

Application for a Permit to Use Groundwater



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

Water-Use Permit Application Processing

1. Completeness Determination

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

2. Initial Review

The Department reviews the application to determine whether water is available during the period requested, whether the proposed use is restricted or limited by rule or statute, and whether other issues may preclude approval of or restrict the proposed use. An Initial Review (IR) containing preliminary determinations is mailed to the applicant. The applicant has 14 days from the mailing date to withdraw the application from further processing and receive a refund of all fees paid minus \$260. The applicant may put the application on hold for up to 180 days and may request additional time if necessary.

3. Public Notice

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

4. Proposed Final Order Issued

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

5. Public Notice

Within 7 days of issuing the PFO, the Department gives public notice in the weekly notice. Notice includes information about the application and the PFO. Protest must be received by the Department within 45 days after publication of the PFO in the weekly notice. Anyone may file a protest. The protest filing fee is \$410 for the applicant and \$810 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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6-18591

Revised 8/1/2017

Ground Water/1

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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 of local Planning Department (*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: \$ 2560.00
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.

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

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

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Revised 8/1/2017

Ground Water/2

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Application for a Permit to Use Groundwater



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 William Radke		PHONE (HM) 541-491-3544	
PHONE (WK)	CELL 514-905-6130	FAX	
ADDRESS 31014 Green Valley Road			
CITY Shedd	STATE OR	ZIP 97377	E-MAIL*

Organization Information

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

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

AGENT / BUSINESS NAME John McGee		PHONE 541-929-4226	FAX 541-929-4227
ADDRESS 1215 Main Street		CELL	
CITY Philomath	STATE OR	ZIP 97370	E-MAIL* johnmcgee@jdmcgee.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.

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

William Radke
Applicant Signature

William Radke
Print Name and title if applicable

12-14-17
Date

Applicant Signature

Print Name and title if applicable

Date

For Department Use		
App. No. <u>6-1859</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.

☐ 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
1	Calapooia River	990'	1'
2	Calapooia River	1325'	2'

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*).

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SECTION 3: WELL DEVELOPMENT, CONTINUED

Total maximum rate requested: 0.70 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)
1	☒	☐	N/A	☐	10"	0-45'	N/A	0-20'	9'	Sand and Gravel	45'	315	139
2	☒	☐	N/A	☐	10"	0-45'	N/A	0-20'	9'	Sand and Gravel	45'	315	139
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									

* 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 – October 31	139

For irrigation use only:

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

Primary: 55.66 Acres Supplemental: _____ Acres

If you listed supplemental acres, list the Permit or Certificate number of the underlying primary water right(s):

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 139

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

SECTION 5: WATER MANAGEMENT

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A. Diversion and Conveyance

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

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☒ Pump (give horsepower and type): Submersible, Horsepower TBD

☐ Other means (describe): _____

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

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler) (*attach additional sheets if necessary*)

Hose Reel

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 (*attach additional sheets if necessary*).

The amount of water requested is necessary to adequately irrigate the 55.66 acres shown on the attached map based on previous irrigation of that area. To prevent waste and measure water use, a hose reel will be used to accurately apply water over the expanse of the 55.66 acres and a water meter will be installed

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in line with any approved and constructed wells. Water will not be used excessively or removed from region from which it is drawn. The use of water as necessary and the elevation of roadways and the terrain around the place of use will prevent discharge of contaminated water to surface streams.

SECTION 6: STORAGE OF GROUNDWATER IN A RESERVOIR

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

Reservoir name: N/A Acreage inundated by reservoir: N/A

Use(s): N/A

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

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 GROUNDWATER FROM THE RESERVOIR

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

Annual volume (acre-feet): N/A

USE OF STORED GROUNDWATER	PERIOD OF USE

SECTION 8: PROJECT SCHEDULE

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Date construction will begin: June 2018 DEC 18 2017

Date construction will be completed: March 2019 SALEM, OR

Date beneficial water use will begin: March 2019

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	
City	State	Zip

SECTION 10: REMARKS

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

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Revised 8/4/2017

Ground Water/8

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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: William Radke
First Last

Mailing Address: 31014 Green Valley Road

Shedd OR 97377 Daytime Phone: 541-905-6130
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:
13S	03W	16	SW ¼ of the SW ¼	200	EFU	☐ Diverted	☒ Conveyed	☒ Used	EFU
13S	03W	16	SE ¼ of the SW ¼	200	EFU	☒ Diverted	☒ Conveyed	☒ Used	EFU
13S	03W	21	NW ¼ of the NW ¼	200	EFU	☐ Diverted	☒ Conveyed	☒ Used	EFU
13S	03W	21	NE ¼ of the NW ¼	200	EFU	☐ Diverted	☒ Conveyed	☒ Used	EFU
13S	03W	21	SW ¼ of the NW ¼	200	EFU	☐ Diverted	☒ Conveyed	☒ Used	EFU
13S	03W	21	SE ¼ of the NW ¼	200	EFU	☐ Diverted	☒ Conveyed	☒ Used	EFU

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

Linn County	RECEIVED BY OWRD DEC 18 2017
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B. Description of Proposed Use

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Type of application to be filed with the Water Resources Department:

- ☒ Permit to Use or Store Water
 ☐ Water Right Transfer
 ☐ Permit Amendment or Groundwater 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: 139 ☐ 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 to irrigate 55.66 acres of grass seed
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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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SALEM, OR

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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): LCC 928.310(B)(1)

☐ 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:	
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ 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.

Farm use is an outright use in the EFU RECEIVED BY OWRD
LCC 928.310(B)(1).

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Name: Alyssa Schrems Title: Assistant Planner
Signature: Alyssa Schrems Phone: 541-967-3816 Date: 12/12/17
Government Entity: Linn County Planning and Building

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: _____

LINN COUNTY, OREGON 2009-00401
D-WD
Cnt=1 Stn=7 M. FISHER 01/08/2009 12:50:34 PM
\$25.00 \$11.00 \$10.00 \$46.00



00100004200900004010050052

I, Steve Druckenmiller, County Clerk for Linn County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.

Steve Druckenmiller - County Clerk



STATUTORY WARRANTY DEED

Grantor's Name and Address:

William E. Radke
Trudy Ann H. Radke
31014 Green Valley Road
Shedd OR 97377

Grantee's Name and Address:

Radke's Romance Ranch LLC, an
Oregon limited liability company
31014 Green Valley Road
Shedd OR 97377

William E. Radke and
Trudy Ann H. Radke, Trustees of
The William E. Radke Revocable Living
Trust UTA March 24, 1999
31014 Green Valley Road
Shedd OR 97377

Trudy Ann H. Radke and
William E. Radke, Trustees of
The Trudy Ann H. Radke Revocable Living
Trust UTA March 24, 1999
31014 Green Valley Road
Shedd OR 97377

After recording return to:

Evashevski, Elliott, Cihak &
Hediger, P.C.
Attorneys at Law
PO Box 983
Albany OR 97321-0369

**The true and actual
consideration for this
conveyance is \$ NONE**

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

Radke's Romance Ranch LLC
31014 Green Valley Road
Shedd OR 97377

Tax Account Information:

Account No.: See below for each parcel

Conveyance

William E. Radke and Trudy Ann H. Radke, William E. Radke and Trudy Ann H. Radke, Trustees of The William E. Radke Revocable Living Trust UTA March 24, 1999, and Trudy Ann H. Radke and William E. Radke, Trustees of the Trudy Ann H. Radke Revocable Living Trust UTA March 24, 1999, Grantor, conveys and warrants to Radke's Romance Ranch LLC, an Oregon limited liability company, Grantee, the following

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described real property located in Linn County, Oregon, free of encumbrances except as specifically set forth herein:

Parcel 1: Tax Account No. R 153094; Map 11S-4W-31; Lot 1902; Round House and Manufactured Home (Hwy 34 S.) – 59.00 Acres plus Manufactured Home:

Beginning at an iron pipe at the Southeast corner of the Charles Milkey Donation Land Claim No. 87 in Township 11 South, Range 4 West of the Willamette Meridian; thence North 0°32' East along the East line of said Claim, 1496.91 feet to a ½ inch pipe on the South line of the Oregon Electric Railroad right of way; thence North 89°46' East 396.0 feet to a ½ inch pipe; thence South 38°13' East 2247.96 feet to a ½ inch pipe; thence South 30°48' East 423.4 feet; thence South 89°36' West parallel to the South line of the Charles Gaylord Donation Land Claim in said Township and Range, a distance of 95.3 feet to a point; thence South 0°24' East 258.4 feet to a 5/8 inch iron rod on the North line of State Highway No. 20; thence South 89°36' West along the North line of said Highway, 1472.1 feet to a 5/8 inch iron rod; thence North 10°34' West 446.1 feet to a 5/8 inch iron rod; thence continuing North 10°34' West 471.0 feet to a 5/8 inch iron rod; thence North 89° 58' West 284.8 feet to a place of beginning.

EXCEPTING THEREFROM that tract conveyed to the State of Oregon, by and through its State Highway Commission by deed recorded February 23, 1965 in Book 308, page 178, Deed Records.

TOGETHER WITH the 1968 manufactured dwelling located on the premises, Assessor's Account No. 528873.

Parcel 2: Tax Account No. R 152880; Map 11S-4W-31; Lot 1100; Hwy 34 N. – 49.08 Acres:

TRACT I: Beginning at an iron pipe at the Southeast corner of the Charles Mulkey Donation Land Claim No. 87 in Township 11 South, Range 4 West of the Willamette Meridian; thence North 0°32' East along the East line of said Claim, 1496.91 feet to a 1/2 inch pipe on the South line of the Oregon Electric Railroad right of way; thence North 89°46' East 396.0 feet to a 1/2 inch pipe; thence South 38°13' East 2247.96 feet to a 1/2 inch pipe; thence South 30°48' East 423.4 feet; thence South 89°36' West parallel to the South line of the Charles Gaylord Donation Land Claim in said Township and Range, a distance of 95.3 feet to a point; thence South 0°24' East 258.4 feet to a 5/8 inch iron rod on the North line of State Highway No. 20; thence South 89°36' West along the North line of said Highway, 1472.1 feet to a 5/8 inch iron rod; thence North 10°34' West 446.1 feet to a 5/8 inch iron rod; thence continuing North 10°34' West 471.0 feet to a 5/8 inch iron rod; thence North 89°58' West 284.8 feet to the place of beginning.

EXCEPTING THEREFROM that tract conveyed to the State of Oregon by and through its State Highway Commission by deed recorded February 23, 1965 in Book 308, page 178, Deed Records.

ALSO SAVE AND EXCEPT: Beginning at a 3/4 inch iron rod on the North highway right of way line at the center of a 35 foot wide right of access to the relocated State Highway as described in deed recorded in Book 308, page 178, Linn County Deed Records, Linn County, Oregon, said 3/4 inch iron rod being 80 feet North 1°27'45" East from Engineer's center line Station 130 + 00, in Section 31, Township 11 South, Range 4 West of the Willamette Meridian, said centerline station 130 + 00 being described as beginning at Engineer's center line station 90 + 00 which is 20 feet South 2347.59 feet East of the Northwest corner of the Pleasant Robinette Donation Land Claim, Township 11 South, Range 5 West of the Willamette Meridian; thence South 88°21'15" East 4000 feet to said center line Station 130 + 00; thence from said 3/4 inch iron rod, North 1°27'45" East at right angles to said highway center line, 208.72 feet to a 3/4 inch iron rod, North 88°32'15" West, parallel with said center line, 208.71 feet to a

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3/4 inch rod; thence South 1°27'45" West, at right angles to said center line, 208.72 feet to a 3/4 inch iron rod on said North right of way line of said State Highway; thence South 88°32'15" East 208.71 feet to the place of beginning.

TRACT II: Beginning at the Northeast corner of the Charles Mulkey Donation Land Claim No. 87 in Township 11 South, Range 4 West of the Willamette Meridian; thence South 0°32' West 201.96 feet along the East line of said Claim to a 1 1/2 inch iron pipe; thence South 60°30' East 51.70 feet to a 1/2 inch iron pipe; thence South 0°32' West 470.25 feet to a iron pipe; thence continuing South 0°32' West 676.40 feet to a 1/2 inch iron pipe on the South line of the Oregon Electric Railroad right of way; thence South 89°46' West 45 feet to a 1/2 inch iron pipe on the East line of said Claim No. 87; thence North 89°58' West 1518 feet; thence North 0°32' East 1374.09 feet to the North line of said Claim; thence South 89°58' East to the place of beginning.

Parcel 3: Tax Account No. R 152898; Map 11S-4W-31C; Lot 100; Hwy 34 (#3) – 47.10 Acres:

Beginning at a 3/4 inch iron rod which is North 0°32' East 387.50 feet from the Southeast corner of the Donation Land Claim of Charles Mulkey and wife, same being Notification No. 1208 and Claim No. 87 in Township 11 South, Range 4 West, Willamette Meridian in Linn County, Oregon; and running thence North 89°58' West 563.64 feet to a 3/4 inch iron rod; thence South 0°02' West 387.58 feet to a 3/4 inch iron rod on the South line of said Donation Land Claim; thence North 89°58' West 957.74 feet along said South line; thence North 0°32' East 1496.91 feet; thence South 89°58' East 1518.00 feet to a point on the East line of said Donation Land Claim; thence South 0°32' West 1109.32 feet along said East line to the place of beginning. ALSO, all of our right, title and interest in and to a right-of-way for road purposes 25 feet in width described as follows: Beginning at a point which is 30 feet North 0°02' East of the Northeast corner of Lot 5, Section 31, Township 11 South, Range 4 West of Willamette Meridian in Linn County, Oregon; thence South 0°02' West 30 feet to the Northeast corner; thence Southerly along the East line of said Lot 5 to the North line of the Corvallis-Albany Highway; thence West along the North line of said highway 25 feet; thence Northerly parallel with the East line of Lot 5 to the South line of said Charles Mulkey Donation Land Claim No. 87; thence North 0°02' East 30 feet; thence Easterly to the place of beginning.

Parcel 4: Tax Account No. R 229118; Map 12S-4W-16; Lot 100; Crampton – 57.74 Acres:

Beginning at a point 12.65 chains North from the Southwest corner of the David Irvine Donation Land Claim and running thence North 19.20 chains; thence East 31.37 chains; thence South 19.20 chains; thence West 31.37 chains to the place of beginning, all lying and being in Township 12 South, Range 4 West, Willamette Meridian, Linn County, Oregon. EXCEPT that portion lying within County Road No.'s 122 and 123.

Parcel 5: Tax Account No. R 288080; Map 13S-3W-21; Lot 200; Jackson Place – 55.66 Acres:

Beginning at the Northwest corner of the East one half of the Joseph Thompson Donation Land Claim 45, in Township 13 South, Range 3 West, of the Willamette Meridian, Linn County, Oregon; thence East 876.39 feet to the West line of the Interstate 5 Highway; thence South 3121.78 feet; thence South 89°52' West 399.70 feet; thence North 6°53' West 171 feet; thence North 15°12' West 115.81 feet; thence North 24°51' West 67.15 feet; thence South 63°48' West 302.36 feet; thence South 0°06' East 209.78 feet; thence South 74°54' West 138.40 feet; thence North 3156.78 feet to point of beginning.

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Except the following described properties:

Beginning at a 5/8 inch iron rod on the North line of parcel 2, State Highway Department deed recorded 259-37, said point being North 70.57 feet from the Southwest corner of the East one half of the Joseph Thompson Donation Land Claim 45, Township 13 South, Range 3 West, of the Willamette Meridian, Linn County, Oregon; thence North 74°54' East 138.4 feet; thence North 0°06' West 209.78 feet; thence North 63°48' East to the center of Calapooya River; thence Northwesterly along said center line to the West line of the East one half of said Donation Land Claim 45; thence South to point of beginning.

Further excepting:

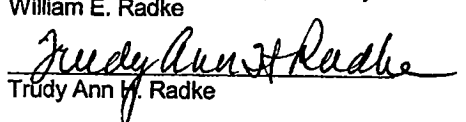
Beginning at a 5/8 inch iron rod on the North line of parcel 2, State Highway Department deed recorded 259-37, said iron rod being North 70.57 feet; North 74°54' East 138.4 feet; North 0°06' West 209.78 feet and North 63°48' East 130.51 feet from the Southwest corner of the East one half of the Joseph Thompson Donation Land Claim 45, Township 13 South, Range 3 West of the Willamette Meridian, Linn County, Oregon; thence continuing North 63°48' East along said North line 150 feet, more or less to the center of county road #420; thence Northwesterly along said center line 811.4 feet; more or less to the West line of the East one half of said Donation Land Claim 45; thence South along said West line 470 feet, more or less to the center line of Calapooya River; thence winding Southerly upstream along said center line 450 feet, more or less to North line of said deed 259-37; thence North 63°48' East 80 feet, more or less to the point of beginning.

Subject to and excepting: Encumbrances of Record.

THIS TRANSACTION IS NOT INTENDED TO CONSOLIDATE ANY OF THE INDIVIDUALLY DESCRIBED PARCELS OR TAX LOTS FOR LAND USE, TAX LOTS, OR ANY OTHER PURPOSE.

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.

Dated this 31 day of December, 2008.


William E. Radke

Trudy Ann H. Radke

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The William E. Radke Revocable
Living Trust UTA March 24, 1999

By: William E. Radke
William E. Radke, Trustee

By: Trudy Ann H. Radke
Trudy Ann H. Radke, Trustee

The Trudy Ann H. Radke Revocable
Living Trust UTA March 24, 1999

By: Trudy Ann H. Radke
Trudy Ann H. Radke, Trustee

By: William E. Radke
William E. Radke, Trustee

STATE OF OREGON)
) ss.
County of Linn)

Date: December 31, 2008

Personally appeared the above-named William E. Radke, individually, and as trustee of The William E. Radke Revocable Living Trust UTA March 24, 1999, and as trustee of The Trudy Ann H. Radke Revocable Living Trust UTA March 24, 1999, and acknowledged the foregoing instrument to be his voluntary act and deed on the date written above.

Before Me:



Betty M. Fears
Notary Public for Oregon
My Commission Expires: July 16, 2009

STATE OF OREGON)
) ss.
County of Linn)

Date: December 31, 2008

Personally appeared the above-named Trudy Ann H. Radke, individually, and as trustee of The William E. Radke Revocable Living Trust UTA March 24, 1999, and as trustee of The Trudy Ann H. Radke Revocable Living Trust UTA March 24, 1999, and acknowledged the foregoing instrument to be her voluntary act and deed on the date written above.

Before Me:



Betty M. Fears
Notary Public for Oregon
My Commission Expires: July 16, 2009

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Oregon Water Resources Department

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

Main

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Today's Date: Tuesday, December 19, 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)	.7	\$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) **	2	\$350.00
Number of Acre Feet to be stored in a reservoir/pond from Ground Water.	0	
Number of Acre Feet to be appropriated from reservoir/pond (Only Applies to reservoir/pond constructed under Ground Water Application)	0	
Number of reservoirs.	0	
Permit Recording Fee. ***		\$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.	Recalculate	
Estimated cost of Permit Application		\$2,560.00

OWRD Fee Schedule

Fee Calculator Version B20170117

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