

# Application for a Permit to Use Ground Water



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

## Water-Use Permit Application Processing

### 1. Completeness Determination

The Department evaluates whether the application and accompanying map contain all of the information required under OAR 690-310-0040 and OAR 690-310-0050 ([www.oregon.gov/owrd/law](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.

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# Minimum Requirements Checklist

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

## Include this checklist with the application

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

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

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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: \$1,900  
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 \_\_\_\_\_

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# Application for a Permit to Use Ground Water



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## SECTION 1: APPLICANT INFORMATION AND SIGNATURE

### Applicant Information

NAME		PHONE (HM)	
PHONE (WK)	CELL		FAX
ADDRESS			
CITY	STATE	ZIP	E-MAIL*

### Organization Information

NAME DOUGLAS A. SILBERNAGEL LIVING TRUST ATTN: DOUG SILBERNAGEL		PHONE		FAX
ADDRESS 20095 HUBBARD CUTOFF ROAD NE			CELL (503) 679-3436	
CITY AURORA	STATE OR	ZIP 97002	E-MAIL* DOUG@IMPERIALGARDENSNURSERY.COM	

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

AGENT / BUSINESS NAME STEVEN R. BRUCE SKOOKUM WATER ASSOCIATES INC.		PHONE (503) 319-8926		FAX
ADDRESS 1626 VICTORIAN WAY			CELL	
CITY EUGENE	STATE OR	ZIP 97401	E-MAIL* STEVE@SKOOKUMWATER.COM	

Note: Attach multiple copies as needed

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

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

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



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

Applicant Signature

Douglas A. Silbernagel  
Print Name and title if applicable

6-28-2017  
Date

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Print Name and title if applicable

\_\_\_\_\_  
Date

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For Department Use		
App. No. <u>G-18531</u>	Permit No. _____	Date <u>JUN 28 2017</u>

**SECTION 2: PROPERTY OWNERSHIP**

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

Yes

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

No

- I have a recorded easement or written authorization permitting access.
- I do not currently have written authorization or easement permitting access.
- Written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigation and/or domestic use only (ORS 274.040).
- Water is to be diverted, conveyed, and/or used only on federal lands.

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

NA

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

**SECTION 3: WELL DEVELOPMENT**

WELL NO.	NAME OF NEAREST SURFACE WATER	IF LESS THAN 1 MILE:	
		DISTANCE TO NEAREST SURFACE WATER	ELEVATION CHANGE BETWEEN NEAREST SURFACE WATER AND WELL HEAD
Well 1	Unnamed Tributary to Mill Creek (ephemeral stream)	750 ft (approx.)	10 ft (estimated)
Well 1	Mill Creek	>3,200 ft	35 ft (estimated)

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 MARI 53258

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**SECTION 3: WELL DEVELOPMENT, CONTINUED**

Total maximum rate requested: 0.125 cfs (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below).

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

OWNER'S WELL NAME OR NO	PROPOSED	EXISTING	WELL ID (WELL TAG) NO.* OR WELL LOG ID**	FLOWING ARTESIAN	CASING DIAMETER	CASING INTERVALS (IN FEET)	PERFORATED OR SCREENED INTERVALS (IN FEET)	SEAL INTERVALS (IN FEET)	MOST RECENT STATIC WATER LEVEL & DATE (IN FEET)	PROPOSED USE			
										SOURCE AQUIFER***	TOTAL WELL DEPTH	WELL-SPECIFIC RATE (GPM)	ANNUAL VOLUME (ACRE-FEET)
Well 1	<input type="checkbox"/>	<input checked="" type="checkbox"/>	L-24468	<input type="checkbox"/>	6 in.	+1 to 131	127-131	0 to 19	54 ft on 8/12/1998	Alluvium	131 ft		25.0

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

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**SECTION 4: WATER USE**

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Nursery Operations	Year Round	25.0

**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: 5.0 Acres                      Supplemental: 0 Acres

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

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 25.0

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

**SECTION 5: WATER MANAGEMENT**

**A. Diversion and Conveyance**

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

Pump (give horsepower and type): 3 hp submersible

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

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. The diversion and conveyance systems exists. Water will be pumped from the well into a 2-inch-diameter buried mainline that connects to buried lateral pipelines.

**B. Application Method**

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler) Drip, handline and high-pressure sprinklers will be used. Watering will primarily occur during night and early morning hours to limit evaporative losses. Water will also be seasonally used for temperature control.

**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 year-round requested rate and duty are consistent with permits and certificated water rights held by other nurseries raising containerized plants in the Willamette Valley (i.e., 1/40<sup>th</sup> and 5 AF/acre). A flowmeter will be installed at the well to measure the amount of water diverted. Water will be applied at agronomic rates to prevent waste and runoff to streams.

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

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

Reservoir name: NA Acreage inundated by reservoir: NA

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Use(s): NA

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

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

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

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

Annual volume (acre-feet): NA

USE OF STORED GROUND WATER	PERIOD OF USE
NA	NA

**SECTION 8: PROJECT SCHEDULE**

Date construction will begin: The water diversion and conveyance exists.

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

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

**SECTION 9: WITHIN A DISTRICT**

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

Irrigation District Name	Address	
NA	NA	
City	State	Zip
NA	NA	NA

**SECTION 10: REMARKS**

Use this space to clarify any information you have provided in the application (*attach additional sheets if necessary*).  
This application is for an existing nursery operation. The infrastructure to divert and use water is already constructed.

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# Land Use Information Form



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

## NOTE TO APPLICANTS

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

**This form is NOT required if:**

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

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

Applicant: Douglas A. Silbernagel Living Trust Attn: Douglas A. Silbernagel  
First Last

Mailing Address: 20095 Hubbard Cutoff Road NE

Aurora OR 97002 Daytime Phone: (503) 679-3436  
City State Zip

### A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:	Proposed Land Use:
5 S	1 W	4	NW SW	1100 & 1200		<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	No Change

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

Marion 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: 0.125     cubic feet per second     gallons per minute     acre-feet

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

Briefly describe:

Groundwater will be used for nursery operations at an existing nursery.

**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

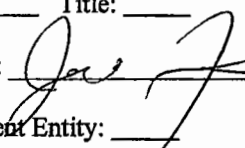
The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval 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): 17.136.020
- 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.

Name: Joe Fennimore Title: Planning Director  
 Signature:  Phone: 503-566-4177 Date: 6/28/17  
 Government Entity: Marion County Planning Division  
5155 Silvertown Rd. NE  
Salem, OR 97305

**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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STATE OF OREGON  
WATER SUPPLY WELL REPORT WATER RESOURCES DEPT.  
(as required by ORS 537.765) SALEM, OREGON

WELL I.D. #1 24468  
START CARD # 104383

Instructions for completing this report are on the last page of this form.

(1) OWNER: Well Number 3282  
Name Imperial Garden  
Address 11650 Goady Garden Ln  
City Woodburn State OR Zip 97071

(2) TYPE OF WORK  
 New Well  Deepening  Alteration (repair/recondition)  Abandonment

(3) DRILL METHOD:  
 Rotary Air  Rotary Mud  Cable  Auger  
 Other

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

(5) BORE HOLE CONSTRUCTION:  
Special Construction approval  Yes  No Depth of Completed Well 131 ft.  
Explosives used  Yes  No Type \_\_\_\_\_ Amount \_\_\_\_\_

HOLE			SEAL			Sacks or pounds
Diameter	From	To	Material	From	To	
10"	0	19	Bent.	0	19	10 sacks
6"	19	131				

How was seal placed: Method  A  B  C  D  E  
 Other Poured from Top  
Backfill placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Material \_\_\_\_\_  
Gravel placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Size of gravel \_\_\_\_\_

Casing/Liner	Diameter	From	To	Gauge	Material			
					Steel	Plastic	Welded	Threaded
Casing	6"	71	131	2.250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) 131

(7) PERFORATIONS/SCREENS:

Perforations Method Plasma Cutter  
 Screens Type \_\_\_\_\_ Material \_\_\_\_\_

From	To	Slot size	Number	Diameter	Tele./pipe size	Casing	Liner
127	131	3/16	20			<input checked="" type="checkbox"/>	<input type="checkbox"/>

(8) WELL TESTS: Minimum testing time is 1 hour

Yield gal/min	Drawdown	Drill stem at	Flowing Artesian	Time
5.5 gpm	10 ft dcl		<input type="checkbox"/>	1 hr.

Temperature of water 53 Depth Artesian Flow Found \_\_\_\_\_  
Was a water analysis done? No  Yes By whom \_\_\_\_\_  
Did any strata contain water not suitable for intended use?  Too little  
 Salty  Muddy  Odor  Colored  Other Sandy  
Depth of strata: 45-125

(9) LOCATION OF WELL by legal description:  
County Marion Latitude \_\_\_\_\_ Longitude \_\_\_\_\_  
Township 5S N or S Range 1W E or W. WM. \_\_\_\_\_  
Section 4 SW 1/4 SW 1/4  
Tax Lot 01100 Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_  
Street Address of Well (or nearest address) Same as above

(10) STATIC WATER LEVEL:  
54 ft. below land surface. Date 8/12/98  
Artesian pressure \_\_\_\_\_ lb. per square inch. Date \_\_\_\_\_

(11) WATER BEARING ZONES:  
Depth at which water was first found 45

From	To	Estimated Flow Rate	SWL
45	89	~5	550
101	131	over 100	54

(12) WELL LOG:  
Ground Elevation \_\_\_\_\_

Material	From	To	SWL
Top Soil	0	2	
Brown Clay	2	45	
Grey Sandy Clay	45	76	550
Black Sand	76	89	550
Blue Clay	89	101	
Black Sand	101	111	54
Black Sandy Gravel	111	122	54
Black Sand & Gravel	122	131	54
Grey Clay	131	133	

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Date started 8/12/98 Completed 8/12/98

(unbonded) Water Well Constructor Certification:

I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.

Signed \_\_\_\_\_ WWC Number \_\_\_\_\_ Date \_\_\_\_\_

(bonded) Water Well Constructor Certification:

I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.

Signed Dallas J. Davis WWC Number 561 Date 8/15/98

ORIGINAL & FIRST COPY-WATER RESOURCES DEPARTMENT. SECOND COPY-CONSTRUCTOR. THIRD COPY-CUSTOMER

G-1053

CERTIFICATION OF TRUST

Trust Name: Douglas A. Silbernagel Living Trust

Date of Execution of Trust: October 19th, 2004

Trustor: Douglas A. Silbernagel

Trustee: Douglas A. Silbernagel

Successor Trustees: Susan M. Clack; and then West Coast Trust Company, Inc.

TRUSTEE'S MAILING ADDRESS: 20095 S. HUBBARD CUTOFF RD; AURORA, OR 97002

If there are multiple currently acting Trustees, designate how many are required to sign in order to exercise trust power: All \_\_\_ One \_\_\_ A Majority \_\_\_ Other \_\_\_

Trust Taxpayer Identification No. (Social Security #): 543-78-3323

The above trust is Revocable [X] Irrevocable \_\_\_. The above trust Can [X] or Cannot \_\_\_ be modified or amended. If revocable, or subject to modification or amendment, state by whom: Douglas A. Silbernagel.

THE ABOVE TRUST IS IN EXISTENCE AT THIS TIME AND HAS NOT BEEN REVOKED, MODIFIED OR AMENDED IN ANY MANNER THAT WOULD CAUSE THE REPRESENTATIONS CONTAINED IN THIS CERTIFICATION TO BE INCORRECT. The trust powers include at least all of those trust powers contained in the Uniform Trustees Powers Act set forth in ORS 128.003 to 128.045.

Title to Trust assets should be taken as follows: Douglas A. Silbernagel, Trustee of the Douglas A. Silbernagel Living Trust dated October 19th, 2004, and any amendments thereto.

Below is the signature of the current acting Trustee.

DATED: October 19, 2004

[Signature of Douglas A. Silbernagel]
Douglas A. Silbernagel, Trustee

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STATE OF OREGON )
) ss.
COUNTY OF MARION )

OWRD 19

Personally appeared the above named person and acknowledged the Certification before me this day of October, 2004.



[Signature of Kristy K Daley]
Notary Public for Oregon
My Commission Expires: 10-03-05

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12765  
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**MAIL TAX STATEMENTS TO:**

Douglas A. Silbernagel Living Trust  
Attn: Doug Silbernagel, Trustee  
20095 Hubbard Cutoff Road  
Aurora, OR 97002

**AFTER RECORDING RETURN TO:**

Caleb A. Williams  
Saalfeld Griggs PC  
PO Box 470  
Salem, OR 97308

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**STATUTORY WARRANTY DEED**

**Walter E. Hall, Jr. ("Grantor")** conveys and warrants to **Douglas A. Silbernagel, Trustee of the Douglas A. Silbernagel Living Trust dated October 19, 2004 ("Grantee")** the real property described in **Exhibit A**, attached hereto and incorporated herein, free of encumbrances except as specifically set forth on **Exhibit B**, attached hereto and incorporated herein.

The following is the notice as required by Oregon law: "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. 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."

The true and actual consideration paid for this conveyance is Two Hundred Thousand Dollars (\$200,000).

Dated this 3<sup>rd</sup> day of September, 2009.

  
Walter E. Hall, Jr.

**RECEIVED**

JUN 28 2017

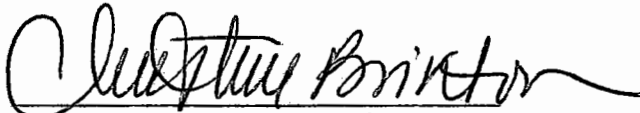
**OWRD**

Gr-18531

State of Oregon )  
 ) ss.  
County of Marion )

On this 3<sup>rd</sup> day of September, 2009, personally appeared Walter E. Hall, Jr. and acknowledged the foregoing instrument to be his voluntary act and deed.

Before me:



Notary Public for Oregon  
My Commission Expires: 7/31/2013



RECEIVED

JUN 28 2017

OWRD

## EXHIBIT A

### LEGAL DESCRIPTION OF PROPERTY

The North one-half of the following, to-wit: Beginning at the Northeast corner of that 50 acres tract of land deeded by Edward Boscow and Isabella Boscow to John Dinwoodie September 20, 1907, recorded January 6, 1908, in Book 101 of Deed Page 235 Deed Records for Marion County, State of Oregon; thence Northeasterly along center of County Road 660 feet to an iron stake; thence running West parallel with the North line of said above mentioned tract 692 feet; thence Southwesterly paralleling above mentioned County Road 660 feet to the North line of the above mentioned tract; thence East along the North line of above tract 692 feet to the point of beginning, being a part of the Rosaline Purvine Donation Land Claim in Township 5 South, Range 1 West of the Willamette Meridian, Marion County, State of Oregon.

Also, beginning at the Southeast corner which is 330 feet South along the Pacific Highway from the Northeast corner of the H. C. O'Neill and Frances O'Neill five acre tract; thence West 258 feet; thence in a Southeasterly direction 218 ½ feet to a point in the middle of the Pacific Highway, which is 127 feet South of the point of beginning along the Pacific Highway; thence North 127 feet to the place of beginning, all located in the County of Marion, State of Oregon. The Deed of H. C. O'Neill and Frances O'Neill being recorded June 21, 1921 in Volume 166, Page 556, Deed Records, Marion County, Oregon.

SAVE AND EXCEPT property acquired by State of Oregon, by and through its Department of Transportation in Stipulated Final Judgment filed May 20, 1982, as Case No. 91C11743, Marion County Circuit Court.

**RECEIVED**

JUN 28 2017

**OWRD**