

# Application for a Permit to Use Ground Water



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

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## Water-Use Permit Application Processing

FEB 21 2017

### 1. Completeness Determination

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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](http://www.oregon.gov/owrd/law)). The Department also determines whether the proposed use is prohibited by statute. If the Department determines that the application is incomplete, all fees have not been paid, or the use is prohibited by statute, the application and all fees submitted are returned to the applicant.

### 2. Initial Review

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

### 3. Public Notice

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

### 4. Proposed Final Order Issued

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

### 5. Public Notice

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

### 6. Final Order Issued

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

# Minimum Requirements Checklist

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

## Include this checklist with the application

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

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

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### Attachments:

- Land Use Information Form with approval and signature (*must be an original*) or signed receipt
- Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map. Example: A copy of the deed, land sales contract or title insurance policy.
- Fees - Amount enclosed: \$2,200  
See the Department's Fee Schedule at [www.oregon.gov/owrd](http://www.oregon.gov/owrd) or call (503) 986-0900.

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### Provide a map and check that each of the following items is included:

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

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## SECTION 1: APPLICANT INFORMATION AND SIGNATURE

### Applicant Information

NAME REAR PROPERTIES, LLC c/o MARILYN REAR		PHONE (HM) 541-998-1004	
PHONE (WK)	CELL 541-954-6915		FAX
ADDRESS 91820 TERRITORIAL HIGHWAY			
CITY JUNCTION CITY	STATE OR	ZIP 97448	E-MAIL* JAKMJR@AOL.COM

### Organization Information

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

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

AGENT / BUSINESS NAME GSI WATER SOLUTIONS, INC ATTN: TED RESSLER		PHONE 503-239-8799	FAX
ADDRESS 55 SW YAMHILL STREET, SUITE 300			CELL
CITY PORTLAND	STATE OR	ZIP 97204	E-MAIL* TRESSLER@GSIWS.COM

Note: Attach multiple copies as needed

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

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### By my signature below I confirm that I understand:

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



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

Marilyn Rear  
Applicant Signature

Marilyn Rear  
Print Name and title if applicable

1/6/17  
Date

Applicant Signature

Print Name and title if applicable

Date

For Department Use		
App. No. <u>618460</u>	Permit No. _____	Date _____

**SECTION 2: PROPERTY OWNERSHIP**

Please indicate if you own all the lands associated with the project from which the water is to be diverted, conveyed, and used.

Yes

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

No

- I have a recorded easement or written authorization permitting access. (Attachment D)
- 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).

Warren Harper; 29425 Sovern Lane; Junction City, OR 97448

Gertrude Taylor; 1845 Elanco Ave; Eugene, OR 97408

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

**SECTION 3: WELL DEVELOPMENT**

WELL NO.	NAME OF NEAREST SURFACE WATER	IF LESS THAN 1 MILE:	
		DISTANCE TO NEAREST SURFACE WATER	ELEVATION CHANGE BETWEEN NEAREST SURFACE WATER AND WELL HEAD
English Well	Unnamed Intermittent* Stream	460 feet	4 feet
English Well	Flat Creek (closest perennial stream)	4,475 feet	8 feet

\*Based on USGS NHD

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

See attached well log

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6-18460

**SECTION 3: WELL DEVELOPMENT, CONTINUED**

Total maximum rate requested: 1.22 cfs (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below).

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

OWNER'S WELL NAME OR NO.	PROPOSED	EXISTING	WELL ID (WELL TAG) NO.* OR WELL LOG ID**	FLOWING ARTESIAN	CASING DIAMETER	CASING INTERVALS (IN FEET)	PERFORATED OR SCREENED INTERVALS (IN FEET)	SEAL INTERVALS (IN FEET)	MOST RECENT STATIC WATER LEVEL & DATE (IN FEET)	PROPOSED USE			
										SOURCE AQUIFER***	TOTAL WELL DEPTH	WELL-SPECIFIC RATE (GPM)	ANNUAL VOLUME (ACRE-FEET)
English Well	<input type="checkbox"/>	<input checked="" type="checkbox"/>	LANE 7992	<input type="checkbox"/>	10-inch	0-27.5	20-27.5	0-18	12.5	Alluvial	27.5	550	310
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									

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

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**SECTION 4: WATER USE**

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Irrigation	March 1 to October 31	310

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

**For irrigation use only:**

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

Primary: 124.3 Acres                      Supplemental: (none) Acres

List the Permit or Certificate number of the underlying primary water right(s): NA

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 310

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

**SECTION 5: WATER MANAGEMENT**

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**A. Diversion and Conveyance**

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

Pump (give horsepower and type): Pump type and horsepower to be determined.

Other means (describe): \_\_\_\_\_

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. It is anticipated that water will be appropriated from the existing well by a pump and conveyed to the place of use via a closed pipe irrigation system.

**B. Application Method**

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler) It is anticipated that irrigation will be completed using either sprinkler or by drip irrigation.

**C. Conservation**

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

The Applicant is requesting to appropriate groundwater at a rate of up to 1.22 cfs for irrigation of 124.3 acres. The point of diversion will be equipped with a flowmeter to measure the rate and volume of groundwater appropriated in an effort to prevent waste. The applicant does not anticipate discharging any waters to a surface stream and the proposed use of groundwater is not expected to cause damage to public uses of nearby surface waters.

**SECTION 6: STORAGE OF GROUND WATER IN A RESERVOIR**

If you would like to store ground water in a reservoir, complete this section (*if more than one reservoir, reproduce this section for each reservoir*). **NOT APPLICABLE**

Reservoir name: \_\_\_\_\_ Acreage inundated by reservoir: \_\_\_\_\_

Gr-18460

Use(s): \_\_\_\_\_

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

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

**SECTION 7: USE OF STORED GROUND WATER FROM THE RESERVOIR**

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

Annual volume (acre-feet): NOT APPLICABLE

USE OF STORED GROUND WATER	PERIOD OF USE
Not applicable	

**SECTION 8: PROJECT SCHEDULE**

Date construction will begin: Upon issuance of permit

Date construction will be completed: Within 5 years of issuance of permit

Date beneficial water use will begin: Within 5 years of issuance of permit

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**SECTION 9: WITHIN A DISTRICT**

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

Irrigation District Name	Address	
City	State	Zip

**SECTION 10: REMARKS**

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

\_\_\_\_\_

Date \_\_\_\_\_

(For staff use only)



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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 \_\_\_\_\_

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**MAP**

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



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**Attachment A**  
**Permit Application Map**  
Application for a Permit to Use Groundwater in the Rear Properties, LLC

G-18960

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Attachment B

Land Use Information Form

Application for a Permit to Use Groundwater in the Rear Properties, LLC

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G-18460

# Land Use Information Form



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## NOTE TO APPLICANTS

SALEM, OR

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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SALEM, OR

# Land Use Information Form



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Applicant(s): Rear Properties, LLC c/o Marilyn Rear

FEB 21 2017

Mailing Address: 91820 Territorial Highway

SALEM, OR

City: Junction City

State: OR

Zip Code: 97448

Daytime Phone: 541-998-1004

## A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:	Proposed Land Use:
<u>16S</u>	<u>4W</u>	<u>17</u>	<u>NENE</u>	<u>101</u>	<u>E30 (Exclusive Farm Use, 30 acres)</u>	<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>16S</u>	<u>4W</u>	<u>16</u>	<u>NWNW</u>	<u>2900</u>	<u>E30 (Exclusive Farm Use, 30 acres)</u>	<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>16S</u>	<u>4W</u>	<u>16</u>	<u>NENW</u>	<u>2900</u>	<u>E30 (Exclusive Farm Use, 30 acres)</u>	<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>16S</u>	<u>4W</u>	<u>16</u>	<u>NWNE</u>	<u>100</u>	<u>E30 (Exclusive Farm Use, 30 acres)</u>	<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>16S</u>	<u>4W</u>	<u>16</u>	<u>NWNE</u>	<u>101</u>	<u>E30 (Exclusive Farm Use, 30 acres)</u>	<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>Irrigation</u>

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

Lane 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: 1.22     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:

The water use permit application proposes to use an existing well for irrigation of crops on an existing farm property.

**Note to applicant:** If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

See bottom of Page 3. →

## For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

**Please check the appropriate box below and provide the requested information**

- Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): \_\_\_\_\_
- 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
	<b>RECEIVED BY OWRD</b>	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	<b>FEB 21 2017</b>	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	<b>SALEM, OR</b>	<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.

OK PER LANE CODE 16.212(3)(a) - THIS (LULS) APPROVAL DOES NOT GRANT ANY OTHER LAND USE OR BUILDING APPROVALS.

Name: \_\_\_\_\_ Title: ERIC FORSELL, PLANNER  
 Signature: [Signature] Phone: \_\_\_\_\_ Date: \_\_\_\_\_  
 Government Entity: LANE COUNTY 541.682.4054 1/25/17

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

**Receipt for Request for Land Use Information**

Applicant name: \_\_\_\_\_  
 City or County: \_\_\_\_\_ Staff contact: \_\_\_\_\_  
 Signature: \_\_\_\_\_ Phone: \_\_\_\_\_ Date: \_\_\_\_\_

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SALEM, OR

Attachment C  
Well Log

Application for a Permit to Use Groundwater in the Rear Properties, LLC

Gr-18460



January 15, 2017

Dear Warren Harper,

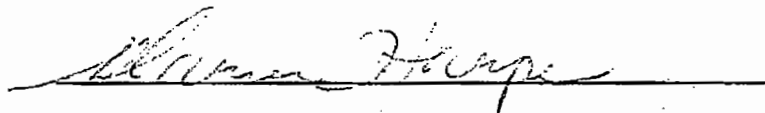
This letter is to let you know that I will be submitting to Oregon Water Resources Department an application for a new permit to use groundwater. The permit application will request 550 gallons per minute of groundwater from a well located on my property to irrigate a total of 124.3 acres, which includes 40 acres of property owned by you on tax lot 101 (Township 16 S, Range 4 W, Section 17). Since you own a portion of the land on which the water right is located, we need written consent from you as part of our permit application.

Please return a signed copy of this letter to acknowledge your authorization to irrigate the 40 acres of your property included in my permit application.

Sincerely,

Marilyn Rear  
Rear Properties, LLC.

Signed on 8<sup>th</sup> day of February 2017



Warren Harper

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G-18460



FEB 21 2017

## FARM LEASE

SALEM, OR

THIS AGREEMENT is made by and between GERTRUDE A. TAYLOR, Lessor, and

HARPER FARMS, INC., an Oregon Corporation, Lessee:

## WITNESSETH:

That, the said Lessor, for and in consideration of the covenants and agreement hereinafter mentioned, to be kept and performed by the Lessee, his executors, administrators and assigns, has leased and does hereby lease and let unto the Lessee for farm purposes the farmable of 55.12 acres lying and being in Lane County, State of Oregon, and described as follows from the Lane County Gertrude A. Taylor Tax Statement, to-wit:

16 04 16 20 Lot 02900 and Lot 00100

To have and to hold the above-described premises unto the Lessee, for a period of 10 years, beginning the 2<sup>nd</sup> of November 1, 2016, through the harvesting of the year 2026 crops.

The Lessee agrees to pay the Lessor rent for the said premises as follows:

54.43 acres @ \$125.00 = \$6803.75

The rent is payable, beginning, on or before the first day of November 2016, and each year after until the lease expires December 31, 2026.

And it is agreed that if any rent shall be due and unpaid, or if default shall be made in any of the covenants herein contained, then it shall be lawful for the said Lessor to re-enter the said premises and remove all persons there from; the Lessee waiving any notice to quit or of intention to re-enter under the statute.

The Lessee shall maintain a liability insurance policy protecting both the Lessee and the Lessor from any claims arising out of the Lessee's use or occupancy of the premises. Said policy shall be at least in the amount of \$100,000.00 for personal injury and \$50,000.00 for the property damage.

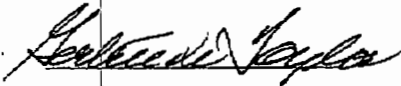
And the said Lessee covenants with Lessor to care for the premises in a good and farm like manner, to pay to the said Lessor the said rent as herein specified, and that at the expiration of the said terms, or other determination of this lease, the said Lessee will quit and surrender the premises hereby demised in a good condition as the same nor are without further notice whatsoever than the end of the term herein on paying the rent, and performing the covenants aforesaid shall and may peaceably and quietly have, hold and enjoy the said premises for the term aforesaid.

It is agreed that in the event the Lessor desires to sell the leased property during the term of this lease that they shall give the Lessees the first right to purchase the same at a negotiated agreed price. If the parties cannot reach agreement on the price within 90 days after notice of the desire to sell the Lessor may sell the property to a bona fide purchaser at a price not less than the price offered to Lessee.

Any waiver of any breach of covenants herein contained to be kept and performed by the Lessee shall not be deemed or considered as a continuing waiver and shall not operate to bar or prevent the Lessor from declaring a forfeiture for any succeeding breach, either of the same condition of covenant or otherwise.

In witness whereof, the parties have hereunto interchangeably set their hands and seal this 8<sup>th</sup> day of Feb, 2016.

LESSOR:



Gertrude Taylor

LESSEE:

By: Marilyn Rea

Harper Farms, Inc.

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FEB 21 2017

SALEM, OR

# Real Property Tax Lot Record

Lane County Assessment and Taxation  
Print Date: Jan 31, 2017



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**Map & Tax Lot** 1604170000101  
**Status** Active

<b>Current Parcel/Account</b> 1573219	<b>Current TCA</b> 06928
--	-----------------------------

Document #	Type	Date	Effective Year	Tax Lot Acres
2016-058040	Warranty Deed	11/18/2016	2017	40.00

Comments:

	Description Card			40.00
--	------------------	--	--	-------

Comments:

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SALEM, OR

G-18460

PARCEL RECORD - Cartographic Unit 1573219

Code Area	Township	Range	Section	1/4	1/16	Parcel Number	Type	Number	Formerly part of 16-04-17-00-00100						
	16	04	17	0	0	00101									
Map Number						Special Interest			History of Parcel						
Tax Lot Number									Exceptions/Additions		Date of Entry/ Acquisition		Deed Record		Acres Remaining
											Volume	Page			
History of Parcel Prior to Re-mapping									NEW PARCEL		1997 WD	2078	9538659	40.00	
Previous Account Number						Previous Tax Lot Number									

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 SALEM, OR

Remarks

5-  
10-  
20-

9538659

ELVIS S. TAYLOR, JR. and DOROTHY L. TAYLOR, FRANK E. TAYLOR, JR. and GERTRUDE A. TAYLOR, husband and wife

conveys and warrants to  
WARREN HARPER

the following described real property situated in LAND OR  
free of encumbrances except as specifically stated herein.

The Northeast 1/4 of the Northeast 1/4 of Section 17, Township 16 South, Range 6 West of the Willamette Meridian, in Lane County, Oregon.

This conveyance is subject to and except RIGHTS OF THE PUBLIC IN STREETS, ROADS AND HIGHWAYS, COVENANTS, CONDITIONS, RESTRICTIONS, RESERVATIONS, EASEMENTS OF RECORD, AND 1995-6 REAL PROPERTY TAXES, A LIEN NOT YET PAYABLE

STATE OF OREGON 5.00  
COUNTY OF LANE 10.00  
RECORDING FEE 20.00

The true consideration for this conveyance is \$ 80,000.00

"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 DEPRIVED BY ORS 30.930."

Dated: 07/14/95

*Elvis S. Taylor, Jr.*  
ELVIS S. TAYLOR, JR.

*Dorothy L. Taylor*  
DOROTHY L. TAYLOR

*Francis E. Taylor*  
FRANCIS E. TAYLOR

*Gertrude A. Taylor*  
GERTRUDE A. TAYLOR

State of Oregon  
County of Lane — ss.  
I, the County Clerk, in and for the said  
County, do hereby certify that the within  
instrument was received for record at

17 JUL 19 2 3 01

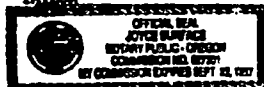
Red 2078R

Lane County Clerk  
Lane County

STATE OF OREGON

County of LANE

This instrument was acknowledged before me on July 14, 1995  
ELVIS S. TAYLOR, JR., DOROTHY L. TAYLOR, FRANCIS E. TAYLOR and GERTRUDE A. TAYLOR



Until a change is requested, all tax statements shall be sent to the following address:  
30747 Lone Pine Dr., Junction City, OR 97448

After recording return to Western Pioneer Title Co., P.O. Box 10146, Eugene, Oregon 97419

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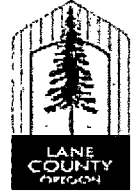
16-04-17-00-00101

PAGE 2

12-18460

# Real Property Tax Lot Record

Lane County Assessment and Taxation  
 Print Date: Jan 31, 2017



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**Map & Tax Lot** 1604162002900  
**Status** Active

**Current Parcel/Account**  
 0050946

**Current TCA**  
 06928

Document #	Type	Date	Effective Year	Tax Lot Acres
	Description Card			65.00

Comments:

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SALEM, OR

#4337-1

OFFICIAL RECORD OF DESCRIPTIONS OF REAL PROPERTIES

~~16-04-17~~  
100 69-01

16-04-16-20-02900

OFFICE OF COUNTY ASSESSOR, LANE COUNTY, OREGON

YEAR	TAX LOT No. 5-1	SECTION 17 16	TOWNSHIP 16 S.	050 946	RANGE E. OR W. 4 W. M.	DEED RECORD VOL. PAGE	ACRES REMAINING
------	--------------------	------------------	----------------	---------	------------------------	--------------------------	--------------------

YEAR	BEARING	DISTANCE	BEARING REFERENCE OR LEGAL SUBDIVISION	DEED RECORD VOL. PAGE	ACRES REMAINING
1955			<p>The Northeast quarter of the North-east quarter of Section 17, Town-ship 16 South Range 4 West of the Willamette Meridian, In Lane County, Oregon.</p> <p>ALSO: The North half of the North-west quarter of Section 16, Town-ship 16 South, Range 4 West of the Willamette Meridian, excepting there- from a parcel of land being the E'ly 487.44 feet thereof, in Lane County, Oregon, also granting and reserving roadway.</p> <p>Containing more or less</p>	64834	
1961			<p>The Northeast <math>\frac{1}{4}</math> of the Northeast <math>\frac{1}{4}</math> of Section 17, Township 16 South, Range 4 West, W.M.,</p> <p>Also: The North <math>\frac{1}{2}</math> of the Northwest <math>\frac{1}{4}</math> of Section 16, Township 16 South, Range 4 West, W.M., excepting there- from a parcel of land being the East-erly 487.44 feet thereof.</p> <p>Also: A roadway 16 feet in width, the South line of which begins on the South line of said North <math>\frac{1}{2}</math> of the Northwest <math>\frac{1}{4}</math> of Section 16, 487.44 feet West of the Southeast corner, and run thence East 663 feet to the Southeast corner of Lot 4 of said Section 16.</p> <p>Containing more or less</p>	RL49/94296 R1385/8603139 R2326/9156222	105.00
1986 1997 DC			<p>EXCEPT: 40.00 acres out to 16-04-17-00-00101 for 1997 by R2078/9538659.</p> <p>Containing more or less</p>	R2424/9841780 R2527/99023559	105.24
1998 DE					65.00
1999dc					

CANCELED

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MICROFILMED  
DATE \_\_\_\_\_

MAP REVISION FROM 16-04-17-00-00100 to 16-04-16-20-02900

\*Does not read as above but includes all therein

6-18-160

509

# OFFICIAL RECORD OF DESCRIPTIONS OF REAL PROPERTIES

OFFICE OF COUNTY ASSESSOR, LANE COUNTY, OREGON

YEAR	TAX LOT No. _____	SECTION _____	TOWNSHIP _____ S.	RANGE E. _____ OR W. _____ W. M.	DEED RECORD VOL. _____ PAGE _____	ACRES REMAINING
		BEARING	DISTANCE	BEARING REFERENCE OR LEGAL SUBDIVISION		
				<p>RECEIVED BY OWRD FEB 21 2017 SALEM, OR</p> <p style="font-size: 2em; margin-top: 20px;"> <math display="block">\begin{array}{r} 218.05 \\ \hline 56.67 \\ \hline 20.16 \end{array}</math> </p> <p style="margin-top: 10px;">91.2'2</p>		



# Real Property Tax Lot Record

Lane County Assessment and Taxation  
Print Date: Jan 31, 2017



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<b>Map &amp; Tax Lot</b> 1604162000101	<b>Current Parcel/Account</b> 1092129	<b>Current TCA</b> 06928		
<b>Status</b> Active				
<b>Document #</b>	<b>Type</b>	<b>Date</b>	<b>Effective Year</b>	<b>Tax Lot Acres</b>
	Description Card			0.92

Comments:

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SALEM, OR

G-18460

**OFFICIAL RECORD OF DESCRIPTIONS OF REAL PROPERTIES**  
 OFFICE OF COUNTY ASSESSOR LANE COUNTY, OREGON

201 092 129

OLD NUMBER

ACCOUNT NUMBER

TAX LOT

MAP NO. 16-04-16-2

PARCEL NO. 101

SECTION 16

TOWNSHIP 16 S.

RANGE 4 W W.M

INDENT EACH NEW COURSE TO THIS POINT

LEGAL DESCRIPTION Page - 1 -

DEED RECORD

DATE OF ENTRY

DEED NUMBER

ACRES REMAINING

Beginning at a point on the West line of the William Brice DLC No. 50, Township 16 South, Range 4 West of the Willamette Meridian, 170.00 ft. North of a point 2837.15 ft. South of the NW corner of said Claim No. 50; thence West 175.56 ft. to the West line of Government Lot 4 of Section 16 of said Township and Range; thence along said West line  
 North 299.258 ft.; thence  
 East 175.56 ft. to the West line of said Claim No. 50; thence  
 South 299.258 ft. along said West line to the Point of Beginning, in Lane County, Oregon.

ALSO: Beginning at a point on the West line of the William Brice DLC No. 50, Township 16 South, Range 4 West of the Willamette Meridian 469.258 ft. North of a point 2837.15 ft. South of the NW corner of said Claim No. 50; thence  
 West 60.00 ft.; thence  
 North parallel with the West line of said Claim No. 50 to the North line of Section 16, of said Township and Range; thence  
 East 60.00 ft. to the West line of said Claim No. 50; thence  
 South to the Point of Beginning, in Lane County, Oregon.

Containing more or less

EXCEPT: 0.44 acres consolidated with Parcel 100 for 1975 by R751/29593.

Containing more or less

Beginning at a point on the West line of the William Brice Donation Land Claim No. 50, Township 16 South, Range 4 West of the Willamette Meridian, 170.0 feet North of a point 2837.15 feet South of the Northwest corner of said Claim No. 50; thence

West 175.56 feet to the West line of Government Lot 4 of Section 16 of said Township and Range; thence along said West line  
 North 299.258 feet; thence  
 East 175.56 feet to the West

1974

R703/35076

ACRES REMAINING

1.36

0.92

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1975

R751/29594

1998 de R2424/9841779

1999 dc R2527/99023559

MICROFILMED

DATE \_\_\_\_\_

OFFICIAL RECORD OF DESCRIPTIONS OF REAL PROPERTIES

OFFICE OF COUNTY ASSESSOR LANE COUNTY, OREGON

201 092 129  
ACCOUNT NUMBER

OLD NUMBER

TAX LOT		SECTION _____	TOWNSHIP _____ S.	RANGE _____ W.M.
MAP NO. 16-01-16-2	PARCEL NO. 101			

INDENT EACH NEW COURSE TO THIS POINT	LEGAL DESCRIPTION	DEED RECORD		ACRES REMAINING
		DATE OF ENTRY	DEED NUMBER	
	<p>line of said Claim No. 50; thence South 299.258 feet along said West line of the point of beginning, in Lane County, Oregon.</p> <p>Containing more or less</p>			0.92

**MICROFILMED**

**DATE** \_\_\_\_\_

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SALEM, OR

G-18460

# Real Property Tax Lot Record

Lane County Assessment and Taxation  
 Print Date: Jan 31, 2017



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<b>Map &amp; Tax Lot</b> 1604162000100	<b>Current Parcel/Account</b>	<b>Current TCA</b>
<b>Status</b> Active	0050631	06928

Document #	Type	Date	Effective Year	Tax Lot Acres
2014-013673	Warranty Deed	04/14/2014	2014	19.32

Comments:

	Description Card			19.32
--	------------------	--	--	-------

Comments:

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FEB 21 2017

SALEM, OR

*3/17/17*  
*VP*  
*1/21/17*

PARCEL RECORD - Cartographic Unit

0050631

G-18460

Code Area	Township	Range	Section	1/4	1/16	Parcel Number	Type	Number	Formerly part of
	16	04	16	2	0	00100			

Map Number	Special Interest	History of Parcel			
		Exceptions/Additions	Date of Entry/ Acquisition	Deed Record Volume Page	Acres Remaining

Previous Account Number	Previous Tax Lot Number	History of Parcel Prior to Re-mapping		

#4337 (5 of 16) 16 04 16 400 OLD NUMBER		<b>OFFICIAL RECORD OF DESCRIPTIONS OF REAL PROPERTIES</b> OFFICE OF COUNTY ASSESSOR LANE COUNTY, OREGON			CODE NO.	
MAP NO. 16 04 16 2	TAX LOT NO. 100	SECTION 050 631 16 & 17	TOWNSHIP 16	RANGE 4W	AERIAL PHOTO	
LOT NO.	BLOCK NO.	ADDITION	CITY			

LEGAL DESCRIPTION	DEED RECORD		ACRES REMAINING	
	DATE OF ENTRY	DEED NUMBER		
Beg. at the NE cor. of the NW $\frac{1}{4}$ of Sec. 16, T16S., R4W., W1., th West 487.44 ft. alg. the Sec. ln., th South 1330.06 ft. parallel to the W ln. of Sec. 16 to the S ln. of the N $\frac{1}{2}$ of the NW $\frac{1}{4}$ of sd. Sec. 16, th East 487.44 ft. th North 1330.06 ft. to the POB Cont. m/1 14.7 ac. ALSO: Lot 4, Sec. 16, T16S., R4W., W1., more particularly desc. as fols: Beg. at the NE cor. of NW $\frac{1}{4}$ of sd. Sec. and East 175.56 ft. alg. Sec. ln., th South 1330.06 ft. th West 175.56 ft. th North 1330.06 ft. to the POB. Cont/ m/1 5.3 ac. Cont. m/1 EXCEPT: 1.36 acres out to new T.L. 101 per instrument on R703/35076 for 1974-75. Containing more or less ALSO: Beginning at a point on the West line of the William Brice Donation Land Claim No. 50, Township 16 South, Range 4 West of the Willamette Meridian 469.258 feet North of a point 2837.15 feet South of the Northwest corner of said Claim No. 50; thence West 60.0 feet; thence North parallel with the West line of said Claim No. 50 to the North line of Section 16, of said Township and Range; thence East 60.0 feet to the West line of said Claim No. 50; thence South to the point of beginning, in Lane County, Oregon. Containing more or less	1965	R179/42774	20.32	
		1967		R332/71070
		1986		R1385/8603140 8603141
		1997 DE		R2326/9756222
		1998 D		R2426/4843343
			18.96	
			19.10	

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FEB 21 2017

SALEM, OR

CANCELLED

CANCELLED

150-303-050 (3.87)  
 Except: 0.08 ac to Road by R751/29719 in 1976

16-04-1620 00100



\$31.00

00135125200000694330020022

12/06/2000 03:18:10 PM

RPR DEED - 1 - 5 CASHIER 01  
\$10.00 \$11.00 \$10.00

### PERSONAL REPRESENTATIVE'S DEED

JANICE L. PEITERSON and JANEL JOHNSON, co-personal representatives of the Estate of DOROTHY L. TAYLOR, deceased, Grantors, convey to JANICE L. PEITERSON and JANEL JOHNSON, each an undivided one-half interest as tenants in common in the following described real property to-wit:

"That property as is described on Exhibit "A" which is attached hereto and made a part hereof."

The true consideration for this conveyance in terms of dollars is NIL. his conveyance is made to distribute the described property to the devisees entitled thereto.

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.

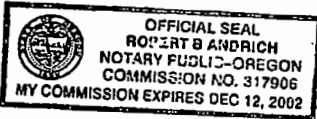
DATED this 5 day of December, 2000

Janice L. Peiterson  
Janice L. Peiterson  
Co-Personal Representative

Janel Johnson  
Janel Johnson  
Co-Personal Representative

STATE OF OREGON )  
                          ) ss. December 5, 2000  
County of Lane )

Personally appeared before me the above-named JANICE L. PEITERSON and JANEL JOHNSON and acknowledged the foregoing instrument to be their voluntary act and deed.



Robert B. Andrich  
Notary Public for Oregon  
My Commission Expires: 12-12-02

After recording, please return to:

Robert B. Andrich  
Attorney at Law  
P.O. Box 428  
Junction City, OR 97448

Until a change is requested mail tax statements to:

Janice L. Peiterson  
Janel Johnson  
92815 River Road  
Junction City, OR 97448.

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SALEM, OR

PAGE 2 of 3

0050631

16-04-16-20-00100

"Beginning at the Northeast corner of the Northwest quarter of Section 16, Township 16 South, Range 4 West of the Willamette Meridian, thence West along the Section line 487.44 feet; thence South parallel to the West line of Section 16 a distance of 1330.06 feet to the South line of the North half of the Northwest quarter of said Section 16; thence East 487.44 feet; thence North 1330.06 feet to the place of beginning. ALSO: Lot 4 of Section 16, Tp 16 South, Range 4 West of W.M. more particularly described as follows: Beginning at the Northeast corner of Northwest quarter of said Section 16 and running thence East along Section line 175.56 feet; thence South 1330.06 feet; thence West 175.56 feet; thence North 1330.06 feet to the place of beginning. Together with easement for use of road described in Lane County Deed Records in Volume 170, Page 99.

EXCEPT FOR: Beginning at a point on the West line of the William Brice Donation land Claim #50; Township 16 South, Range 4 West of the Willamette Meridian, 170.0 feet North of a point 2837.15 feet South of the Northwest corner of said Claim #50; thence West 175.56 feet to the West line of Government Lot #4 of Section 16 of said Township and Range; thence along said West line North 299.258 feet; thence East 175.56 feet to the West line of said Claim #50; thence South 299.258 feet along said West line to the point of beginning, in Lane County, Oregon."

EX 101

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FEB 21 2017

Exhibit "A"

SALEM, OR

G-18460



**Water Solutions, Inc.**

February 14, 2017

ATTN: Water Right Application Submittal  
Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, Oregon 97301-1271

**RE: Application for a Permit to Use Ground Water**

Application Caseworker:

On behalf of the applicant, Rear Properties, LLC, please find enclosed an Application for a Permit to Use Ground Water and a check totaling \$2,200 to cover the necessary filing fees for the application. The application proposes the use of groundwater for irrigation of 124.3 acres at 91820 Territorial Highway in Junction City, Oregon.

Please send copies of all correspondence relating to this application to both the applicant and to my attention. If you have any questions regarding the enclosed application or the information contained therein, please call me at (503) 239-8799 x106. Thank you for your assistance and I look forward to hearing from you soon.

Sincerely,

Theodore R. Ressler, RG, CWRE  
GSI Water Solutions, Inc.

Enclosures: Application for a Permit to Use Ground Water  
Check totaling \$2,200 to cover the necessary filing fee

CC: Marilyn Rear – Rear Properties, LLC.

RECEIVED BY OWRD

FEB 21 2017

SALEM, OR

G-18460



018460



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

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

Today's Date: Thursday, February 23, 2017

Base Application Fee for use of Ground, Surface and optionally Stored Water.		\$1,150.00
Number of proposed cubic feet per second (cfs) to be appropriated. (1 cfs = 448.83 gallons per minute)	1.22	\$600.00
Number of proposed Use's for the appropriated water. (i.e. Irrigation, Supplemental Irrigation, Pond Maintenance, Industrial, Commercial, etc) *	1	
Number of proposed Ground Water points of appropriation. (i.e. number of wells) (include all injection wells, if applicable) **	1	
Number of Acre Feet to be stored in a reservoir/pond from Ground Water.	0	
Number of Acre Feet to be appropriated from reservoir/pond (Only Applies to reservoir/pond constructed under Ground Water Application)	0	
Number of reservoirs.	0	
Permit Recording Fee. ***		\$450.00
* the 1st Water Use is included in the base cost. ** the 1st Ground Water point of appropriation is included in the base cost. *** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.	<input type="button" value="Recalculate"/>	
Estimated cost of Permit Application		\$2,200.00

[OWRD Fee Schedule](#)

Fee Calculator Version B20130709