

Application for a Permit to Use Surface Water



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

Water-Use Permit Application Processing

1. Completeness Determination

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

2. Initial Review

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

3. Public Notice

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

4. Proposed Final Order Issued

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

5. Public Notice

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

6. Final Order Issued

If no protests are filed, the Department can issue a Final Order within 60 days of the close of the period for receiving protest. If the application is approved, a permit is issued. The permit specifies the details of the authorized use and any terms, limitations or conditions that the Department deems appropriate.

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Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050 & ORS 537.140)

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: source of water requested
- SECTION 4: water use
- SECTION 5: water management
- SECTION 6: resource protection
- SECTION 7: project schedule
- SECTION 8: within a district
- SECTION 9: 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.
 - Fees - Amount enclosed: \$ 2650
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)
 - 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: Copy of BOR Contract Detail Sheet as submitted to BOR on January 1, 2017.

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SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant Information

| | | | |
|---|----------------------|---------------------|------------------------------|
| NAME SCOTT SETNIKER <i>or David Setniker</i> | | PHONE (HM) | |
| PHONE (WK) 503.606.0406 | CELL 503.932.6923 | FAX 503.606.0407 | |
| ADDRESS PO BOX 338 | | | |
| CITY INDEPENDENCE | STATE OREGON | ZIP 97351 | E-MAIL * SETNIKER@AOL.COM |

Organization Information

| | | | |
|--|-----------------|--------------|----------|
| NAME NORMA R SETNIKER REVOKABLE TRUST AND FRANK SETNIKER FAMILY TRUST | | PHONE | FAX |
| ADDRESS 4450 INDEPENDENCE HWY | | CELL | |
| CITY INDEPENDENCE | STATE OREGON | ZIP 97351 | E-MAIL * |

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

| | | | |
|---|-----------------|-----------------------|----------------------------|
| AGENT / BUSINESS NAME WILLIAM FERBER / BK WATER RIGHT CONSULTING | | PHONE 503.910.9212 | FAX |
| ADDRESS PO BOX 13434 | | CELL | |
| CITY SALEM | STATE OREGON | ZIP 97309 | E-MAIL * BILL@BKWRC.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 packet.
- I cannot legally use water until the Water Resources Department issues a permit to me.
- The Department encourages all applicants to wait for a permit to be issued before beginning construction of any proposed diversion. Acceptance of this application does not guarantee a permit will be issued.
- If I begin construction prior to the issuance of a permit, I assume all risks associated with my actions.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be cancelled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water right holders to get water to which they are entitled.

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

[Signature]
Applicant Signature
[Signature]
Applicant Signature

scott setniker
Print Name and title if applicable
David F Setniker
Print Name and title if applicable

OWRD
1/3/17
Date
1/3/2017
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*).

PEYREE, GENEVA, STANDBY TRUST ETAL, 7250 CORVALLIS RD, Independence, Oregon 97351
OLIVAREZ, ARMANDO R, 7680 CORVALLIS RD, Independence, Oregon 97351
GALLAHER, EDWARD R & GALLAHER A, 7775 BUENA VISTA RD, Independence, Oregon 97351

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

SECTION 3: SOURCE OF WATER

A. Proposed Source of Water

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

| | |
|--|---------------------------------------|
| Source 1: <u>Willamette River Basin Reservoirs</u> | Tributary to: <u>Willamette River</u> |
| Source 2: _____ | Tributary to: _____ |
| Source 3: _____ | Tributary to: _____ |
| Source 4: _____ | Tributary to: _____ |

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

B. Applications to Use Stored Water

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

- Yes.

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

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

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

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

SECTION 4: WATER USE

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

| SOURCE | USE | PERIOD OF USE | AMOUNT |
|--|------------|-------------------------|--|
| Willamette River Basin Project Reservoir | Irrigation | March 1 thru October 31 | 999 <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input checked="" type="checkbox"/> af |
| | | | <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af |
| | | | <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af |
| | | | <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af |

For irrigation use only:
 Please indicate the number of primary and supplemental acres to be irrigated.
 Primary: 484.1 Acres Supplemental: 0 Acres
 List the Permit or Certificate number of the underlying primary water right(s): N/A
 Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 999

- 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

A. Diversion and Conveyance

What equipment will you use to pump water from your source?

Pump (give horsepower and type): 2 - 100 Hp Centrifugal Pumps.

Other means (describe): _____

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

2 100 Hp electric centrifugal pumps, with appropriate fish screens, will convey water to the proposed irrigated ground via buried 15" PVC mainline to buried 10" mainline to above ground lines to various irrigation equipment.

B. Application Method

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

Linear systems, wheel lines, hand lines, traveling guns and other irrigation as needed.

C. Conservation

Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; prevent damage to public uses of affected surface waters.

The amount requested is the maximum amount legally allowed and makes it possible to properly irrigate whatever crop is planted. Meter(s) will be installed to monitor the amount of water diverted. Irrigation will occur according to crop needs.

SECTION 6: RESOURCE PROTECTION

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

- Diversion will be screened to prevent uptake of fish and other aquatic life.
Describe planned actions: Fish screens meeting ODFW standards will be installed at intakes
- Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.
Describe planned actions: Pump site already exists, no additional construction is expected.
- Operating equipment in a water body will be managed and timed to prevent damage to aquatic life.
Describe: Equipment, other than intakes and fish screens, will not enter the water body.
- Water quality will be protected by preventing erosion and run-off of waste or chemical products.
Describe: As required by governing agencies.

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SECTION 7: PROJECT SCHEDULE

Date construction will begin: Already started.

Date construction will be completed: Within five years of permit issuance.

Date beneficial water use will begin: Within five years of permit issuance.

SECTION 8: WITHIN A DISTRICT

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

| | | |
|---------------------------------|---------|-----|
| Irrigation District Name N/A | Address | |
| City | State | Zip |

SECTION 9: REMARKS

Use this space to clarify any information you have provided in the application.
The water source for this application is stored water only from the Willamette River Basin Reservoirs.

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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:
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.
Fees

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)
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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Land Use Information Form



Oregon Water Resources Department
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(503) 986-0900
www.wrd.state.or.us

NOTE TO APPLICANTS

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

This form is NOT required if:

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

NOTE TO LOCAL GOVERNMENTS

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

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Land Use Information Form



Oregon Water Resources Department
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Applicant(s): Scott Setniker

Mailing Address: PO BOX 338

City: Independence

State: Oregon Zip Code: 97351

Daytime Phone: 503.606.1406

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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: |
|----------|-------|---------|------|-----------|---|-----------------------------------|--|--|-------------------------------|
| 9S | 4W | 3 | SWSW | 301 | EFU | <input type="checkbox"/> Diverted | <input type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | <u>Grow crops</u> |
| 9S | 4W | 3 | SESW | 301 | EFU | <input type="checkbox"/> Diverted | <input type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | <u>Grow crops</u> |
| 9S | 4W | 4 | SESE | 100 | EFU | <input type="checkbox"/> Diverted | <input checked="" type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | <u>Grow crops</u> |
| 9S | 4W | 4 | SESE | 301 | EFU | <input type="checkbox"/> Diverted | <input type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | <u>Grow crops</u> |
| 9S | 4W | 4 | SESW | 100 | EFU | <input type="checkbox"/> Diverted | <input type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | <u>Grow crops</u> |
| 9S | 4W | 4 | SWSE | 100 | EFU | <input type="checkbox"/> Diverted | <input type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | <u>Grow crops</u> |
| 9S | 4W | 9 | NENE | 100 | EFU | <input type="checkbox"/> Diverted | <input checked="" type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | <u>Grow crops</u> |
| 9S | 4W | 9 | NENE | 301 | EFU | <input type="checkbox"/> Diverted | <input type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | <u>Grow crops</u> |
| 9S | 4W | 9 | NESE | 100 | EFU | <input type="checkbox"/> Diverted | <input checked="" type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | <u>Grow crops</u> |
| 9S | 4W | 9 | NWNE | 100 | EFU | <input type="checkbox"/> Diverted | <input checked="" type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | <u>Grow crops</u> |
| 9S | 4W | 9 | NWSE | 100 | EFU | <input type="checkbox"/> Diverted | <input type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | <u>Grow crops</u> |
| 9S | 4W | 9 | SENE | 100 | EFU | <input type="checkbox"/> Diverted | <input checked="" type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | <u>Grow crops</u> |
| 9S | 4W | 9 | SESE | 100 | EFU | <input type="checkbox"/> Diverted | <input checked="" type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | <u>Grow crops</u> |
| 9S | 4W | 9 | SWNE | 100 | EFU | <input type="checkbox"/> Diverted | <input checked="" type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | <u>Grow crops</u> |
| 9S | 4W | 9 | SWSE | 100 | EFU | <input type="checkbox"/> Diverted | <input type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | <u>Grow crops</u> |
| 9S | 4W | 10 | NWNW | 301 | EFU | <input type="checkbox"/> Diverted | <input type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | <u>Grow crops</u> |
| 9S | 4W | 10 | NWSW | 300 | EFU | <input type="checkbox"/> Diverted | <input type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | <u>Grow crops</u> |
| 9S | 4W | 10 | SWNW | 301 | EFU | <input type="checkbox"/> Diverted | <input type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | <u>Grow crops</u> |
| 9S | 4W | 10 | SWNW | 300 | EFU | <input type="checkbox"/> Diverted | <input type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | <u>Grow crops</u> |
| 9S | 4W | 10 | SWSW | 300 | EFU | <input type="checkbox"/> Diverted | <input type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | <u>Grow crops</u> |
| 9S | 4W | 16 | NWNW | 100 | EFU | <input type="checkbox"/> Diverted | <input type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | <u>Grow crops</u> |
| 9S | 4W | 16 | NENE | 100 | EFU | <input type="checkbox"/> Diverted | <input type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | <u>Grow crops</u> |
| 9S | 4W | 16 | NWNE | 100 | EFU | <input type="checkbox"/> Diverted | <input type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | <u>Grow crops</u> |
| | | | | 1200 | EFU | <input type="checkbox"/> Diverted | <input checked="" type="checkbox"/> Conveyed | <input type="checkbox"/> Used | <u>POD & Convey water</u> |
| 8S | 4W | 33 | NESE | | | | | | |
| 8S | 4W | 33 | SESE | 1200 | EFU | <input type="checkbox"/> Diverted | <input checked="" type="checkbox"/> Conveyed | <input type="checkbox"/> Used | <u>Convey water</u> |
| 8S | 4W | 33 | SESE | 1201 | EFU | <input type="checkbox"/> Diverted | <input checked="" type="checkbox"/> Conveyed | <input type="checkbox"/> Used | <u>Convey water</u> |
| 8s | 4w | 33 | SESE | 900 | EFU | <input type="checkbox"/> Diverted | <input checked="" type="checkbox"/> Conveyed | <input type="checkbox"/> Used | <u>Convey water</u> |
| 9S | 4W | 4 | NENE | 100 | EFU | <input type="checkbox"/> Diverted | <input checked="" type="checkbox"/> Conveyed | <input type="checkbox"/> Used | <u>Convey water</u> |

S-88350

| | | | | | | | | | |
|----|----|---|------|-----|-----|-----------------------------------|--|-------------------------------|--------------|
| 9S | 4W | 4 | SENE | 100 | EFU | <input type="checkbox"/> Diverted | <input checked="" type="checkbox"/> Conveyed | <input type="checkbox"/> Used | Convey water |
| 9S | 4W | 4 | SENE | 300 | EFU | <input type="checkbox"/> Diverted | <input checked="" type="checkbox"/> Conveyed | <input type="checkbox"/> Used | Convey water |
| 9S | 4W | 4 | NESE | 300 | EFU | <input type="checkbox"/> Diverted | <input checked="" type="checkbox"/> Conveyed | <input type="checkbox"/> Used | Convey water |
| 9S | 4W | 4 | NESE | 801 | EFU | <input type="checkbox"/> Diverted | <input checked="" type="checkbox"/> Conveyed | <input type="checkbox"/> Used | Convey water |

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

Polk County

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: 1165
 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:

Use only stored water from the Willamette River Basin Projects to irrigate approximately 466 acres.



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): PERMITTED PER RC20196.030(A)
- Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

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

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

APPLICANT STATES NO NEW CONSTRUCTION WOULD BE NECESSARY TO PLACE AN INTAKE PUMP TO SERVE THE PROPOSED PROJECT. IF ANY IMPROVEMENTS TO IMPLEMENT THE PROJECT, A NON-STRUCTURAL FLOODPLAIN DEVELOPMENT PERMIT MAY BE REQUIRED PER RC20196.030(A)

Name: MARK BEAVERD Title: SENIOR PLANNER
 Signature: [Signature] Phone: 503-823-9237 Date: DEC. 5, 2016
 Government Entity: BURK COUNTY

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

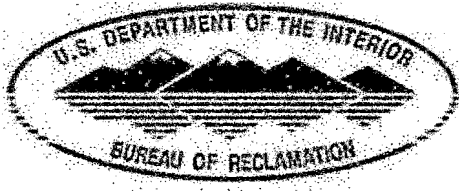
Receipt for Request for Land Use Information

Applicant name: _____
 City or County: _____ Staff contact: _____
 Signature: _____ Phone: _____ Date: _____

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 JAN 06 2017

P-88350

CONTRACT DATA SHEET



U.S. Bureau of Reclamation
Attn: PN-3324
1150 North Curtis Road
Boise, ID 83706-1234
208-378-5344

RECLAMATION
Managing Water in the West

1. Applicant Information:

A. Landowners

- 1) Name of landowner(s): Norma R Setniker Revokable Trust and Frank Setniker Family Trust
- 2) Address: 4450 INDEPENDENCE HWY, INDEPENDENCE, OR 97351
- 3) Mailing Address (if different): N/A
- 4) Taxpayer Identification Number(s): _____ (Social Security Number or Employer Identification Number)¹
- 5) Do you own all of the land where you propose to divert and make use of water? No

B. Water User Organizations (Such as Irrigation Districts, Ditch/Canal Companies, Water Control Districts, Water User Associations & Cooperatives, Irrigation Improvement Districts, and similar entities organized according to State Law)

- 1) Name of Organization: N/A
- 2) Name & Title of Applicant: _____
- 3) Mailing Address of Organization: _____
- 4) Taxpayer Identification Number: _____
(Social Security Number or Employer Identification Number)
- 5) Please provide the following information:
 - (a) A description of the area served by the organization (location, total acreage, # of water users, prominent crops, etc.)
 - (b) Copy of organization by-laws, articles of incorporation (if applicable), board resolution authorizing the applicant to represent and bind the organization under contract with the United States.

2. Source of Water (name of stream, river): Willamette Basin Project Reservoirs

3. Proposed point of diversion: 2250 feet North and 370 feet West
of SE corner of Section 33, Township 8 S, Range 4 W,
Willamette Meridian.

4. A water right permit to divert storage water is required. Application or file number with OWRD if you have applied for a permit to divert storage water: In the process of applying for a water right. I will forward you the water right information upon approval by OWRD.

5. Include a map of lands and diversion points. [Same as required by Oregon Water Resources Department (OWRD) for application for surface/ground water permit].

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JAN 06 2017

6. Do you currently hold a right to natural flows for irrigating the property described herein? No.
If yes, what is/are the priority date(s)? N/A
7. Total quantity of water from storage requested: 999 acre-feet.
8. Location of land to be irrigated in each 40-acre tract: Please see Attachment A.

| TOWNSHIP | RANGE | SECTION | 40-ACRE TRACT (1/4) (1/4) | NO. of ACRES | TYPE of IRRIGATED CROP |
|----------|-------|---------|------------------------------|-----------------|------------------------|
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

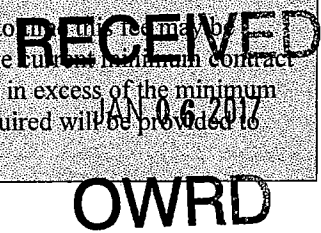
9. What is the present use of the land identified above? [*farming; idle (fallow cultivated land); native (appears never to have been tilled); planted pasture or other (please specify)*].
Dry land farmed.
10. Is the land identified above currently being irrigated? No. If yes, what is the source? (*natural flows, wells, etc.*) N/A
11. Diversion must be screened to prevent uptake of fish and other aquatic life. Describe plan(s) to comply with State/Federal fish screen standards: We will consult with the Oregon Department of Fish and Wildlife (ODFW) to determine the appropriate fish screen to install. The fish screen will then be installed before water is diverted for irrigation.
12. Telephone number where you can be reached during the day: 503.606.0406

Before returning the completed Contract Data Sheet to the address provided on page 1, please check that you have done the following:

- ANSWERED ALL QUESTIONS COMPLETELY
- ATTACHED AND IDENTIFIED ADDITIONAL SHEET(S) AS NECESSARY
- ATTACHED THE REQUIRED MAP
- SUBMIT PAYMENT FOR THE APPROPRIATE CONTRACT ADMINISTRATION FEE², MAKE CHECK PAYABLE TO THE U.S. BUREAU OF RECLAMATION

¹ Section 31001 (i) of the Debt Collection Improvement Act of 1996 (Chapter 10 of Pub. L. 104-134) requires each contractor with an agency of the United States to furnish their taxpayer identifying number (social security number or employer identification number) and each agency to disclose to that contractor its intent to use such number for purposes of collecting and reporting on any delinquent amounts arising out of such contractor's relationship with the Government.

² The minimum contract administration fee for most applications is \$100. However, from time to time the fee is revised to cover the costs of the United States. We recommend you contact this office to verify the current minimum contract administration fee. In the event that the costs to the United States of evaluating the application are in excess of the minimum contract administration fee, an estimate of the reimbursable costs for which advance payment is required will be provided to the applicant.



Attachment A

| T | R | SEC | 1/4-1/4 | ACRES | Type of Irrigated Crop |
|---------------------|----|-----|---------|--------------|--|
| 9S | 4W | 3 | SESW | 4.5 | Row crops, pasture, other crops as determined by agri-economy. |
| 9S | 4W | 3 | SWSW | 17.5 | Row crops, pasture, other crops as determined by agri-economy. |
| Sec 3 Total | | | | 22.0 | |
| 9S | 4W | 4 | SESE | 11.0 | Row crops, pasture, other crops as determined by agri-economy. |
| 9S | 4W | 4 | SESE | 6.6 | Row crops, pasture, other crops as determined by agri-economy. |
| 9S | 4W | 4 | SESE | 3.9 | Row crops, pasture, other crops as determined by agri-economy. |
| 9S | 4W | 4 | SESW | 11.9 | Row crops, pasture, other crops as determined by agri-economy. |
| 9S | 4W | 4 | SWSE | 26.7 | Row crops, pasture, other crops as determined by agri-economy. |
| Sec 4 Total | | | | 60.1 | |
| 9S | 4W | 9 | NENE | 2.3 | Row crops, pasture, other crops as determined by agri-economy. |
| 9S | 4W | 9 | NENE | 11.4 | Row crops, pasture, other crops as determined by agri-economy. |
| 9S | 4W | 9 | NENE | 18.2 | Row crops, pasture, other crops as determined by agri-economy. |
| 9S | 4W | 9 | NENE | 1.0 | Row crops, pasture, other crops as determined by agri-economy. |
| 9S | 4W | 9 | NENE | 7.1 | Row crops, pasture, other crops as determined by agri-economy. |
| 9S | 4W | 9 | NESE | 41.5 | Row crops, pasture, other crops as determined by agri-economy. |
| 9S | 4W | 9 | NWNE | 32.8 | Row crops, pasture, other crops as determined by agri-economy. |
| 9S | 4W | 9 | NWSE | 8.8 | Row crops, pasture, other crops as determined by agri-economy. |
| 9S | 4W | 9 | SENE | 34.2 | Row crops, pasture, other crops as determined by agri-economy. |
| 9S | 4W | 9 | SENE | 0.6 | Row crops, pasture, other crops as determined by agri-economy. |
| 9S | 4W | 9 | SENE | 5.1 | Row crops, pasture, other crops as determined by agri-economy. |
| 9S | 4W | 9 | SESE | 40.8 | Row crops, pasture, other crops as determined by agri-economy. |
| 9S | 4W | 9 | SWNE | 7.7 | Row crops, pasture, other crops as determined by agri-economy. |
| 9S | 4W | 9 | SWNE | 0.7 | Row crops, pasture, other crops as determined by agri-economy. |
| 9S | 4W | 9 | SWSE | 8.6 | Row crops, pasture, other crops as determined by agri-economy. |
| Sec 9 Total | | | | 220.8 | |
| 9S | 4W | 10 | NENW | 9.3 | Row crops, pasture, other crops as determined by agri-economy. |
| 9S | 4W | 10 | NWNW | 34.7 | Row crops, pasture, other crops as determined by agri-economy. |
| 9S | 4W | 10 | NWNW | 3.4 | Row crops, pasture, other crops as determined by agri-economy. |
| 9S | 4W | 10 | NWSW | 32.3 | Row crops, pasture, other crops as determined by agri-economy. |
| 9S | 4W | 10 | SWNW | 11.0 | Row crops, pasture, other crops as determined by agri-economy. |
| 9S | 4W | 10 | SWNW | 20.4 | Row crops, pasture, other crops as determined by agri-economy. |
| 9S | 4W | 10 | SWSW | 29.6 | Row crops, pasture, other crops as determined by agri-economy. |
| Sec 10 Total | | | | 140.7 | |
| 9S | 4W | 15 | NWNW | 2.7 | Row crops, pasture, other crops as determined by agri-economy. |
| Sec 15 Total | | | | 2.7 | |
| 9S | 4W | 16 | NENE | 30.3 | Row crops, pasture, other crops as determined by agri-economy. |
| 9S | 4W | 16 | NWNE | 7.5 | Row crops, pasture, other crops as determined by agri-economy. |
| Sec 16 Total | | | | 37.8 | |
| Grand Total | | | | 484.1 | |

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JAN 06 2017

OWRD

S-08350

After recording return to:
John Hasbrook, P.C.
PO Box 368
Monmouth OR 97361

RECORDED IN POLK COUNTY
Valerie Unger, County Clerk

2010-003578

Mail tax statements to:
Geneva Peyree, Trustee
7250 Corvallis Road
Independence OR 97351



\$51.00

00228217201000035780020023

04/14/2010 02:40:40 PM

REC-COR Cnt=1 Stn=1 K. WILLIAMS
\$10.00 \$10.00 \$11.00 \$15.00 \$5.00

Consideration:
\$nil monetary consideration.
Deed is recorded for estate planning purposes.

BARGAIN AND SALE DEED

(Deed is recorded to correct legal description in Document 2010-001847.)

PEYREE PROPERTIES, an Oregon partnership, conveys an undivided fifty percent interest to GENEVA PEYREE, Trustee of the Hersel W. Peyree Unified Credit Trust dated October 12, 1982, and a fifty percent undivided interest to GENEVA PEYREE, Trustee of the Geneva Peyree Standby Trust, also known as the Geneva Peyree Trust, dated October 12, 1982, as tenants-in-common. The legal descriptions for the parcels conveyed herein are described as follows:

PARCEL 1:

That parcel as legally described in that Deed instrument recorded at Book 168, Page 418, Polk County Deed Records, Recorded October 20, 1982.

Map No: ~~09204-00-00100~~
Account No: 211686

Map No: ~~08433-00-00900~~
Account No: 211321

PARCEL 2:

That property as legally described in that Deed instrument recorded at Book 167, Page 392, and that instrument recorded at Book 167, Page 394, Polk County Deed Records, Recorded on October 20, 1982, save and except for property conveyed at Deed instrument recorded at Book 194, Page 220, Polk County Deed Records, and further save and except that 10" strip as described in Deed instrument Volume 80, Page 549, Polk County Deed Records.

Map No: ~~08433-00-01200~~
Account No: 211363

PARCEL 3:

That property as legally described in that Deed instrument recorded at Book 167, Page 390, Polk County Deed Records, Recorded on October 20, 1982.

Map No: 08433-00-01101
Account No: 211350

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OWRD

S-88350

PARCEL 4:

That property as legally described in that Deed instrument recorded at Book 192, Page 203, Polk County Deed Records, Recorded on January 29, 1986.

Map No: 09404-00-00400
Account No: 211714

PARCEL 5:

That property as legally described in that Deed instrument recorded at Book 167, Page 388, Polk County Deed Records, Recorded on October 20, 1982.

Map No: 09409-00-00900
Account No: 212050

The true and actual consideration for this conveyance is \$nil monetary consideration. Deed is recorded for estate planning purposes to carry out distribution from Peyree Properties, an Oregon partnership, in accordance with the plan of dissolution of such partnership and for estate planning documents. (Deed is recorded to correct legal description in Document 2010-001847).

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 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 2, 3 AND 5 TO 22, CHAPTER 424, OREGON LAWS 2007.

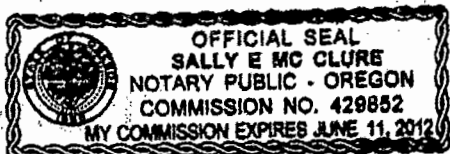
DATED this 13th day of April, 2010.

PEYREE PROPERTIES, a Partnership
BY:

Geneva Peyree
GENEVA PEYREE, Trustee of the Hersel W. Peyree Unified Credit Trust and the Geneva Peyree Trust, also known as the Geneva Peyree Standby Trust, partners in such Partnership.

STATE OF OREGON)
) ss.
County of Polk)

On the date last above, personally appeared the above named GENEVA PEYREE and acknowledged the foregoing instrument to be her voluntary act and deed. Before me:



Sally E. McClure
Notary Public for Oregon
My Commission Expires: 6-11-12 RECEIVED

JAN 06 2017

WARRANTY DEED--STATUTORY FORM
(INDIVIDUAL GRANTEE)

HERSEL W. PEYREE and GENEVA PEYREE, husband and wife, Grantor,
conveys and warrants to PEYREE PROPERTIES, an Oregon partnership,
Grantee, the following described real property free of encumbrances
except as specifically set forth herein situated in Polk County, Oregon, to-wit:

See attached description - Exhibit "A"

Note: This corrects the deed recorded at Polk County
Book of Records 167, Page 396.

IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE

The said property is free from encumbrances except

None

The true consideration for this conveyance is \$ 10.00 (Here comply with the requirements of ORS 93.030)
However, the actual consideration consists of other good and valuable
consideration, the receipt of which is hereby acknowledged, and is set
forth in those certain Articles of Co-partnership dated October 12, 1982.

Dated this 28 day of December, 1982

HERSEL W. PEYREE

GENEVA PEYREE

STATE OF OREGON, County of Marion, ss.
Personally appeared the above named HERSEL W. PEYREE and GENEVA PEYREE

and acknowledged the foregoing instrument to be their voluntary act and deed.

(OFFICIAL SEAL)

Before me, Notary Public for Oregon--My commission expires: 9-6-85

| WARRANTY DEED | |
|---|---------|
| Hersel W. & Geneva Peyree | GRANTOR |
| Peyree Properties | GRANTEE |
| 7250 Corvallis Rd. | |
| Independence, OR 97351 | |
| GRANTEE'S ADDRESS, ZIP | |
| After recording return to: | |
| Peyree Properties | |
| 7250 Corvallis Rd. | |
| Independence, OR 97351 | |
| NAME, ADDRESS, ZIP | |
| Until a change is requested, all tax statements shall be sent to the following address: | |
| Peyree Properties | |
| 7250 Corvallis Rd. | |
| Independence, OR 97351 | |
| NAME, ADDRESS, ZIP | |

SPACE RESERVED FOR RECORDER'S USE

STATE OF OREGON,

County of _____ ss.

I certify that the within instrument was received for record on the _____ day of _____, 19____, at _____ o'clock _____ M., and recorded in book/reel/volume No. _____ on page _____ or as document/tee/file/instrument/microfilm No. _____ Record of Deeds of said county.

Witness my hand and seal of County affixed.

NAME

TITLE

By _____ Deputy

RECEIVED

JAN-06 1987

OWFD

S-08150

EXHIBIT "A"

Beginning at a point 9.00 chains South and 1.74 chains West of the Northwest corner of the Donation Land Claim of B. F. Burch and wife, Notification No. 1520, Claim No. 53, in Township 8 South, Range 4 West of the Willamette Meridian, in Polk County, Oregon, running thence South 30.55 chains; thence East 23.79 chains; thence South 30° East 13.50 chains; thence South 51°30' East 12.50 chains; thence East 2.25 chains to the East line of said Burch Donation Claim; thence North 46.02 chains; thence West 25.00 chains; thence North 7.00 chains; thence West 2.00 chains to the center of the County road; thence South 3.00 chains; thence West 15.79 chains to the place of beginning, and containing 145.07 acres, more or less;

SAVE AND EXCEPT that certain parcel of land deeded to Thomas H. and Sally L. Peyree, recorded at Book of Records 114, Page 81, in Polk County, Oregon.

279802

STATE OF OREGON)
County of Polk) ss.

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

B.O.R. 168 Page 418

FILED
REC'D DEPT. OF REVENUE

DEC 23 1 20 PM '37

VICE COUNTY CLERK

BY en DEPUTY

RECEIVED

JAN 0 2017

OWARD

S-88350

WARRANTY DEED—STATUTORY FORM
INDIVIDUAL GRANTOR

HERSEL W. PEYREE and GENEVA PEYREE, husband and wife Grantor,
conveys and warrants to PEYREE PROPERTIES, an Oregon partnership
Grantee, the following described real property
free of encumbrances except as specifically set forth herein situated in Polk County, Oregon, to-wit:

See attached description - Exhibit "A"

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

The said property is free from encumbrances except
None

The true consideration for this conveyance is \$10.00. (Here comply with the requirements of ORS 93.030)
However, the actual consideration consists of other good and valuable
consideration, the receipt of which is hereby acknowledged, and is set
forth in those certain Articles of Co-partnership, dated October 12, 1982.
Dated this 12th day of October, 1982.

Hersel W. Peyree
HERSEL W. PEYREE

Geneva Peyree
GENEVA PEYREE

STATE OF OREGON, County of Marion) ss. October 12, 1982
Personally appeared the above named HERSEL AND GENEVA PEYREE

and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me: *Estelle J. Watson*

Notary Public for Oregon—My commission expires: 3-2-84

(OFFICIAL SEAL)

WARRANTY DEED

Hersel W. & Geneva Peyree
Peyree Properties GRANTOR
7250 Corvallis Rd.
Independence, OR 97351
GRANTEE'S ADDRESS, ZIP

After recording return to:

Peyree Properties
7250 Corvallis Rd.
Independence, OR 97351
NAME, ADDRESS, ZIP

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

Peyree Properties
7250 Corvallis Rd.
Independence, OR 97351
NAME, ADDRESS, ZIP

278771

STATE OF OREGON)
County of Polk) ss.

FILED
POLK COUNTY OREGON

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

OCT 20 12 09 PM '82

VIOLET SIDBALL STARKS
COUNTY CLERK

B.O.R. 167 Page 394

BY *[Signature]* DEPUTY

By Deputy

RECEIVED

JAN 0

OW

S-88100

EXHIBIT "A"

Beginning 4.34 chains North of the South line of that tract of land purchased of the Willamette Real Estate Company by William Harned where it intersects the East boundary line of B.F. Burch's Donation Land Claim; thence South 4.34 chains; thence East 14.52 chains; thence North 4.34 chains; thence West to the place of beginning, and containing 6.30 acres, more or less.

ALSO: Beginning 8.68 chains North of the South line of that tract of land purchased of Willamette Real Estate Company by William Harned, where it intersects the East boundary line of B.F. Burch's Donation Land Claim in Township 8 South, Range 4 West of the Willamette Meridian in Polk County, Oregon; running thence South 4.34 chains; thence East to the East line of said land purchased of Willamette Real Estate Company by William Harned; thence North 4.34 chains; thence West to the place of beginning, containing 6.30 acres, more or less.

ALSO: Beginning 21.70 chains North of the South line of that tract of land purchased of Willamette Real Estate Company by William Harned where it intersects the East boundary line of B.F. Burch's Donation Land Claim in Township 8 South, Range 4 West of the Willamette Meridian, in Polk County, Oregon, running thence South 4.34 chains; thence East to the East line of said land purchased of the Willamette Real Estate Company by William Harned; thence North 4.34 chains; thence West to the place of beginning, containing 6.30 acres, more or less, together with all water rights in ditches, canals, and laterals and rights of way therefor, appurtenant to said premises, or used in connection therewith.

ALSO: Beginning 13.02 chains North of South line of that tract of land purchased of the Willamette Real Estate Company by William Harned where it intersects the East boundary line of B.F. Burch D.L.C. running thence South 4.34 chains; thence East to the East line of said land purchased of the Willamette Real Estate Company by William Harned; thence North 4.34 chains; thence West to the place of Beginning, containing 6.30 acres of land more or less, all being located in the County of Pok and State of Oregon.

ALSO: Beginning 17.36 chains North of the Southeast corner of Section 33, Township 8 South, Range 4 West of the Willamette Meridian; thence West 14.50 chains to the East line of the E.F. Burch Donation Land Claim; thence South 4.34 chains; thence East 14.50 chains; thence North 4.34 chains to the place of beginning, containing 6.30 acres of land, more or less, in Polk County, State of Oregon.

RECEIVED

278771

JAN 06 2017

OWRD

S-88350

MEMORANDUM OF LAND SALE CONTRACT

BY INSTRUMENT dated the 6th day of May, 1986, HERSEL PEYREE and GENEVA PEYREE, dba PEYREE PROPERTIES, SELLER, sold to ROBERT COBINE and DOVA COBINE, husband and wife, BUYER, the property described in Exhibit "A," attached hereto and incorporated by this reference herein.

THIS MEMORANDUM is executed to evidence and confirm the Land Sale Contract to which reference is made for its terms and conditions, which include the following:

The true and actual consideration stated in terms of dollars is \$45,000.00.

UNTIL A CHANGE IS REQUESTED, all tax statements shall be sent to the following address:

Robert and Dova Cobine
7400 Buena Vista Road
Independence, OR 97351

DATED this 6th day of May, 1986.

SELLER:

Hersel Peyree by long Peyree, PDA
HERSEL PEYREE

Geneva Peyree
GENEVA PEYREE

BUYER:

Robert M Cobine
ROBERT COBINE

Dova J Cobine
DOVA COBINE

After recording, return to:

David A. Hilgemann
Attorney at Law
530 Center St. NE - #409
Salem, OR 97301

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

Robert and Dova Cobine
7400 Buena Vista Rd.
Independence, OR 97351

RECEIVED

JAN 06 2017

OWRD

DESCRIPTION

89 194 PAGE 221

(IF THE DESCRIPTION IS TYPED HEREON, THE TRACING SHALL BE BACKED BY A SMUDGE-PROOF CARBON PAPER)

Beginning at an iron rod which is 330.29 feet S.89°53'10"E. and 192.46 feet South and 3.08 feet S.89°53'10"E. from the Southeast corner of the Israel Hedges Donation Land Claim No. 46 in Township 8 South, Range 4 West of the Willamette Meridian in Polk County, Oregon; and running thence N.2°38'E. 130.88 feet to an iron rod; thence N.29°2'45"E. 98.63 feet to an iron rod; thence N.10°53'E. 199.36 feet to an iron rod; thence N.20°11'45"E. 147.85 feet to an iron rod; thence N.31°22'30"E. 119.33 feet to an iron rod; thence N.38°36'50"E. 193.69 feet to an iron rod on the Southwesterly right-of-way of the County Road; thence Southeasterly along the arc of a 3849.72 foot radius curve to the left (the long chord of which bears S.43°26'40"E. 914.33 feet) 916.49 feet to an iron rod; thence S.0°04'E. 142.35 feet to an iron rod; thence N.89°53'10"W. 955.24 feet to the point of beginning.

SUBJECT TO a 15 foot wide easement for ingress and egress, the East line of which is described as follows: Beginning at an iron rod which is 330.29 feet S.89°53'10"E. and 192.46 feet South and 958.32 feet S.89°53'10"E. from the Southeast corner of the Israel Hedges Donation Land Claim No. 46 in Township 8 South, Range 4 West of the Willamette Meridian in Polk County, Oregon; and running thence N.0°04'W. 142.35 feet to the Southerly right-of-way of the County Road.

204303

STATE OF OREGON)
County of Polk) ss.

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

B.O.R. 194 Page 220

FILED
POLK COUNTY RECORDS
1986 MAY 12 AM 11:03
LINDA DAWSON
COUNTY CLERK
BY [Signature] DEPUTY

EXHIBIT "A"

THE ABOVE DESCRIBED PROPERTY HAS AN APPROVED ACCESS TO A PUBLIC ROAD, COUNTY ROAD, ACCESS TO A STATE HIGHWAY REQUIRES A PERMIT FROM THE OREGON STATE HIGHWAY DIVISION

COUNTY ROADMASTER

DATE

SOIL EVALUATION INFORMATION ON SUBSURFACE DISPOSAL (SANDS/SLAYS NOT) BEEN REQUESTED FOR (EACH OF) THE ABOVE DESCRIBED PARCEL(S) FOR SPECIFIC INFORMATION REGARDING PLACEMENT AND SIZE LIMITATIONS, IF ANY, CONTACT THE COUNTY SANITARIAN

RECEIVED

JAN 06 2017

OWRD

Fee _____ No. _____
STATE OF OREGON, ss

No. 7820

T. L. Hartman et ux

GRANTOR

to

A. W. Cooper

GRANTEE

Warranty Deed

This Indenture Witnesseth, That we, T. L. Hartman and Lillie E. Hartman the consideration of the sum of One Dollar (1.00) Dollars, to us paid, have bargained and sold, and by these presents do bargain, sell and convey unto A. W. Cooper the following described premises, to-wit:

Beginning at the Southeast corner of the Donation Land Claim of Isreal Hedges Not. No. 1650, Claim No. 46, in Township Eight South of Range Four West of the Willamette Meridian, thence East Thirty five feet (35 feet) thence North 10.10 chains, thence West thirty five feet (35 feet) to the East boundary line of the said Isreal Hedges Donation Land Claim, thence South 10.10 chains to the place of begining, Said tract containing One Half acre more or less.

RECEIVED

JAN 06 2017

OWRD

TO HAVE AND TO HOLD the said premises with their appurtenances unto the said A. W. Cooper, his

heirs and assigns forever. And the said T. L. Hartman and Lillie E. Hartman do hereby covenant to and with the said A. W. Cooper heirs and assigns, that they are (the owner s in fee simple of said premises; that they are free from all incumbrances)

and that they will warrant and defend the same from all lawful claims whatsoever.

IN WITNESS WHEREOF, we have hereunto set our hand s and seal this 18th day of December A.D. 1915.

Done in presence of

B. F. Swope

R. H. Knox

T. L. Hartman

Lillie E. Hartman

(SEAL)

(SEAL)

(SEAL)

(SEAL)

STATE OF OREGON, County of Polk

On this 18th day of December A. D. 1915, personally came before me, a Notary Public in and for said County of Polk, the within named, T. L. Hartman and Lillie E. Hartman his wife,

5-22150

95 4w 476300

RECORDING REQUESTED BY
Fidelity National Title Company of Oregon

GRANTOR'S NAME
Marina Rodriguez

GRANTEE'S NAME
Armando R. Olivarez

SEND TAX STATEMENTS TO:
Mr. Armando R. Olivarez
7680 Corvallis Road
Independence, OR 97351

AFTER RECORDING RETURN TO:
Mr. Armando R. Olivarez
7680 Corvallis Road
Independence, OR 97351

RECORDED IN POLK COUNTY
VALERIE UNGER, COUNTY CLERK

2003-010126



\$31.00

05/29/2003 02:37:40 PM

REC-BS Cnt=1 Stn=1 V. UNGER
\$10.00 \$10.00 \$11.00

108091 FNT

STATUTORY BARGAIN and SALE DEED

Marina Rodriguez, Grantor, conveys to

Armando R. Olivarez, an Individual, Grantee, the following described real property, situated in the County of Polk, State of Oregon,

SEE EXHIBIT ONE ATTACHED HERETO AND MADE A PART HEREOF

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS to amend vesting (See ORS 93.030)

DATED: May 22, 2003

Marina Rodriguez
Marina Rodriguez

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STATE OF OREGON
COUNTY OF Marion

Escrow No. 01-108091-CM -22
Title Order No. 00108091

EXHIBIT ONE

Beginning at a point which is 39.55 chains South and 1.74 chains West from the Northwest corner of the B. F. Burch and wife Donation Land Claim No. 53, Notification No. 1520 in Township 8 South, Range 4 West of the Willamette Meridian in Polk County, Oregon, running thence East 23.79 chains; thence South 30° East 3.75 chains; thence South 3.25 chains; thence East 1.88 chains; thence South 30° East 6.00 chains; thence South 51°30' East 12.50 chains; thence East 2.46 chains to the East line of Claim no. 39 of said Notification No. 1520; thence South 13.46 chains; thence North 65° West 14.70 chains; thence West 12.25 4/5 chains; thence North 20.22 1/2 chains; thence West 17.11 3/5 chains; thence North 6.50 chains to the place of beginning.

SAVE AND EXCEPT that portion lying within the boundaries of public roads and highways.

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73
RETURN TO:
FARM SERVICE AGENCY
3867 WOLVERINE ST NE
SUITE 1, BUILDING F
SALEM, OR 97305-4267

State of Oregon, County of Polk
I hereby certify that this instrument was received and
duly recorded by me in Polk County Records.

Position 5

(cc)

Linda Dawson, County Clerk

35
10 AC

REAL ESTATE MORTGAGE FOR OREGON

THIS MORTGAGE is made and entered into by EDWARD R. GALLAHER
and ANNA L. GALLAHER

residing in POLK County, Oregon, whose post office
address is 7775 BUENA VISTA ROAD, INDEPENDENCE, Oregon 97351, herein
called "Borrower," and the United States of America, acting through the Farmers Home Administration, United
States Department of Agriculture, whose mailing address is 3867 WOLVERINE STREET NE, SUITE 1,
BUILDING F, SALEM, Oregon 97305-4267 herein called the "Government," and:

WHEREAS Borrower is indebted to the Government, as evidenced by one or more promissory note(s) or assumption
agreement(s) or any shared appreciation or recapture agreement, herein called "note," which has been executed by Borrower, is
payable to the order of the Government, authorizes acceleration of the entire indebtedness at the option of the Government upon
any default by Borrower, and is described as follows:

| <u>Date of Instrument</u> | <u>Principal Amount</u> | <u>Due Date of Final Installment</u> |
|---------------------------|-------------------------|--------------------------------------|
| 2-1-1993 | \$178,228.73 424 | 2-1-2003 |

(The interest rate for limited resource farm ownership or limited resource operating loan(s) secured by this instrument may
be increased as provided in the Farmers Home Administration regulations and the note.)

And the note evidences a loan to Borrower, and the Government, at any time, may assign the note and insure the payment
thereof pursuant to the Consolidated Farm and Rural Development Act, or Title V of the Housing Act of 1949, or any other statutes
administered by the Farmers Home Administration;

And it is the purpose and intent of this instrument that, among other things, at all times when the note is held by the
Government, or in the event the Government should assign this instrument without insurance of the note, this instrument shall
secure payment of the note; but when the note is held by an insured holder, this instrument shall not secure payment of the note
or attach to the debt evidenced thereby, but as to the note and such debt shall constitute an indemnity mortgage to secure the
Government against loss under its insurance contract by reason of any default by Borrower;

And this instrument also secures the recapture of any deferred principal and interest or of any interest credit and subsidy
which may be granted to the Borrower by the Government pursuant to 42 U.S.C. §§ 1472 (g) or 1490a, respectively, or any amount
due under any Shared Appreciation/Recapture Agreement entered into pursuant to 7 U.S.C. § 2001.

NOW THEREFORE, in consideration of the loan(s) and (a) at all times when the note is held by the Government, or in the
event the Government should assign this instrument without insurance of the payment of the note, to secure prompt payment of
the note and any renewals and extensions thereof and any agreements contained therein, (b) at all times when the note is held by
an insured holder, to secure performance of Borrower's agreement herein to indemnify and save harmless the Government against
loss under its insurance contract by reason of any default by the Borrower, and (c) in any event and at all times to secure the prompt
payment of all advances and expenditures made by the Government, with interest, as hereinafter described, and the performance
of every covenant and agreement of Borrower contained herein or in any supplementary agreement, Borrower does hereby grant,
bargain, sell, convey, mortgage and assign with general warranty unto the Government the following property situated in the State

of Oregon, County(ies) of POLK

SEE LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF - EXHIBIT A.

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together with all rights (including the right to mining products, gravel, oil, gas, coal or other minerals), interests, easements, hereditaments and appurtenances thereunto belonging, the rents, issues, and profits thereof and revenues and income therefrom (including any Government payments contingent on an agreement to restrict the use of the land), all improvements and personal property now or later attached thereto or reasonably necessary to the use thereof, including, but not limited to, irrigation systems, including pumps, motors, electrical panels, pipe, sprinklers, and other accessories pertaining thereto; milking, milk handling, and milk storage systems, and other accessories pertaining thereto; manure handling systems; livestock feeding systems; ranges; refrigerators, clothes washers, clothes dryers, or carpeting purchased or financed in whole or in part with loan funds, whether or not attached to the real estate; all water, water rights, water certificates, water permits, water allotments, and water stock pertaining thereto, no matter how evidenced; and all payments at any time owing to Borrower by virtue of any sale, lease, transfer, conveyance, or condemnation of any part thereof or interest therein-all of which are herein called "the property";

TO HAVE AND TO HOLD the property unto the Government and its assigns forever in fee simple.

IN ADDITION to its other rights, the Government is hereby granted a security interest in the above-described property pursuant to ORS 79.1010 - 79.5070.

BORROWER for Borrower's self, Borrower's heirs, executors, administrators, successors and assigns WARRANTS THE TITLE to the property to the Government against all lawful claims and demands whatsoever except any liens, encumbrances, easements, reservations, or conveyances specified hereinabove, and COVENANTS AND AGREES as follows:

(1) To pay promptly when due any indebtedness to the Government hereby secured and to indemnify and save harmless the Government against any loss under its insurance of payment of the note by reason of any default by Borrower. At all times when the note is held by an insured holder, Borrower shall continue to make payments on the note to the Government, as collection agent for the holder.

(2) To pay to the Government such fees and other charges as may now or hereafter be required by regulations of the Farmers Home Administration.

(3) If required by the Government, to make additional monthly payments of 1/12 of the estimated annual taxes, assessments, insurance premiums and other charges upon the mortgaged premises.

(4) Whether or not the note is insured by the Government, the Government may at any time pay any other amounts including advance for payment of prior and/or junior liens, required herein to be paid by Borrower and not paid by Borrower when due, as well as any costs and expenses for the preservation, protection, or enforcement of this lien, as advances for Borrower's account. All such advances shall bear interest at the rate borne by the note which has the highest interest rate.

(5) All advances by the Government, including advance for payment of prior and/or junior liens, in addition to any advances required by the terms of the note, as described by this instrument, with interest shall be immediately due and payable by Borrower to the Government without demand at the place designated in the latest note and shall be secured hereby. No such advance by the Government shall relieve Borrower from breach of Borrower's covenant to pay. Any payment made by Borrower may be applied on the note or any indebtedness to the Government secured hereby, in any order the Government determines.

(6) To use the loan evidenced by the note solely for purposes authorized by the Government.

(7) To pay when due all taxes, liens, judgments, encumbrances, and assessments lawfully attaching to or assessed against the property, including all charges and assessments in connection with water, water rights, and water stock pertaining to or reasonably necessary to the use of the real property described above, and promptly deliver to the Government without demand receipts evidencing such payments.

(8) To keep the property insured as required by and under insurance policies approved by the Government and, at its request, to deliver such policies to the Government.

(9) To maintain improvements in good repair and make repairs required by the Government; operate the property in a good and husbandmanlike manner; comply with such farm conservation practices and farm and home management plans as the Government from time to time may prescribe; and not to abandon the property, or cause or permit waste, lessening or impairment of the security covered hereby, or, without the written consent of the Government, cut, remove, or lease any timber, gravel, oil, gas, coal, or other minerals except as may be necessary for ordinary domestic purposes.

(10) To comply with all laws, ordinances, and regulations affecting the property.

(11) To pay or reimburse the Government for expenses reasonably necessary or incidental to the protection of the lien and priority hereof and to the enforcement of or the compliance with the provisions hereof and of the note and any supplementary agreement (whether before or after default), including but not limited to costs of evidence of title to and survey of the property, costs of recording this and other instruments, attorneys' fees, trustees' fees, court costs, and expenses of advertising, selling, or conveying the property.

(12) Except as otherwise provided in the Farmers Home Administration regulations, neither the property nor any portion thereof or interest therein shall be leased, assigned, sold, transferred, or encumbered, voluntarily or otherwise, without the written consent of the Government. The Government shall have the sole and exclusive rights as mortgagee hereinunder, including but not limited to the power to grant consents, partial releases, subordinations, and satisfaction, and no insured holder shall have any right, title or interest

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in or to the lien or any benefits hereof. All rents, profits, and income, including any amounts arising out of an agreement by which the Borrower substantially reduces its use of the property in return for payments, are hereby assigned to the Government for the purpose of discharging the debt hereby secured. Permission is hereby given to the Borrower, so long as no default exists hereunder, to collect such rents, profits and income for use in accordance with the provisions of the borrower's agreement with Farmers Home Administration and the applicable regulations.

(13) At all reasonable times the Government and its agents may inspect the property to ascertain whether the covenants and agreements contained herein or in any supplementary agreement are being performed.

(14) This instrument secures to the Government the repayment of the debt evidenced by the note, including all adjustments, renewals, extensions or modifications in the interest rate, payment terms or balance due on the loan; the payment of all other sums, with interest, advanced under paragraph 4; and the performance or Borrower's covenants and agreements under this instrument and the note. The Government may (a) adjust the interest rate, payment, terms or balance due on the loan, (b) increase the mortgage by an amount equal to deferred interest on the outstanding principal balance, (c) extend or defer the maturity of, and renew and reschedule the payments on, the debt evidenced by the note or any indebtedness to the Government secured by this instrument, (d) release any party who is liable under the note or for the debt from liability to the Government, (e) release portions of the property and subordinate its lien, and (f) waive any other of its rights under this instrument. Any and all this can and will be done without affecting the lien or the priority of this instrument or Borrower's or any other party's liability to the Government for payment of the note or debt secured by this instrument unless the Government says otherwise in writing. HOWEVER, any forbearance by the Government—whether once or often—in exercising any right or remedy under this instrument, or otherwise afforded by applicable law, shall not be a waiver of or preclude the exercise of any such right or remedy.

(15) If at any time it shall appear to the Government that Borrower may be able to obtain a loan from a production credit association, a Federal land bank, or other responsible cooperative or private credit source, at reasonable rates and terms for loans for similar purposes and periods of time, Borrower will, upon the Government's request, apply for and accept such loan in sufficient amount to pay the note and any indebtedness secured hereby and to pay for any stock necessary to be purchased in a cooperative lending agency in connection with such loan.

(16) Default hereunder shall constitute default under any other real estate or crop or chattel security instrument held or insured by the Government and executed or assumed by Borrower, and default under any such other security instrument shall constitute default hereunder.

(17) SHOULD DEFAULT occur in the performance or discharge of any obligation in this instrument or secured by this instrument, or should any one of the parties named as Borrower die or be declared an incompetent, a bankrupt, or an insolvent, or make an assignment for the benefit of creditors, the Government, at its option, with or without notice, may: (a) declare the entire amount unpaid under the note and any indebtedness to the Government hereby secured immediately due and payable, (b) for the account of Borrower incur and pay reasonable expenses for repair or maintenance of and take possession of, operate or rent the property, (c) upon application by it and production of this instrument without other evidence and without notice of hearing of said application, have a receiver appointed for the property, with the usual powers of receivers in like cases, (d) foreclose this instrument as provided herein or by law, and (e) enforce any and all other rights and remedies provided herein or by present or future law.

(18) The proceeds of foreclosure sale shall be applied in the following order to the payment of: (a) costs and expenses incident to enforcing or complying with the provisions hereof, (b) any prior liens required by law or a competent court to be so paid, (c) the debt evidenced by the note and all indebtedness to the Government secured hereby, (d) inferior liens of record required by law or a competent court to be so paid, (e) at the Government's option, any other indebtedness of Borrower owing to or insured by the Government, and (f) any balance to Borrower. At foreclosure or other sale of all or any part of the property, the Government and its agents may bid and purchase as a stranger and may pay the Government's share of the purchase price by crediting such amount on any debts of Borrower owing to or insured by the Government, in the order prescribed above.

(19) Borrower agrees that the Government will not be bound by any present or future laws, (a) providing for valuation, appraisal, homestead or exemption of the property, (b) prohibiting maintenance of an action for a deficiency judgement or limiting the amount thereof or the time within which such action may be brought, (c) prescribing any other statute of limitations, (d) allowing any right of redemption or possession following any foreclosure sale, or (e) limiting the conditions which the Government may by regulation impose, including the interest rate it may charge, as a condition of approving a transfer of the property to a new Borrower. Borrower expressly waives the benefit of any such State law. Borrower hereby relinquishes, waives, and conveys all rights, inchoate or consummate, of descent, dower, and curtesy.

(20) If any part of the loan for which this instrument is given shall be used to finance the purchase, construction or repair of property to be used as an owner-occupied dwelling (herein called "the dwelling") and if Borrower intends to sell or rent the dwelling and has obtained the Government's consent to do so (a) neither Borrower nor anyone authorized to act for Borrower will, after receipt of a bona fide offer, refuse to negotiate for the sale or rental of the dwelling or will otherwise make unavailable or deny the dwelling to anyone because of race, color, religion, sex, national origin, age, handicap, or familial status, and (b) Borrower recognizes as illegal and hereby disclaims, and will not comply with or attempt to enforce any restrictive covenants on the dwelling relating to race, color, religion, sex, national origin, age, handicap, or familial status.

(21) Borrower further agrees that the loan(s) secured by this instrument will be in default should any loan proceeds be used for a purpose that will contribute to excessive erosion of highly erodible land or to the conversion of wetlands to produce an agricultural commodity, as further explained in 7 CFR Part 1940, Subpart G, Exhibit M.

(22) This instrument shall be subject to the present regulations of the Farmers Home Administration, and to its future regulations not inconsistent with the express provisions hereof.

(23) Notices given hereunder shall be sent by certified mail, unless otherwise required by law, addressed, unless and until some other address is designated in a notice so given, in the case of the Government to Farmers Home Administration, United States Department of Agriculture, at the mailing address mentioned above, and in the case of Borrower at the address shown in the Farmers Home Administration Finance Office records (which normally will be the same as the post office address shown above).

(24) If any provision of this instrument or application hereof to any person or circumstances is held invalid, such invalidity will not affect other provisions or applications of the instrument which can be given effect without the invalid provision or application, and to that end the provisions hereof are declared to be severable.

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EXECUTED this 30th date of July, 19 99

Partnership or Corporation

Individual(s)

(Name of Borrower)

By: _____
By: _____
By: _____
Attest: _____

Edward R. Gallaher
EDWARD R. GALLAHER
Anna L. Gallaher
ANNA L. GALLAHER

[Corporate Seal]

ACKNOWLEDGMENT FOR INDIVIDUALS

STATE OF OREGON }
COUNTY OF MARION } ss:

The foregoing instrument was acknowledged before me this 30th day of July, 19 99 by EDWARD R. GALLAHER AND ANNA L. GALLAHER
(Name of persons acknowledging)

[Notary Seal]



Lora G. Surmeyer
Notary Public of and for the State of Oregon

My Commission expires 10-8-2001

ACKNOWLEDGMENT FOR A PARTNERSHIP

STATE OF OREGON }
COUNTY OF _____ } ss:

The foregoing instrument was acknowledged before me this _____ day of _____, 19 _____ by _____ on behalf of _____ a partnership.
(Names of acknowledging partners) (Name of partnership)

[Notary Seal]

Notary Public of and for the State of Oregon

My Commission expires _____

ACKNOWLEDGMENT FOR A CORPORATION

STATE OF OREGON }
COUNTY OF _____ } ss:

The foregoing instrument was acknowledged before me this _____ day of _____, 19 _____ by _____ (Name of Corporate Officer) _____ (Title of Corporate Officer) of _____ a _____ corporation, on behalf of the corporation.
(Name of Corporation) (State of Incorporation)

[Notary Seal]

Notary Public of and for the State of Oregon

My Commission expires _____

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EXHIBIT A

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PARCEL 1

Beginning at the Southwest corner of the Isreal Hedges Donation Land Claim No. 46, in Township 8, Range 4 West of the Willamette Meridian in Polk County, Oregon, running thence south 14.15 chains; thence East 10.71 chains; thence South 11.17 chains to a point 20 feet North from the North line of the Harrison P. Locke Donation Land Claim No. 52, in said Township and Range; thence East parallel with and at a distance of 20 feet North from the North line of said Locke Donation Land Claim 17.35 chains, more or less, to the West line of the southern Pacific Railroad right-of-way; thence North 12° 30' East along said West line of said right-of-way 26 chains, more or less, to the point of intersection of said West line of said right-of way with the South line of said Hedges Donation Land Claim; thence West along the South line of said Hedges Donation Land Claim 32.37 chains, more or less, to the place of beginning.

SAVE AND EXCEPT any portion of said described premises lying within the boundaries of public road and highways and easements of record.

PARCEL 2: A part of the Donation Land Claim of Isreal Hedges and wife, Not. No. 1650, Claim No. 46, in Township 8 South, Range 4 West of the Willamette Meridian in Polk County, Oregon, beginning at a point 82 links East of the Northwest corner of the Donation Land Claim of B.F. Burch and wife, No. 53, and running thence East 14.66 chains; thence North 21° East 5.45 chains; thence North 81° 30' West 15 chains; thence West 15.77 chains; thence South 13 West 7.52 chains; thence East 15.69 chains to the place of beginning.

ALSO: Beginning at the Southwest corner of the Isreal Hedges Donation Land Claim No. 46, in Township 8 South, Range 4 West of the Willamette Meridian in Polk County, Oregon, and running thence East 32.38 chains along the South line of said Claim to the S.P. Railway right of way; thence North 13 East 7.52 chains along said right of way; thence West 43.12 chains to the West boundary for said donation Land Claim; thence South 7.32 chains along the West boundary line of said donation land Claim to the place of beginning.

SAVE AND EXCEPT: Beginning at the intersection of the Westerly right of way line of Market Road No. 9 and the Northerly boundary line of the Benjamin F. Burch Donation Land Claim No. 53, Township 8 South, Range 4 West of the Willamette Meridian in Polk County, Oregon, said intersection bears South 87° 54' 28" East 983.21 feet along said Northerly boundary line from the Northwest corner of said donation Land Claim and running thence North 26° 41' 32" East 147.76 feet along said Westerly right of way line to a 3/4 inch iron pipe marking the point of beginning of a 1879.86 foot radius curve left; thence along said curve left 182.30 feet; the long chord bears North 23° 54' 51" East 182.23 feet, to a 5/8 inch iron rod with aluminum cap on a line parallel to and a perpendicular distance of 30.00 feet, measured Southerly, from the Northerly boundary line of that tract of land described in Volume 42, Page 274, Polk County Records of Deeds; thence North 78° 24' 28" West 675.86 feet along said line to a 5/8 inch iron rod with aluminum cap; thence South 0° 05' 32" West 415.31 feet perpendicular to said

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Northerly Donation Land Claim boundary line; thence South 87° 54'28" East- 522.85 feet along said Northerly donation Land Claim boundary line to the point of beginning.

ALSO SAVE AND EXCEPT any portion of the above described parcel of land lying within market Road No. 9.

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PARCEL 3: Beginning at a point 3039.30 feet South and 1.74 chains West of the Northwest corner of the Donation Land Claim of Benjamin F. Bruch and wife, Notification No. 1520, claims No. 53 and 39, in Township 8 and 9 South, Range 4 West of the Willamette Meridian in Polk County, Oregon; thence East a distance of 17.11 3/5 chains; thence South, a distance of 20.22 1/2 chains; thence East a distance of 14.40 3/5 chains; thence in a Southeasterly direction, a distance of 14.69 1/2 chains, more or less, to the East line of said Donation Land Claim; thence South along said line a distance of 27 chains, more or less, to the North line of the Southern Pacific Railroad right-of-way; thence North 81° 37' West along said Railroad right-of-way, to a point 46.63 chains due south of the place of beginning; thence North a distance of 46.63 chains to the place of beginning.

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SAVE AND EXCEPT the following parcel of land: beginning in County Road No. M-9 at a point which is 3043.00 feet South and 114.84 feet West and 20.85 feet south of the Northwest corner of the Benjamin F. burch donation Land Claim No. 53, in township 9 south, Range 4 West of the Willamette Meridian in Polk County, Oregon; thence East along existing fence 1129.66 feet; thence South 657.78 feet; thence South 75° 21' West 950.59 feet; thence south 66° 54' West 228.30 feet to a point in said road; thence North 987.8 feet to the place of beginning.

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ALSO SAVE AND EXCEPT that portion of the above described tract of land lying within the boundaries of County Road No. M-9.

ALSO SAVE AND EXCEPT the following described tract of land, to-wit; beginning at the Northeast corner of a tract of land conveyed to Paul W. Shaffer, et ux, by deed recorded July 28, 1980, in volume 150, page 1148, Book of Records for Polk County, Oregon; thence West 1129.66 feet along said Shaffer North line to the center line of County Road No. M-9; thence North along said center line 20.85 feet; thence East 1129.66 feet to a point which is 20.85 feet North of said Shaffer Northeast corner; thence South 20.85 feet to the point of beginning.

ALSO SAVE AND EXCEPT that portion of the above described tract of land lying with the boundaries of public roads and highways.

PARCEL 4: Beginning at the Northeast corner of a tract of land conveyed to Paul W. Shaffer, et ux, by deed records July 28, 1980, in volume 150, Page 1148, Book of Records for Polk County, Oregon; thence West 1129.66 feet along said Shaffer North line to the center line for County Road No. M-9; thence North along said center line 20.85 feet North of said Shaffer Northeast corner; thence South 20.85 feet to the point of beginning.

ALSO SAVE AND EXCEPT that portion of the above described tract of land lying within the boundaries of public roads and highways.

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Lot 1 of section 4 in Township 9 south, Range 4 West of the Willamette Meridian lying in Polk County, Oregon, containing 25.24 acres, more or less.

Also, commencing at the Northwest corner of the Donation Land Claim of Fielden M. Thorp, Notification No. 1538, Claim No. 40, being parts of Sections Three and Four, township Nine South, Range Four West of the Willamette meridian, running thence South 220 rods, thence East 240 rods, thence North 80 rods, thence East 80 rods, thence North 140 rods to the Northeast corner of said Claim, thence West 320 Rods to the place of beginning.

Excepting 5.8 acres deeded by Mrs. P.E. Compton to H. Hirschberg, recorded in Volume 58, page 379, Deed Records of Polk County.

Also excepting, beginning at the Northeast corner of Fielden M. Throp donation land Claim, Notification No. 1538, Claim No. 40 being parts of Section Three and Four, in Township Nine South, Range Four West of the Willamette Meridian, thence running South with the East line of said thorp Donation land Claim, 510 feet to the center of the County Road, which point is 410 feet North from a rock Corner in the center of the said County road in division line between the Charles Masuda and the Dr. Ketchum farms, thence following the center of the said County Road intersects the North boundary line of the said Thorp Donation Land Claim and the south line of the F.W. Schilling's Land, which point is 2510 feet West of the Northeast Corner of the Throp Donation Land Claim, thence East along the Northline of the Throp donation Land Claim, 2510 feet to the place of beginning.

ALSO EXCEPT TRACT DESCRIBED AS FOLLOWS: Beginning at a point 140 rods south of the Northeast corner of Fielden M. Thorp donation Land Claim No. 40, in Section Three, Township Nine south, Range Four West of the Willamette Meridian, thence West 200 feet to Independence Buena Vista Road, thence Northeasterly along said road, 930 feet to the East line of said Claim, thence south on the East line of said Claim 900 feet to the point of beginning, same being tract conveyed to George Irven Sharr by deed recorded in Book 109, page 61, Deed Records of Polk County.

SUBJECT to easement and right-of-way, including the terms and provisions thereof, conveyed to Mountain States Power Company, a Delaware Corporation by instrument recorded April 14, 1943, in volume 113, page 180, Deed Recorded for Polk County, Oregon.

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THIS SPACE RESERVED FOR RECORDER'S USE

After recording return to:
The L. Frank Setniker Family Trust
4450 Independence Hwy
Independence, OR 97351

Until a change is requested all tax statements shall be sent to the following address:
No change

RECORDED IN POLK COUNTY 2016-012386
Valerie Unger, County Clerk 11/04/2016 10:36:00 AM
REC-WD Cnt=1 Stn=0 K. WILLIAMS \$86.00
\$10.00 \$20.00 \$20.00 \$11.00 \$20.00 \$5.00

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SPECIAL WARRANTY DEED

Setniker 2016-012, LLC, an Oregon limited liability company

Grantor(s) hereby conveys and specially warrants to

Joyce E. Wahl, Trustee of The L. Frank Setniker Family Trust AND Joyce E. Wahl and David F. Setniker, Trustees of The Norma R. Setniker Revocable Trust

Grantee(s) and grantee's heirs, successors and assigns the following described real property free of encumbrances created or suffered by the Grantor, except as specifically set forth herein, situated in the County of Polk and State of Oregon, to wit:

Beginning at a point 14.40 chains West and 17.24 chains South of the Southwest corner of Section 3, Township 9 South, Range 4 West of the Willamette Meridian, and running thence East 40 chains; thence North 25 chains; thence West 40 chains; thence South 25 chains to the place of beginning and being a part of the Donation Land Claim of the F.M. Thorp and wife, all in Polk County, Oregon.

ALSO:

Beginning at a point 49.34 chains North and 1.74 chains West of the Southwest corner of the Donation Land Claim of B.F. Burch and wife, Notification No. 1520 Claim No. 39, Township 9 South, Range 4 West of the Willamette Meridian; thence running North 18.23 chains to the lands sold F.A. Paterson; thence East 19.89 chains to the South line of the Railroad right of way; thence South 81°55' East 23.13 chains along the South boundary line of said right of way to the East line of said Donation Land Claim; thence South 31.87 chains; thence West 10.51 chains; thence North 62°23' West 36.44 chains to the place of beginning, all situated in the County of Polk and State of Oregon.

SAVE AND EXCEPT:

Beginning at an iron pipe on the northerly boundary of Polk County Road No. 9415, said iron pipe being located South 89°30' West 75.0 feet and North 0°11' West, 1036.00 feet and South 62°08' East, 577.3 feet from the southeast corner of the Harrison P. Locke Donation Land Claim No. 38 in Township 9 South, Range 4 West of the Willamette Meridian, Polk County, Oregon; thence North 0°11' West, a distance of 681.5 feet to an iron pipe; thence North 89°49' East, a distance 530.0 feet to an iron pipe; thence South 0°11' East, 962.0 feet to an iron pipe on the northerly boundary of said Polk County Road No. 9415; thence North 62°08' West, along said road boundary, to the place of beginning.

ALSO SAVE AND EXCEPT:

Beginning at an iron pipe on the Northerly boundary of Polk County Road No. 9415, said iron pipe being located South 89°30' West 75.00 feet and North 0°11' West 1036.00 feet and South 62°08' East, 577.30 feet from the Southeast corner of the H.P. Locke D.L.C. No. 38, in Township 9 South, Range 4 West of the Willamette Meridian, Polk County, Oregon; thence North 0°11' West 465.70 feet; thence South 89°49' West

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212.50 feet; thence South 0°11' East 354.20 feet to the Northerly boundary of said County Road No. 9415; thence South 62°08' East 240.00 feet along said road boundary to the place of beginning.

ALSO SAVE AND EXCEPT:

Beginning at an iron pipe at the intersection of the East line of Polk County Road No. N-9 and the northerly line of Polk County Road No. 9415, in Section 9, Township 9 South, Range 4 West of the Willamette Meridian in Polk County, Oregon; thence North 0°11' West, a distance of 1354.0 feet to an iron pipe at the southerly line of the Southern Pacific Company Railroad right of way; thence South 81°46' East along the southerly line of the Railroad right of way, a distance of 515.3 feet to an iron pipe; thence South 0°11' East, a distance of 1,550.6 feet to an iron pipe on the northerly line of said Road No. 9415; thence northwesterly along the northerly line of said last mentioned road, a distance of 577.3 feet to the place of beginning.

ALSO SAVE AND EXCEPT that portion thereof conveyed by Grantee by deed recorded at Book 32, Page 22, Book of Records for Polk County, Oregon.

ALSO SAVE AND EXCEPT: Beginning at an iron pipe on the Northerly boundary of Polk County Road No. 9415, said iron pipe being located South 89°30' West 75.00 feet and North 0°11' West 1036.00 feet and South 62°08' East 1173.90 feet from the southeast corner of the H.P. Locke Donation Land Claim No. 38 in Township 9 South, Range 4 West of the Willamette Meridian, Polk County, Oregon; thence North 0°11' West 962.00 feet to an iron pipe; thence North 89°49' East 235.00 feet to an iron pipe; thence South 0°11' East 1086.10 feet to an iron pipe on the Northerly boundary of said County Road; thence North 62°08' West 265.80 feet along said road boundary, to the place of beginning.

ALSO:

A part of the B.F. Burch Donation Land Claim No. 39 located in Section 4, Township 9 South, Range 4 West, Willamette Meridian, more particularly described as follows:

Beginning at the intersection of the center line of the now abandoned portion of the Southern Pacific Company's Wigrich Spur with the West line of said DLC No.39; thence North 20.2 feet to a point which is 20 feet distance northerly from, measured at right angles to said center line; thence South 81°37' East 1576.9 feet; thence West along the north line of the property now or formerly owned by W.L. Diel, 1559.1 feet to the County Road; thence North 203 feet to the place of beginning.

SAVE AND EXCEPT:

Beginning at an iron pipe at the intersection of the East line of Polk County Road No. N-9 and the northerly line of Polk County Road No. 9415, in Section 9, Township 9 South, Range 4 West of the Willamette Meridian in Polk County, Oregon; thence North 0°11' West, a distance of 1354.0 feet to an iron pipe at the southerly line of the Southern Pacific Company Railroad right of way; thence South 81°46' East along the southerly line of the Railroad right of way, a distance of 515.3 feet to an iron pipe; thence South 0°11' East, a distance of 1,550.6 feet to an iron pipe on the northerly line of said Road No. 9415; thence northwesterly along the northerly line of said last mentioned road, a distance of 577.3 feet to the place of beginning.

ALSO:

A part of the B.F. Burch Donation Land Claim No. 39, located in Section 4, said Township and Range, more particularly described as follows:

Beginning at the intersection of the center line of the now abandoned portion of the Southern Pacific Company's Wigrich Spur, with the East line of said DLC No. 39, which point is also the west line of the F.M. Thorp DLC, 1634 feet north of the southwest corner thereof; thence North 20.2 feet to a point which is 20 feet northerly from, measured at right angles to said center line; thence North 81°37' West 1250 feet to the north line of that property now or formerly owned by W. L. Diel; thence West along said north line 273.6 feet to a point which is distant 20 feet southerly from, measured at right angles to, said center line; thence South 81°37' East 1532.7 feet to the East line of said B.F. Burch DLC; thence North 20.2 feet to the place of beginning.

ALSO:

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A part of the F.M. Thorp Donation Land Claim, located in Sections 3 and 4, Township and Range aforesaid, and more particularly described as follows:

Beginning at the point of intersection of said center line with the west line of said DLC, 1634 feet north of the Southwest corner thereof; thence North 20.20 feet to a point which is 20 feet northerly from, measured at right angles to said center line; thence South 81°37' East 881 feet; thence easterly on a curve concave to the left, having a radius of 5709.7 feet, a distance of 831 feet to a point; thence South 89°56' East 940.07 feet to a point in the easterly line of the land now or formerly of Charles S. Bowman; thence southerly along the prolongation of said easterly line, crossing said center line at or near Engineer's Station 84+75.0, a distance of 40 feet, to a point in the southerly line of said parcel described fourth in said deed; thence westerly along said southerly line to the west line of the F.M. Thorp Donation Land Claim; thence northerly along last said west line a distance of 207 feet to the point of beginning.

ALSO:

Beginning at a point which is 39.75 chains West of the Southeast corner of the Hezekiah Davidson DLC, Not. No. 1519, Claim No. 42, Township 9 South, Range 4 West of the Willamette Meridian in Polk County, Oregon; thence South 3 chains; thence West 18.25 chains to a post; thence North 50° East 3.33 chains to a post; thence North 1.01 chains to the South line of said Davidson DLC; thence East 15.72 chains along said South line to the place of beginning.

ALSO: The West half of the Donation Land Claim of Hezekiah Davidson and wife, Notification No. 1519, Claim No. 42, being in Sections 9, 10, 15, and 16 in Township 9 South, Range 4 West of the Willamette Meridian, in Polk County, Oregon.

SAVE AND EXCEPT the following:

Beginning at a point on the North line of the Hezekiah Davidson DLC No. 42 in Township 9 South, Range 4 West of the Willamette Meridian in Polk County, Oregon, said point being 1996.17 feet South 89°49'35" East of the Northerly Northwest corner of said Davidson DLC No. 42; and running thence South 0°02' West 1014.53 feet to an iron rod; thence North 89°49'35" West 1301.99 feet to an iron rod; thence North 0°13'40" West 2799.12 feet to an iron rod on the North line of the now abandoned portion of the Southern Pacific Company's Wigrich Spur; thence South 81°50' East along said North line 210.37 feet; thence along the arc of a 5709.65 foot radius curve to the left, the long chord of which bears South 85°59'30" East 828.05 feet; thence North 89°51' East 917.40 feet to an iron rod; thence South 0°05'10" West 1705.06 feet to a point on the South line of the Fielding M. Thorp DLC No. 40 in said Township and Range, from which an iron rod bears North 0°05'10" East 16.54 feet; thence North 89°49'35" West 635.38 feet to the point of beginning.

ALSO:

Beginning at an iron pipe which is described as being, and being set in C.S. 2951, 75.00 feet South 89°30' West and 2390.0 feet North 0°11' West from the Southeast corner of the Harrison P. Locke Donation Land Claim No. 38, in Township 9 South, Range 4 West of the Willamette Meridian in Polk County, Oregon; and running thence North 0°11' West 10.1 feet to the Southerly line of the old railroad right of way; thence South 81°46' East along said line 515.3 feet to a point 10.1 feet North 0°11' West of an iron pipe as shown on said survey; thence South 0°11' East 20.2 feet; thence North 81°46' West 515.3 feet; thence North 0°11' West 10.1 feet to the place of beginning.

The true and actual consideration for this conveyance is **OTHER VALUABLE CONSIDERATION.**

Grantor is lawfully seized in fee simple on the above granted premises and SUBJECT TO: all those items of record, if any, as of the date of this deed and those shown below, if any:

2016-2017 Real Property Taxes, a lien not yet due and payable

and the grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons claiming by, through, or under the grantor except those claiming under the above described encumbrances.

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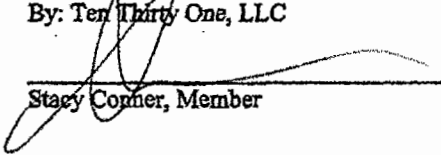
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BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 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.

Dated this 5th day of October, 2016

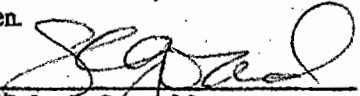
Setniker 2016-012, LLC
By: Ten Thirty One, LLC


Stacy Conner, Member

State of Oregon } ss
County of Marion }

On this 5th day of October, 2016, before me, Stephanie Catlett Goad a Notary Public in and for said state, personally appeared Stacy Conner known or identified to me to be the Managing Member in the Limited Liability Company known as Setniker 2016-012, LLC by Ten Thirty One, LLC who executed the foregoing instrument, and acknowledged to me that he/she executed the same in said LLC name.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.


Notary Public for the State of Oregon
Residing at: Salem OR
Commission Expires: 1-15-2018



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THIS SPACE RESERVED FOR RECORDER'S USE

After recording return to:

The L. Frank Setniker Family Trust
4450 Independence Hwy
Independence, OR 97351

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

No change

RECORDED IN POLK COUNTY **2016-012385**
Valerie Unger, County Clerk
11/04/2016 10:36:00 AM
REC-WD Cnt=1 Stn=0 K. WILLIAMS
\$10.00 \$10.00 \$11.00 \$20.00 \$5.00 \$56.00

A7110274
A
Amended Title

SPECIAL WARRANTY DEED

Setniker 2016-012, LLC, an Oregon limited liability company ,

Grantor(s) hereby conveys and specially warrants to

Joyce E. Wahl, Trustee of The L. Frank Setniker Family Trust AND Joyce E. Wahl and David F. Setniker, Trustees of The Norma R. Setniker Revocable Trust

Grantee(s) and grantee's heirs, successors and assigns the following described real property free of encumbrances created or suffered by the Grantor, except as specifically set forth herein, situated in the County of Polk and State of Oregon, to wit:

Beginning at a point on the North line of the Hezekiah Davidson DLC No. 42 in Township 9 South, Range 4 West of the Willamette Meridian in Polk County, Oregon, said point being 1996.17 feet South 89°49'35" East of the Northerly Northwest corner of said Davidson DLC No. 42; and running thence South 0°02' West 1014.53 feet to an iron rod; thence North 89°49'35" West 1301.99 feet to an iron rod; thence North 0°13'40" West 2799.12 feet to an iron rod on the North line of the now abandoned portion of the Southern Pacific Company's Wigrich Spur; thence South 81°50' East along said North line 210.37 feet; thence along the arc of the 5709.65 foot radius curve to the left, the long chord of which bears South 89°59'30" East 828.05 feet; thence North 89°51' East 917.40 feet to an iron rod; thence South 0°05'10" West 1705.06 feet to a point on the South line of the Fielding M. Thorp DLC No. 40 in said Township and Range, from which an iron rod bears North 0°05'10" East 15.54 feet; thence North 89°49'35" West 635.38 feet to the point of beginning.

The true and actual consideration for this conveyance is **OTHER VALUABLE CONSIDERATION.**

Grantor is lawfully seized in fee simple on the above granted premises and **SUBJECT TO:** all those items of record, if any, as of the date of this deed and those shown below, if any:

2016-2017 Real Property Taxes, a lien not yet due and payable

and the grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons claiming by, through, or under the grantor except those claiming under the above described encumbrances.

This document is recorded as an accommodation only. No liability is accepted for this condition of title or for the validity, sufficiency or effect of this document.

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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.

Dated this 5th day of October, 2014

Setniker 2016-012, LLC
By: Ten Thirty One, LLC

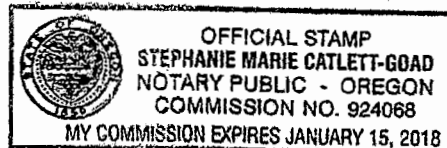
[Signature]
Stacy Conner, Member

State of Oregon) ss
County of Marion)

On this 5th day of October, 2016, before me, Stephanie Catlett Goad a Notary Public in and for said state, personally appeared Stacy Conner known or identified to me to be the Managing Member in the Limited Liability Company known as Setniker 2016-012, LLC by Ten Thirty One, LLC who executed the foregoing instrument, and acknowledged to me that he/she executed the same in said LLC name.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

[Signature]
Notary Public for the State of Oregon
Residing at: Salem OR
Commission Expires: 1-15-2018



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Oregon Water Resources Department
Permit to Appropriate Only Stored Water - Expedited Secondary

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

Today's Date: Friday, January 06, 2017

| | | |
|--|-------------|------------|
| Base Application Fee. | | \$450.00 |
| Acre feet of Stored Water to be diverted. | 999 | \$1,579.00 |
| Permit Recording Fee. *** | | \$450.00 |
| *** 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 | | \$2,479.00 |

OWRD Fee Schedule

| |
|-----------------------------------|
| |
| Fee Calculator Version: B20130709 |

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