

# 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)

## 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

### 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: \$1,690, or \$2,210 including permit recording fee  
See the Department's Fee Schedule at [www.oregon.gov/owrd](http://www.oregon.gov/owrd) or call (503) 986-0900.

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

- Permanent quality and drawn in ink
- Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
- North Directional Symbol
- Township, Range, Section, Quarter/Quarter, Tax Lots
- Reference corner on map
- Location of each well, and/or dam if applicable, by reference to a recognized public land survey corner (distances north/south and east/west). Each well must be identified by a unique name and/or number.
- Indicate the area of use by Quarter/Quarter and tax lot clearly identified
- Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
- Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)
- Other None

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# Application for a Permit to Use Ground Water



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

## SECTION 1: APPLICANT INFORMATION AND SIGNATURE

### Applicant Information

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

### Organization Information

NAME		PHONE	FAX
DAYTON NATURAL MEATS LLC / REG KEDDIE		(503) 692-2237	503-864-2900
ADDRESS		CELL	
13245 SE FLETCHER RD		CHRIS@PACIFICFOODS.COM	
CITY	STATE	ZIP	E-MAIL*
DAYTON	OR	97114	veg.keddie@daytonmeats.com

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

AGENT / BUSINESS NAME		PHONE	FAX
DOANN HAMILTON/PACIFIC HYDRO-GEOLOGY, INC		(503) 632-5016	(503) 632-5983
ADDRESS		CELL	
18487 S. VALLEY VISTA ROAD		(503) 349-6946	
CITY	STATE	ZIP	E-MAIL*
MULINO	OR	97128	PHGDMH@GMAIL.COM

Note: Attach multiple copies as needed

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

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

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

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

Applicant Signature

Print Name and title if applicable

Date

Applicant Signature

Print Name and title if applicable

Date

App. No. <u>618529</u>		For Department Use	Date <u>7/24/17</u>
Permit No. _____		Date <u>JUL 31 2017</u>	

Revised 2/1/2012

Ground Water/3

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**SECTION 2: PROPERTY OWNERSHIP**

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

- 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*).

**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	Yamhill River	460 feet	85 feet

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

Well specifications provided in the table below are estimates and subject to change based on actual conditions encountered in the field.

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**SECTION 3: WELL DEVELOPMENT, CONTINUED**

Total maximum rate requested: 0.11 cfs (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below).

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

OWNER'S WELL NAME OR NO.	PROPOSED	EXISTING	WELL ID (WELL TAG) NO.* OR WELL LOG ID**	FLOWING ARTESIAN	CASING DIAMETER	CASING INTERVALS (IN FEET)	PERFORATED OR SCREENED INTERVALS (IN FEET)	SEAL INTERVALS (IN FEET)	MOST RECENT STATIC WATER LEVEL & DATE (IN FEET)	PROPOSED USE			
										SOURCE AQUIFER***	TOTAL WELL DEPTH	WELL-SPECIFIC RATE (GPM)	ANNUAL VOLUME (ACRE-FEET)
Well 1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	NA	<input type="checkbox"/>	8 inch	125 feet	90 to 125 feet	0 to 30 feet	NA	Alluvium	125 feet	40 gpm	26 AF
	<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"/>									
	<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)
Commercial	Year Round	26 AF

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

**For irrigation use only:**

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

Primary: NA Acres Supplemental: NA Acres

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

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

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

**SECTION 5: WATER MANAGEMENT**

**A. Diversion and Conveyance**

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

Pump (give horsepower and type): 30 Hp (approximate 50 gpm estimated) submersible pump

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

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. The water will be diverted using a submersible pump in the well and conveyed through a buried main line to the building to be used for processing and cleaning of meat.

**B. Application Method**

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler)  
Used for commercial use within the meat processing area.

**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.

Well will have a meter to record the amount of use.

**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: as soon as the permit is issued

Date construction will be completed: Two years after permit is issued

Date beneficial water use will begin: Three years after permit is issued

**SECTION 9: WITHIN A DISTRICT**

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

Irrigation District Name	Address	
NA		
City	State	Zip

**SECTION 10: REMARKS**

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

It is understood that the OWRD will likely make a finding that there will be the Potential for Substantial Interference with the Yamhill River from the proposed ground water use. The applicant has existing surface water rights for irrigation on the properties associated with the meat processing facilities. The applicant intends to offer the cancellation of these surface water rights to mitigate for the presumed interference with the Yamhill River.

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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: Dayton Natural Meats LLC / Reg Keddie

Mailing Address: 13245 SE Fletcher Road

Dayton                      OR                      97114    Daytime Phone: \_\_\_\_\_  
City                              State                              Zip

## A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
4S	3W	18		800		<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	Commercial
4S	3W	18		801		<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	Commercial
4S	3W	18		900		<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Commercial

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

Yamhill

## 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: 0.11                       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:

Water will be used within a livestock processing facility.

**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

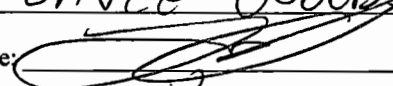
The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval 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): 9C20 561, 703
- 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: LANCE WOODS Title: ASSOCIATE PLANNER  
 Signature:  Phone: 503 434 7516 Date: 01/24/2017  
 Government Entity: YAMHILL COUNTY PLANNING DEPT.

**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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<b>SPECIAL WARRANTY DEED</b>	
<b>DAYTON MEAT COMPANY</b> an Oregon corporation 2529 N.W. Horizon Drive McMinnville, OR 97128 <i>Grantor's Name and Address</i>	
<b>CHARLES W. EGGERT</b> 19480 S.W. 97 <sup>th</sup> Avenue Tualatin, OR 97062 <i>Grantee's Name and Address</i>	
<i>After Recording Return to (Name, Address, Zip)</i> Peterson & Prause, L.L.P. P.O. Box 827 McMinnville, OR 97128	
<i>Until a change is requested, all tax statement shall be sent to the following address: No change results from this deed</i>	

Yamhill County Official Records      **201708917**  
DMR-DDMR      **06/05/2017 10:28:00 AM**  
Stn=0 MILLSA      **3Pgs \$15.00 \$11.00 \$5.00 \$20.00      \$51.00**

I, Brian Van Bergen, County Clerk for Yamhill County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.  
Brian Van Bergen - County Clerk

**DAYTON MEAT COMPANY**, an Oregon corporation, Grantor, conveys and specially warrants to **CHARLES W. EGGERT**, Grantee, the following described real property, free of encumbrances created or suffered by the Grantor except as specifically set forth herein:

(See Exhibit A)

SUBJECT TO:

WESTERN TITLE & ESCROW 131761

1. Standard exceptions, exclusions and stipulations.
2. The rights of the public in and to that portion of the herein described property lying within the limits of roads and highways.
3. Any adverse claim based on the assertion that:
  - (a) Said land or any part thereof is now or at any time has been below the ordinary high water mark of the Yamhill River
  - (b) Some portion of said land has been created by artificial means or has accreted to such portion so created.
  - (c) Some portion of said land has been brought within or removed from the boundaries thereof by a change in the location of the Yamhill River.
1. Rights of the public, riparian owners and of governmental bodies in that portion of above described property lying below the high-water mark of the Yamhill River as to the use of the waters and the natural flow thereof.

The true and actual consideration paid for this conveyance is One Million Six Hundred Seventy-seven Thousand Four Hundred Sixty-three Dollars (\$1,677,463.00).

**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, AND 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**

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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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

DATED on 4/7, 2017.

Grantor

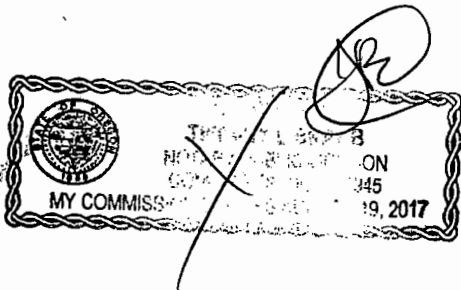
DAYTON MEAT COMPANY,  
an Oregon corporation

*Theodore L. Morris*  
Theodore L. Morris, President

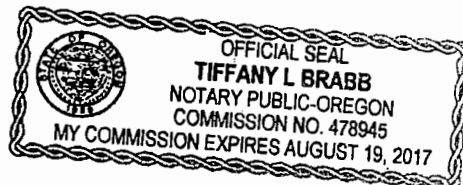
STATE OF OREGON            )  
  : ss.  
County of Yamhill         )

The foregoing SPECIAL WARRANTY DEED was acknowledged before me by Theodore L. Morris, President of DAYTON MEAT COMPANY, an Oregon corporation, Grantor on April 7th, 2017.

(SEAL)



*[Signature]*  
NOTARY PUBLIC FOR OREGON  
My commission expires: 8/19/2017



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EXHIBIT "A"

PARCEL I:

A tract of land in Section 18, Township 4 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon, described as follows:

Beginning at the Northwest corner of Lot 15 of the Oaks Fruit Farm in Yamhill County, Oregon; thence South along the West line of said Lot 15 to the North line of County Road No. 90 (Fletcher Road); thence Westerly along the North line of County Road No. 90 to an iron rod on the East line of that tract of land conveyed to Morris Bros. Farm, Inc., by deed recorded August 20, 1984, in Film Volume 188, Page 1332, Deed Records; thence North  $01^{\circ}01'$  West 644.74 feet to an iron rod; thence continuing North  $01^{\circ}01'$  West 113.36 feet to an iron rod; thence continuing North  $01^{\circ}01'$  West to the center of the Yamhill River; thence Southeasterly along the center of the Yamhill River to the point of beginning.

WT&E 1843-10

PARCEL II:

A tract of land in Section 18, Township 4 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon, more particularly described as follows:

Beginning at a point in the center of County Road No. 90 that is 13.43 chains East along the center of said County Road, from the intersection of the center line of County Road No. 18 and the center line of County Road No. 90, said point also being the Southeast corner of that tract conveyed to Robert J. Wade by deed recorded November 21, 1968, in Film Volume 73, Page 673, Deed and Mortgage Records; thence North  $02^{\circ}$  West along the East line of said Wade tract 13.00 chains, more or less, to the Yamhill River; thence Easterly along said Yamhill River to the Northwest corner of that certain tract described in deed to Carl Mitchell, et ux., recorded April 12, 1971, in Film Volume 83, Page 1009, Deed and Mortgage Records; thence South to an iron pipe in an angle corner in the West line of said conveyance; thence South  $14^{\circ}15'$  East 281.75 feet to an iron pipe; thence South  $87^{\circ}39'$  West 148.0 feet to an iron pipe; thence South  $00^{\circ}54'$  East 404.85 feet to a point in the center of County Road No. 90; thence North  $89^{\circ}30'$  West along said center line, 368.0 feet, more or less, to the point of beginning.

WT&E 1843-10-1

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<b>SPECIAL WARRANTY DEED</b>									
<b>MORRIS BROS. FARM, INC.</b> an Oregon corporation 10670 N.W. Oak Ridge Road Yamhill, OR 97148 Grantor's Name and Address	<table border="1"> <tr> <td>Yamhill County Official Records</td> <td><b>201708749</b></td> </tr> <tr> <td>DMR-DDMR</td> <td><b>05/31/2017 04:16:00 PM</b></td> </tr> <tr> <td>Str=0 SUTTONS</td> <td></td> </tr> <tr> <td>3Pgs \$15.00 \$11.00 \$5.00 \$20.00</td> <td><b>\$51.00</b></td> </tr> </table> <p>I, Brian Van Bergen, County Clerk for Yamhill County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.  Brian Van Bergen - County Clerk</p>	Yamhill County Official Records	<b>201708749</b>	DMR-DDMR	<b>05/31/2017 04:16:00 PM</b>	Str=0 SUTTONS		3Pgs \$15.00 \$11.00 \$5.00 \$20.00	<b>\$51.00</b>
Yamhill County Official Records		<b>201708749</b>							
DMR-DDMR		<b>05/31/2017 04:16:00 PM</b>							
Str=0 SUTTONS									
3Pgs \$15.00 \$11.00 \$5.00 \$20.00	<b>\$51.00</b>								
<b>CHARLES W. EGGERT</b> 19480 S.W. 97 <sup>th</sup> Avenue Tualatin, OR 97062 Grantee's Name and Address									
After Recording Return to (Name, Address, Zip) Peterson & Prause, L.L.P. P.O. Box 827 McMinnville, OR 97128									
Until a change is requested, all tax statement shall be sent to the following address: <b>CHARLES W. EGGERT</b> 19480 S.W. 97 <sup>th</sup> Avenue Tualatin, OR 97062									

**MORRIS BROS. FARM, INC.**, an Oregon corporation, Grantor, conveys and specially warrants to **CHARLES W. EGGERT**, Grantee, the following described real property, free of encumbrances created or suffered by the Grantor except as specifically set forth herein:

(See Exhibit A)

SUBJECT TO all liens and encumbrances of record and those placed or allowed to be placed upon the property by Grantee on or after January 1, 2007.

FURTHER SUBJECT TO:

1. Standard exceptions, exclusions and stipulations.
2. The rights of the public in and to that portion of the herein described property lying within the limits of roads and highways.
3. Any adverse claim based on the assertion that:
  - (a) Said land or any part thereof is now or at any time has been below the ordinary high water mark of the Yamhill River.
  - (b) Some portion of said land has been created by artificial means or has accreted to such portion so created.
  - (c) Some portion of said land has been brought within or removed from the boundaries thereof by a change in the location of the Yamhill River.
4. Rights of the public, riparian owners and of governmental bodies in that portion of above described property lying below the high-water mark of the Yamhill River as to the use of the waters and the natural flow thereof.

The true and actual consideration paid for this conveyance is Fifty-eight Thousand Eight Hundred Ninety Dollars (\$58,890.00).

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WESTERN TITLE & ESCROW 131953

G-18539

<b>SPECIAL WARRANTY DEED</b>	
<b>MORRIS BROS. FARM, INC.</b> an Oregon corporation 10670 N.W. Oak Ridge Road Yamhill, OR 97148 Grantor's Name and Address	
<b>CHARLES W. EGGERT</b> 19480 S.W. 97 <sup>th</sup> Avenue Tualatin, OR 97062 Grantee's Name and Address	
After Recording Return to (Name, Address, Zip) Peterson & Prause, L.L.P. P.O. Box 827 McMinnville, OR 97128	
Until a change is requested, all tax statement shall be sent to the following address: <b>CHARLES W. EGGERT</b> 19480 S.W. 97 <sup>th</sup> Avenue Tualatin, OR 97062	

**MORRIS BROS. FARM, INC.**, an Oregon corporation, Grantor, conveys and specially warrants to **CHARLES W. EGGERT**, Grantee, the following described real property, free of encumbrances created or suffered by the Grantor except as specifically set forth herein:

(See Exhibit A)

SUBJECT TO all liens and encumbrances of record and those placed or allowed to be placed upon the property by Grantee on or after January 1, 2007.

FURTHER SUBJECT TO:

1. Standard exceptions, exclusions and stipulations.
2. The rights of the public in and to that portion of the herein described property lying within the limits of roads and highways.
3. Any adverse claim based on the assertion that:
  - (a) Said land or any part thereof is now or at any time has been below the ordinary high water mark of the Yamhill River.
  - (b) Some portion of said land has been created by artificial means or has accreted to such portion so created.
  - (c) Some portion of said land has been brought within or removed from the boundaries thereof by a change in the location of the Yamhill River.
4. Rights of the public, riparian owners and of governmental bodies in that portion of above described property lying below the high-water mark of the Yamhill River as to the use of the waters and the natural flow thereof.

The true and actual consideration paid for this conveyance is Fifty-eight Thousand Eight Hundred Ninety Dollars (\$58,890.00).

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**OWRD**

G-18539

WESTERN TITLE & ESCROW / 3/953

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, AND 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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

DATED on April 7, 2017.

Grantor

MORRIS BROS. FARM, INC.  
an Oregon corporation

Rolly J. Morris  
Rolly J. Morris, President

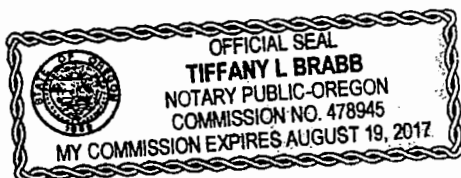
STATE OF OREGON )

: ss.

County of Yamhill )

The foregoing SPECIAL WARRANTY DEED was acknowledged before me by **ROLLY J. MORRIS**, President of Morris Bros. Farm, Inc., an Oregon corporation, Grantor on April 7, 2017.

(SEAL)



[Signature]  
NOTARY PUBLIC FOR OREGON  
My commission expires: 8/17/2017

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PARCEL III:

A tract of land in Section 18, Township 4 South, Range 3 West of the Willamette Meridian, Yamhill County, Oregon, described as follows:

BEGINNING at a point in the center of County Road No. 90, said point being North 88°30' East 1303.12 feet from an iron pipe at the centerline intersection of County Road No. 90 and Market Road No. 18, said point also being the Southwest corner of a tract of land described in Contract from Carl Mitchell to Wade W. Miller and Patricia A. Miller, husband and wife, recorded November 9, 1976, in Film Volume 115, Page 1940, Yamhill County Deed and Mortgage Records; thence North 88°30' East 270.90 feet along the centerline of County Road No. 90 to a P.K. nail set in Yamhill County Survey CSP-8388; thence North 01°01' West 30.00 feet to an iron rod set in CSP-8388; thence continuing North 01°01' West 644.74 feet to an iron rod; thence continuing North 01°01' West 113.36 feet to an iron rod; thence continuing North 01°01' West to the center of the Yamhill River; thence Westerly along the center of the Yamhill River to the Northwest corner of said Miller tract recorded in Film Volume 115, Page 1940; thence Southerly along the West line of said Miller tract the following courses and distances, South to an iron pipe; South 14°15' East 281.75 feet to an iron pipe; South 87°39' West 148.00 feet to an iron pipe; South 00°54' East 404.85 feet to the point of beginning.


WT&E 1843-10-2

EXHIBIT A  
PAGE 1 OF 1  
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JUL 31 2017

**OWRD**

61-18529



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

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[Return](#)    [Contact Us](#)

Today's Date: Monday, July 31, 2017

Base Application Fee for use of Ground, Surface and optionally Stored Water.		\$1,340.00
Number of proposed cubic feet per second (cfs) to be appropriated. (1 cfs = 448.83 gallons per minute)	.11	\$350.00
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. ***		\$520.00
* 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.	<a href="#">Recalculate</a>	
Estimated cost of Permit Application		\$2,210.00

OWRD Fee Schedule

Fee Calculator Version B20170117



G-18539