type="checkbox"/>	6 inch	0 to 50	TBD	0 to 50	NA	Volcanics	400-500 feet		
Well 6	<input checked="" type="checkbox"/>	<input type="checkbox"/>	NA	<input type="checkbox"/>	6 inch	0 to 50	TBD	0 to 50	NA	Volcanics	450-550 feet		
Well 7	<input checked="" type="checkbox"/>	<input type="checkbox"/>	NA	<input type="checkbox"/>	6 inch	0 to 50	TBD	0 to 50	NA	Volcanics	450-550 feet		
Well 8	<input checked="" type="checkbox"/>	<input type="checkbox"/>	NA	<input type="checkbox"/>	6 inch	0 to 50	TBD	0 to 50	NA	Volcanics	300-400 feet		
		<input type="checkbox"/>		<input type="checkbox"/>						Total:		200 gpm	320 AF

Licensed drillers are required to attach a Department-supplied Well Tag, with a unique Well ID or Well Tag Number to all new or newly altered wells. Landowners can request a Well ID for existing wells that do not have one. The Well ID is intended to serve as a unique identification number for each well.

* A well log ID (e.g. MARI 1234) is assigned by the Department to each log in the agency's well log database. A separate well log is required for each subsequent alteration of the well.

** Source aquifer examples: Troutdale Formation, gravel and sand, alluvium, basalt, bedrock, etc.

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SECTION 4: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Nursery	Year round	320 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: NA Acres Supplemental: NA Acres
 List the Permit or Certificate number of the underlying primary water right(s): NA
 Indicate the maximum total number of acre-feet you expect to use in an irrigation season: NA

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

SECTION 5: WATER MANAGEMENT

A. Diversion and Conveyance

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

Pump (give horsepower and type): 10 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 pumped from the wells through mainlines to greenhouses.

B. Application Method

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

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 cannabis will be done with drip irrigation 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

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Ground Water/6

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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	

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

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 NA	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

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SALEM, OREGON

Land Use

Information Form



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

Applicant: HIGH SPIRIT ACRES LLC C/O PATRICK POOLER

Mailing Address: 27503 SE NELSON ROAD

Sandy OR 97055 Daytime Phone: _____
 City State Zip

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
3	5E	8		1900	TBR	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Nursery
3	5E	8		2200	TBR	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Nursery
3	5E	8		2300	TBR	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Nursery
						<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:

Clackamas

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

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

Briefly describe:

New groundwater permit to irrigate cannabis

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): _____
- 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:	
<i>TYPE 1 - MINISTERIAL</i>	<i>SECTION 841</i>	<input checked="" type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

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

Name: GARY HEWITT Title: SR. PLANNER
 Signature: *[Signature]* Phone: 503-742-4519 Date: 11.3.16
 Government Entity: CLACKAMAS COUNTY PLANNING DIVISION

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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 SALEM, OREGON



MIKE McCALLISTER
PLANNING AND ZONING DIRECTOR

DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING
150 BEAVERCREEK ROAD OREGON CITY, OR 97045

NOTICE OF TYPE I LAND USE ACTION

This document represents the Findings and Conditions of Approval of a Type I Land Use Permit. It contains four parts: 1) Summary; 2) Decision; 3) Conditions of Approval; and 4) Findings.

SECTION I: SUMMARY

Date: April 5, 2016

File No. Z0095-16-MJ

Staff Contact: Ben Blessing (503-742-4521 - bblessing@clackamas.us)

Map & Taxlot: T3S R5E Section 08 Tax Lot 1900

Site Address: No Situs

Applicant: Patrick Pooler

Owner of Property: High Spirit Acres Real Estate LLC,

Total Area Involved: Approximately 17.23 Acres

Zoning: Timber District (TBR)

Proposal: Applicant proposes to construct one metal building that will contain 25,028 square feet for indoor marijuana production. The footprint of the 2 level structure is 120' by 110' (13,200 square feet). There is also a proposed gravel road and parking area.

Applicable Approval Criteria & Review Procedure: This application is subject to the standards and criteria of Clackamas County Zoning and Development Ordinance (ZDO) Section 841 and 406. This application is being processed as a Type I Permit, pursuant to Section 1307. A Type I Permit is ministerial in nature and involves a land use action governed by non-discretionary standards and clear and objective approval criteria.

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SECTION II: DECISION

It is the decision of the Planning & Zoning Division to preliminarily approve this application for Marijuana Production, subject to the Conditions of Approval outlined below:

SECTION III: CONDITIONS OF APPROVAL

I) General Conditions:

1. Approval of this Marijuana Production application is based on the submitted materials dated February 17, 2016 and March 15th, 2016. No work shall occur under this permit beyond that specified in this decision. It shall be the responsibility of the property owner(s) to comply with this decision and the limitations of approval described herein.
2. This application is subject to the applicable standards of the underlying TBR Zoning District.
3. For new structures used for indoor marijuana production:

No new development permits (building, plumbing, electrical, ag exempt) shall be issued until the stamped odor filtration system required under Subsection 841.03(G)(1-7) and the noise study required under Subsection 841.03(H) are submitted and approved by the Planning and Zoning Department

4. **Prior to Planning approval of a Building Permit or Septic permit** the following fire siting standards shall be completed as it applies to new structures in a forest zone by filing a notarized Fuel-Free Break Standards Compliance Form to the approved Planning File. **The structure shall be sited so as to accommodate the fire siting standards in Section 406.08(A) of the Zoning and Development Ordinance**

Fuel Break Standards:

a. Primary Safety Zone:

The primary safety zone is a fire break extending a minimum of 30 ft. (based on slopes less than 10%, 80 feet based on slopes ranging from 10-20%, etc.) in all directions around structures. The goal within the primary safety zone is to remove fuels that will produce flame lengths in excess of one ft. Vegetation within the primary safety zone could include green lawns and low shrubs (less than 24 inches in height). Trees shall be spaced with greater than 15 ft. between the crowns and pruned to remove dead and low (less than 8 ft.) branches. Accumulated leaves, needles, limbs and other dead vegetation shall be removed from beneath trees. Nonflammable materials (i.e., rock) instead of flammable materials (i.e., bark mulch) shall be placed next to the house.

5. Approval Period: Approval of this Marijuana Production application under Subsection 841.03 is valid for four years from the date of the final decision. If the County's final decision is appealed, the approval period shall commence on the date of the final

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appellate decision. During this four-year period, the approval shall be implemented, or the approval will become void.

A) Implemented means all major development permits shall be obtained and maintained for the approved Marijuana Production, or if no major development permits are required to complete the development contemplated by the approved Marijuana Production, implemented means all other necessary County development permits (e.g., grading permit, building permit for an accessory structure) shall be obtained and maintained. A major development permit is:

- i. A building permit for a new primary structure that was part of the approved development; or
- ii. A permit issued by the County for parking lot or road improvements required by the approved development.

II) Access Conditions:

1. Applicant shall access property from Nelson Road.

III) Lighting Conditions:

1. Light cast by light fixtures inside any building used for Marijuana Production shall not be visible outside the building from 7:00 p.m. to 7:00 a.m. the following day.
2. Outdoor marijuana grow lights shall not be illuminated from 7:00 p.m. to 7:00 a.m. the following day.
3. Light cast by exterior light fixtures other than marijuana grow lights (e.g., security lights, driveway lights) shall not be directed skyward and shall be directed within the boundaries of the subject property.

IV) Building Odor / Filtration Conditions:

1. For any building that is used for Marijuana Production (i.e., Indoor Production), where "building" means the building, or portion thereof, that is used for Marijuana Production:
 - A) The building shall be equipped with an activated carbon filtration system for odor control to ensure that air leaving the building through an exhaust vent first passes through an activated carbon filter.
 - B) The filtration system shall consist of one or more fans and activated carbon filters. At a minimum, the fan(s) shall be sized for cubic feet per minute (CFM) equivalent to the volume of the building (length multiplied by width multiplied by height) divided by three. The filter(s) shall be rated for the applicable CFM.
 - C) The filtration system shall be maintained in working order and shall be in use. The filters shall be changed a minimum of once every 365 days.
 - D) Negative air pressure shall be maintained inside the building.

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- E) Doors and windows shall remain closed, except for the minimum length of time needed to allow people to ingress or egress the building.
- F) The filtration system shall be designed by a mechanical engineer licensed in the State of Oregon. The engineer shall stamp the design and certify that it complies with Subsection 841.03(G).
- G) An alternative odor control system is permitted if the applicant submits a report by a mechanical engineer licensed in the State of Oregon demonstrating that the alternative system will control odor as well or better than the activated carbon filtration system otherwise required.

V) Noise Conditions:

- 1. If generators; mechanical equipment used for heating, ventilating, air conditioning, or odor control; or other machinery is proposed in conjunction with the Marijuana Production, the applicant shall submit a noise study by an acoustic engineer licensed in the State of Oregon, demonstrating that said equipment will not produce sound that, when measured at any lot line of the subject property, exceeds 50 dB(A).

VI) Security Camera Conditions:

- 1. If used, security cameras shall be directed to record only the subject property and may be directed to public rights-of-way as applicable, except as required to comply with licensing requirements of the Oregon Liquor Control Commission (OLCC).

VII) Waste Management Conditions:

- 1. Marijuana waste shall be stored in a secured waste receptacle in the possession of and under the control of the OLCC licensee.

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SECTION IV: FINDINGS

I. Project Overview:

The subject property, zoned TBR, fronts on and has direct access to SE Nelson Road. The recreational marijuana production activities proposed for the subject property are the following: One proposed indoor marijuana facility that will consist of 25,026 square feet of production space. The proposed facility will have a metal exterior and consist of two levels. The building footprint is 13,200 square feet. A proposed gravel driveway and parking area will be constructed to allow access to the new building. Also, an existing logging road will also be improve to provide additional access from SE Nelson Road. New exterior lights will be constructed on the proposed building and around the proposed parking area. Staff notes that the proposed building footprint and building size in this file are identical to the proposed building in file Z0096-16-MJ.

II. ZDO Section 841:

Section 841 of the ZDO — “Marijuana Production, Processing & Retailing” — sets forth the process, standards and requirements for reviewing the production, processing and retailing of marijuana. The proposed Marijuana Production is subject to the criteria and standards of Section 841 that are outlined below:

841.01 APPLICABILITY

Section 841 applies to:

- A. Marijuana production in the AG/F, EFU, FF-10, RRFF-5, and TBR Districts;

Finding: The applicant is proposing Marijuana Production in the TBR District. Therefore, Section 841 applies.

- B. Marijuana processing in the AG/F and EFU Districts; and

Finding: Marijuana Processing is not being proposed or evaluated through this application.

- C. Marijuana retailing in the C-2, C-3, CC, NC, OC, PMU, RC, RCC, RCO, RTC, RTL, and SCMU Districts.

Finding: Marijuana Retailing is not being proposed or evaluated through this application.

841.02 PROCEDURE

Marijuana production and marijuana retailing require review as Type I applications pursuant to Section 1307, *Procedures*. Marijuana processing requires review as a Type II application pursuant to Section 1307.

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Finding: The applicant is proposing Marijuana Production, which is being reviewed as a Type I application, subject to Section 1307.

841.03 MARIJUANA PRODUCTION AND MARIJUANA PROCESSING

Marijuana production and marijuana processing shall be subject to the following standards and criteria:

A. Minimum Lot Size. A minimum lot size standard shall apply as follows:

2. In the AG/F, EFU, and TBR Districts, the subject property shall be a minimum of two acres, except that if outdoor production is proposed, the subject property shall be a minimum of five acres. Outdoor production means producing marijuana:
 - a. In an expanse of open or cleared ground; or
 - b. In a greenhouse, hoop house, or similar non-rigid structure that does not utilize any artificial lighting on mature marijuana plants, including but not limited to electrical lighting sources. A mature marijuana plant is a marijuana plant that is flowering.

Finding: The 17.23-acre subject property is located in the TBR District. Outdoor Production is not proposed. Therefore, the subject property meets the 2-acre minimum lot size.

B. Minimum Yard Depth/Distance from Lot Lines.

In the AG/F, EFU and TBR Districts, outdoor production, as defined in Subsection 841.03(A)(2), shall be sited a minimum of 100 feet from all lot lines.

Finding: The applicable standards of this Subsection are outlined above as Conditions of Approval.

E. Access. The subject property shall have frontage on, and direct access from, a constructed public, county, or state road, or take access on an exclusive road or easement serving only the subject property. However, this standard will be waived if the property takes access via a private road or easement which also serves other properties and evidence is provided by the applicant, in the form of a petition, that all other property owners who have access rights to the private road or easement agree to allow the specific marijuana production or marijuana processing described in the application. Such evidence shall include any conditions stipulated in the agreement.

Finding: The staff notes that this tax lot, as well as tax lot 35E08 2200, combined form one legal lot of record. Both tax lots combined total 64.87 acres. The subject property has frontage on, and direct access from, SE Nelson Road, which is a constructed county road. This criterion can be met.

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WATER RESOURCES DEPT
SALEM, OREGON

F. Lighting. Lighting shall be regulated pursuant to Subsection 841.03(F):

1. Light cast by light fixtures inside any building used for Marijuana Production shall not be visible outside the building from 7:00 p.m. to 7:00 a.m. the following day.
2. Outdoor marijuana grow lights shall not be illuminated from 7:00 p.m. to 7:00 a.m. the following day.
3. Light cast by exterior light fixtures other than marijuana grow lights (e.g., security lights, driveway lights) shall not be directed skyward and shall be directed within the boundaries of the subject property.

Finding: The applicant states that no light shall escape the building from 7pm to 7am. Outdoor production is not proposed. Also, Directional lighting shall be used to ensure exterior light fixtures are directed downward. The staff notes that the applicant stated in this section that the proposed building were "greenhouses". No greenhouses are drawn on the plot plan. The only building approved with this land use approval is the metal building submitted on the plot plan. The applicable standards of this Subsection are outlined above as Conditions of Approval. This criterion can be met.

G. Odor. As used in Subsection 841.03(G), building means the building, or portion thereof, used for marijuana production or marijuana processing. However, Subsection 841.03(G) does not apply to a building approved as part of outdoor production pursuant to Subsection 841.03(A)(2)(b).

1. The building shall be equipped with an activated carbon filtration system for odor control to ensure that air leaving the building through an exhaust vent first passes through an activated carbon filter.
2. The filtration system shall consist of one or more fans and activated carbon filters. At a minimum, the fan(s) shall be sized for cubic feet per minute (CFM) equivalent to the volume of the building (length multiplied by width multiplied by height) divided by three. The filter(s) shall be rated for the applicable CFM.
3. The filtration system shall be maintained in working order and shall be in use. The filters shall be changed a minimum of once every 365 days.
4. Negative air pressure shall be maintained inside the building.
5. Doors and windows shall remain closed, except for the minimum length of time needed to allow people to ingress or egress the building.
6. The filtration system shall be designed by a mechanical engineer licensed in the State of Oregon. The engineer shall stamp the design and certify that it complies with Subsection 841.03(G).
7. An alternative odor control system is permitted if the applicant submits a report by a mechanical engineer licensed in the State of Oregon demonstrating that the alternative system will control odor as well or better than the activated carbon filtration system otherwise required.

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Finding: Applicant states that a PE mechanical engineer will design the odor filtration system. The applicable standards of this Subsection are outlined above as Conditions of Approval. This criterion can be met.

- H. Noise. The applicant shall submit a noise study by an acoustic engineer licensed in the State of Oregon. The study shall demonstrate that generators as well as mechanical equipment used for heating, ventilating, air conditioning, or odor control will not produce sound that, when measures at any lot line of the subject property, exceeds 50 dB(A).

Finding: Applicant states that a PE acoustic engineer will design the odor filtration system. The applicable standards of this Subsection are outlined above as Conditions of Approval. This criterion can be met.

- I. Security Cameras. If used, security cameras shall be directed to record only the subject property and may be directed to public rights-of-way as applicable, except as required to comply with licensing requirements of the Oregon Liquor Control Commission (OLCC).

Finding: Applicant states that neighboring properties are obscured by forestland. The applicable standards of this Subsection are outlined above as Conditions of Approval. This criterion can be met.

- J. Water. The applicant shall submit:

1. A water right permit or certificate number for the proposed marijuana production or marijuana processing;

Finding: This criterion is not applicable.

2. A statement that water is supplied from a public or private water provider, along with the name and contact information of the water provider; or

Finding: The applicant has submitted a statement from River City Environmental, including the name and contact information for Jon Sheckard, verifying that the above standard is met.

3. Proof from the Oregon Water Resources Department that the water to be used for marijuana production or marijuana processing is from a source that does not require a water right.

Finding: This criterion is not applicable.

- K. Waste Management. Marijuana shall be stored in a secured waste receptacle in the possession of and under the control of the OLCC licensee.

Finding: Applicant states that all waste shall be under surveillance in a fenced area. The applicable standards of this Subsection are outlined above as Conditions of Approval. This criterion can be met.

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BARGAIN AND SALE DEED

John H. Carson III
12402 SE Steele Street
Portland, Oregon, 97236
Grantor's Name and Address
High Spirit Acres Real Estate LLC
27503 SE Nelson Road
Sandy, Oregon 97055
Grantee's Name and Address
After recording, return to (Name, Address, Zip):
High Spirit Acres Real Estate LLC
27503 SE Nelson Road
Sandy, Oregon 97055
Send Tax Statements to (Name, Address, Zip):
High Spirit Acres Real Estate LLC
27503 SE Nelson Road
Sandy, Oregon 97055

Clackamas County Official Records **2015-079815**
 Sherry Hall, County Clerk
 12/03/2015 02:30:04 PM
 D-D Cnt=1 Stn=3 BARBARA
 \$15.00 \$16.00 \$10.00 \$22.00 **\$63.00**

BARGAIN AND SALE DEED - STATUTORY FORM

John H. Carson III, Grantor, conveys to High Spirit Acres Real Estate LLC, an Oregon limited liability company, Grantee, the following described real property situated in Clackamas county, Oregon, to-wit:

SEE ATTACHED EXHIBIT "A"

The true consideration for this conveyance is \$500,000.00. (Comply with the requirements of ORS § 93.030.)

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, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

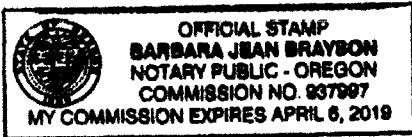
IN WITNESS WHEREOF, the grantor has executed this instrument this 30 day of Nov., 2015.

[Signature]
John H. Carson III, Grantor

STATE OF OREGON, County of Multnomah ss.

This instrument was acknowledged before me on Nov. 30 2015 by John H. Carson III.

[Signature]
Notary Public for Oregon
My commission expires 4-6-19



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WATER RESOURCES DEPT
SALEM, OREGON

FIRST AMERICAN 2550548-GR

G-18413

Exhibit "A"

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

A TRACT OF LAND LOCATED IN SOUTHEAST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER AND THE EAST ONE-HALF OF THE SOUTHWEST ONE-QUARTER AND THE WEST ONE-HALF OF THE SOUTHEAST ONE-QUARTER OF SECTION 8, TOWNSHIP 3 SOUTH, RANGE 5 EAST OF THE WILLAMETTE MERIDIAN, IN THE COUNTY OF CLACKAMAS AND STATE OF OREGON, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 8; THENCE ALONG THE EAST LINE OF THE SAID SOUTHEAST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER SOUTH 3°20'20" WEST A DISTANCE OF 208.00 FEET TO THE SOUTHEAST CORNER OF THAT TRACT OF LAND CONVEYED TO EDWARD F. MCCABE, ET UX, BY DEED RECORDED DECEMBER 28, 1960 IN BOOK 581 AT PAGE 194 OF THE CLACKAMAS COUNTY DEED RECORDS AND TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID EAST LINE SOUTH 3°20'20" WEST A DISTANCE OF 1133.16 FEET TO THE CENTER OF SAID SECTION 8; THENCE ALONG THE NORTH LINE OF THE NORTHWEST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 8, SOUTH 88°10'21" EAST A DISTANCE OF 1328.98 FEET TO THE NORTHEAST CORNER THEREOF; THENCE ALONG THE EAST LINE OF THE SAID NORTHWEST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER, SOUTH 4°07'56" WEST A DISTANCE OF 994.00 FEET TO THE NORTHEAST CORNER OF THAT TRACT OF LAND CONVEYED TO LLOYD J. LANG, ET UX, BY DEED RECORDED NOVEMBER 9, 1945, IN BOOK 355 AT PAGE 78 OF THE CLACKAMAS COUNTY DEED RECORDS; THENCE ALONG THE NORTH LINE OF THE SAID LANG TRACT, NORTH 88°12'18" WEST A DISTANCE OF 1127.00 FEET TO THE NORTHWEST CORNER OF THE SAID LANG TRACT; THENCE ALONG THE WEST LINE OF THE SAID LANG TRACT SOUTH 0°54'49" EAST A DISTANCE OF 375.00 FEET TO THE MOST EASTERLY NORTHEAST CORNER OF THAT TRACT OF LAND CONVEYED TO TRESSA L. WOODLE, BY DEED RECORDED NOVEMBER 9, 1945 IN BOOK 355 AT PAGE 79 OF THE CLACKAMAS COUNTY DEED RECORDS; THENCE ALONG THE NORTH LINE OF THE SAID WOODLE TRACT NORTH 88°10'21" WEST A DISTANCE OF 674.00 FEET TO AN INTERIOR CORNER OF THE SAID WOODLE TRACT; THENCE ALONG THE SAID WOODLE LINE AND THE EAST LINE OF THAT TRACT OF LAND CONVEYED TO HARRIE A. LANGSTAFF, ET UX, BY DEED RECORDED AUGUST 14, 1943 IN BOOK 311 AT PAGE 619 OF THE CLACKAMAS COUNTY DEED RECORDS NORTH 3°31'01" EAST A DISTANCE OF 1369.00 FEET TO A POINT ON THE NORTH LINE OF THE NORTHEAST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER; THENCE ALONG THE SAID NORTH LINE NORTH 88°10'21" WEST A DISTANCE OF 232.00 FEET TO THE SOUTHEAST CORNER OF THAT TRACT OF LAND CONVEYED TO WALTER KITZMILLER, ET UX, BY DEED RECORDED DECEMBER 27, 1960, IN BOOK 581 AT PAGE 157 OF THE CLACKAMAS COUNTY DEED RECORDS; THENCE ALONG THE EAST LINE OF THE SAID KITZMILLER TRACT NORTH 2°26'25" EAST A DISTANCE OF 529.94 FEET TO A POINT WHICH IS SOUTH 2°26'25" WEST 250.00 FEET FROM THE SOUTHERLY RIGHT OF WAY LINE OF NELSON ROAD (COUNTY ROAD NUMBER 620); THENCE SOUTH 88°10'21" EAST A DISTANCE OF 150.00 FEET; THENCE NORTH 2°26'25" EAST A DISTANCE OF 404.58 FEET TO A POINT OF THE SOUTHERLY RIGHT OF WAY LINE OF SAID NELSON ROAD; THENCE ALONG A 930.00 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 15°19'50" (THE LONG CHORD OF WHICH BEARS NORTH 36°44'10" EAST 248.10 FEET) AN ARC DISTANCE OF 248.84 FEET TO THE SOUTHWEST CORNER THE SAID MCCABE TRACT; THENCE ALONG THE SOUTH LINE OF THE SAID MCCABE TRACT SOUTH 87°27'00" EAST A DISTANCE OF 413.51 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION.

*Lots
1900, 2200*

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SALEM, OREGON

G-18413

TOGETHER WITH AN ACCESS AND UTILITY EASEMENT 40.00 FEET WIDE THE CENTER LINE OF WHICH IS DESCRIBED AS BEGINNING AT THE NORTHEAST CORNER OF THE NORTHWEST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 8; THENCE NORTH 83°09' WEST A DISTANCE OF 215.3 FEET; THENCE NORTH 64°42'15" WEST A DISTANCE OF 347.8 FEET; THENCE NORTH 52°09' WEST A DISTANCE OF 282.2 FEET TO THE EASTERLY RIGHT OF WAY OF SAID NELSON ROAD AND THE TERMINUS POINT OF THIS EASEMENT DESCRIPTION.

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

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SALEM, OREGON

Bill

REPLACEMENT OF ANY SPLIT-LAND DEED FORM MAY BE REPRODUCED IN ANY FORM OR BY ANY ELECTRONIC OR MECHANICAL MEANS.



Handwritten note: "Handwritten"

John H Carson III

Grantor's Name and Address

Patrick J Pooler

Grantee's Name and Address

Patrick Pooler
27502 SE Nelson Rd
Sandy OR 97055

Grantor's description, use of the instrument in future and address

Same as above

Clackamas County Official Records
Sherry Hall, County Clerk

2014-080703



\$73.00

11/26/2014 08:37:52 AM

D.O. CREDIT BUREAU COUNTER
\$5.00 \$10.00 \$15.00 \$20.00 \$25.00

DECLARATION DEED - STATUTORY FORM

John H Carson III

retracts and quitclaims to Patrick J Pooler

County

all right, title and interest in and to the following described real property situated in Clackamas

County

County

Origin: 2006-078743 Decd Reference number

IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE

The true consideration for this conveyance is \$70,000.00. (Check, comply with the requirements of ORS 31.030)

DATED 11-24-2014

any signature on behalf of a business or other entity is made with the authority of the entity.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSMITTING THE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 105.000, 105.010 AND 105.020 TO HOLD OR SECTION 5 TO 11, CHAPTER 600, OREGON LAND USE ACT; SECTIONS 7 TO 11 AND 17, CHAPTER 600, OREGON LAND USE ACT AND SECTIONS 7 TO 11, CHAPTER 6, OREGON LAND USE ACT. THIS INSTRUMENT DOES NOT AFFECT THE USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN RELATION TO UNAPPLIED LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACCEPTING THE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE USE OF LAND BEING TRANSMITTED IS A PERMITTED USE OR PERMITTED AS DESCRIBED IN THE ZONING OR PLANNING TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, THE DISTRICT, AND ANY LAWS OR LAWS ENACTED, ENACTING OR PLANNING DEPARTMENT AS SET FORTH IN ORS 228.000 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 105.000, 105.010 AND 105.020 TO HOLD OR SECTION 5 TO 11, CHAPTER 600, OREGON LAND USE ACT; SECTIONS 7 TO 11 AND 17, CHAPTER 600, OREGON LAND USE ACT AND SECTIONS 7 TO 11, CHAPTER 6, OREGON LAND USE ACT.

STATE OF OREGON, County of Heldenville

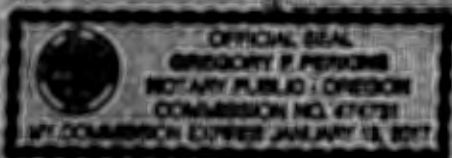
This instrument was acknowledged before me on November 24, 2014

by John H Carson III

This instrument was acknowledged before me on November 24, 2014

by Patrick J Pooler III

in Clackamas



Handwritten signature of Notary Public for Oregon, My commission expires January 13, 2017

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6-18413

ESC NO PART OF ANY STEVENS-NESS FORM MAY BE REPRODUCED IN ANY FORM OR BY ANY ELECTRONIC OR MECHANICAL MEANS.

STATE OF OREGON, 1 ss.

Clackamas County Official Records 2006-078943 as
Sherry Hall, County Clerk

01013069200600789430020029 \$31.00 in
08/28/2006 02:47:39 PM on
D-D Cnt=1 Str=10 JULIEB ty.
\$10.00 \$11.00 \$10.00 d.

NAME TITLE
By _____, Deputy.

Grantor's Name and Address
Vickie Lane Carson
P.O. Box 1093
Sandy, OR 97055

Grantee's Name and Address
John Carson
27501 S.E. Nelson Road
Sandy, OR 97055

After recording, return to (Name, Address, Zip):
John Carson
27501 S.E. Nelson Road
Sandy, OR 97055

Until requested otherwise, send all tax statements to (Name, Address, Zip):
John Carson
27501 S.E. Nelson Road
Sandy, OR 97055

BARGAIN AND SALE DEED

KNOW ALL BY THESE PRESENTS that Vicie Lane Carson

hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto John Carson

hereinafter called grantee, and unto grantee's heirs, successors and assigns, ~~and~~ that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in Clackamas County, State of Oregon, described as follows, to-wit:

SEE EXHIBIT "A" ATTACHED

* an undivided 50% interest in

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE)

To Have and to Hold the same unto grantee and grantee's heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 60,000.00. However, the actual consideration consists of or includes other property or value given or promised which is part of the the whole (indicate which) consideration. (The sentence between the symbols $\text{\textcircled{O}}$, if not applicable, should be deleted. See ORS 93.030.)

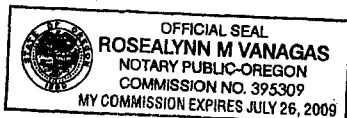
In construing this deed, where the context so requires, the singular includes the plural, and all grammatical changes shall be made so that this deed shall apply equally to corporations and to individuals.

IN WITNESS WHEREOF, the grantor has executed this instrument on _____; if grantor is a corporation, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. 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 APPROVED USES, 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 197.352.

Vickie Lane Carson
Vickie Lane Carson

STATE OF OREGON, County of Multnomah ss.
This instrument was acknowledged before me on August 25, 2006
by Vickie Lane Carson
This instrument was acknowledged before me on _____
by _____
as _____
of _____



Rosealynn M Vanagas
Notary Public for Oregon
My commission expires 7/26/09

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DEC 02 2016

WATER RESOURCES DEPT
SALEM, OREGON

G-18413

EXHIBIT "A"

Legal Description

Part of the West one-half of the Southeast one-quarter of Section 8, Township 3 South, Range 5 East of the Willamette Meridian, in the County of Clackamas and State of Oregon, described as:

Beginning at a point on the 1/16th section line which is 994.00 feet South of the Northeast corner of the Northwest one-quarter of the Southeast one-quarter of Section 8, in township 3 South, Range 5 East of the Willamette Meridian; thence South on 1/16th section line 1646.00 feet to the South line of said Section 8; thence West on section line 1127.00 feet to the Southeast corner of land conveyed to Tressa L. Woodle by deed recorded November 9, 1945, in Book 355, Page 79, Deed Records; thence North on the East line of Woodle land, 1271.00 feet to the Northeast corner thereof; thence continue North parallel with the one-quarter section line 375.00 feet to a point; thence East parallel with the South line of said section 1127.00 feet, more or less, to the place of beginning.

Lot
2300


②

G-18413

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WATER RESOURCES DEPT
SALEM, OREGON



Oregon Water Resources Department
Apply for a Permit to Appropriate Ground Water and/or Store Ground Water

[Main](#) [Help](#)
[Return](#) [Contact Us](#)

Today's Date: Friday, December 02, 2016

Base Application Fee for use of Ground, Surface and optionally Stored Water.		\$1,150.00
Number of proposed cubic feet per second (cfs) to be appropriated. (1 cfs = 448.83 gallons per minute)	.45	\$300.00
Number of proposed Use's for the appropriated water. (i.e. Irrigation, Supplemental Irrigation, Pond Maintenance, Industrial, Commercial, etc) *	1	
Number of proposed Ground Water points of appropriation. (i.e. number of wells) (include all injection wells, if applicable) **	6	\$2,100.00
Number of Acre Feet to be stored in a reservoir/pond from Ground Water.	0	
Number of Acre Feet to be appropriated from reservoir/pond (Only Applies to reservoir/pond constructed under Ground Water Application)	0	
Number of reservoirs.	0	
Permit Recording Fee. ***		\$450.00
* the 1st Water Use is included in the base cost. ** the 1st Ground Water point of appropriation is included in the base cost. *** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.	Recalculate	
Estimated cost of Permit Application		\$4,000.00

[OWRD Fee Schedule](#)

Fee Calculator Version B20130709