

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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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: \$3,090.00
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 taxlot 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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725 Summer Street NE, Suite A
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SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant Information

NAME Gerig Farms LLC		PHONE (HM)	
PHONE (WK) (541) 619-4720	CELL		FAX
ADDRESS 36216 Gerig Dr.			
CITY Albany	STATE OR	ZIP 97322	E-MAIL* lwgerig@hotmail.com

Organization Information

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

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

AGENT / BUSINESS NAME William E. McGill, CWRE		PHONE (541) 327-2798	FAX (541) 327-2798
ADDRESS 15333 Pletzer Rd. SE			CELL (503) 510-3026
CITY Turner	STATE OR	ZIP 97392	E-MAIL* willmcgill.surveying@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.)

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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.



Leonard Gerig Leonard Gerig Member 3-14-2018
Applicant Signature Print Name and title if applicable Date

Applicant Signature Print Name and title if applicable Date

For Department Use		
App. No. <u>G-18671</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
POA 1	Oak Creek	850'	8'
POA 2	Unnamed Slough	3600'	14'

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: 3.21 cfs (POA 1 = 1.01 cfs / POA 2 = 2.20 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)
POA 1	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>						sand and gravel	30' +/-	455 GPM	202 AF
POA 2	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>						sand and gravel	100' +/-	990 GPM	440 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"/>									

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* 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.

SECTION 4: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
irrigation	March 1-October 31	642 AF

For irrigation use only:

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

Primary: 256.97 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: 642 AF

- 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

A. Diversion and Conveyance

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

Pump (give horsepower and type): POA 1: 40 HP turbine / POA 2: 75 HP turbine

Other means (describe): _____

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. POA 1: Proposed to drill a well and install 40 HP turbine pump and deliver water via buried mainline, applied by handline.

POA 2: Proposed to drill a well and install 75 HP turbine pump, deliver water via buried mainline to 45 acres of drip irrigation and the balance of the farm will be irrigated by high pressure guns.

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*)

POA 1: handline

POA 2: drip/high-pressure gun

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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 needed for irrigation.

A new high efficiency system is being installed which will be equipped with a water use measuring device.

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: _____ Acreage inundated by reservoir: _____

Use(s): _____

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

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

SECTION 7: USE OF STORED 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): _____

USE OF STORED GROUNDWATER	PERIOD OF USE

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SECTION 8: PROJECT SCHEDULE

MAR 15 2018

Date construction will begin: when OWRD permit is issued

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Date construction will be completed: 5 years from date of OWRD permit issuance

Date beneficial water use will begin: irrigation season of 2019

SECTION 9: WITHIN A DISTRICT

Check here if the point of appropriation (POD) or place of use (POU) are located within or served by an irrigation or other water district.

Irrigation District Name	Address	
City	State	Zip

SECTION 10: REMARKS

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

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.

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NOTE TO LOCAL GOVERNMENTS

MAR 15 2018

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.

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: Gerig Farms LLC
First Last

Mailing Address: 36216 Gerig Dr.

Albany OR 97322 Daytime Phone: (541) 619-4720
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:
11S	2W	16	NWNW NENW SWNW SESW NWSW	00200	EFU	<input checked="" type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Farming
11S	2W	17	NWNE NENE SWNE SENE NWSE NESE	00200	EFU	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Farming
12S	3W	2	NESW NWSE NESE SESW SWSE SESE	00600	EFU	<input checked="" type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Farming

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

Linn 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 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: 3.21 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:

It is proposed to drill a new well on a 176 acre farm and 80.97 acre farm and apply to OWRD for irrigation water rights to cover these lands.

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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. →

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 notregulated 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-useapprovals as listed in the table below. (Please attach documentation of applicable land-use approvals which havealready 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
		<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.

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Name: Alyssa Boles Title: Senior Planner
 Signature: [Signature] Phone: 541-967-3812 Date: 3/14/18
 Government Entity: Linn County

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

Receipt for Request for Land Use Information

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





After recording return to:
Leonard D. and Wanda Y. Gerig
36216 Gerig Drive
Albany, OR 97322

Until a change is requested all tax statements shall be sent to the following address:
Leonard D. and Wanda Y. Gerig
36216 Gerig Drive
Albany, OR 97322

Escrow No. 02-609238
Title No. 096412L

LINN COUNTY, OREGON 2012-14376
D-WD
Cnt=1 Stn=1 COUNTER 09/20/2012 03:31:36 PM
\$5.00 \$11.00 \$15.00 \$19.00 \$10.00 \$60.00



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

Volbeda, LLC, Grantor(s), hereby convey and warrant to Leonard D. Gerig and Wanda Y. Gerig, Husband and Wife

Grantee(s), the following described real property in the County of LINN and State of Oregon free of encumbrances except as specifically set forth herein:

Beginning at the Southwest corner of the Jeremiah Driggs Donation Land Claim No. 48, Notification No. 1179, in Section 17, Township 11 South, Range 2 West, Willamette Meridian; thence North 89°30' East 31.80 chains; thence North 0°48' West 21 chains to a 3/4 inch by 4 foot galvanized iron pipe; thence North 75°03' East 18.73 chains to the east side of Oregon State Highway No. 54, commonly known as the South Santiam Highway; thence Northwesterly along the east side of said Highway approximately 27.5 chains to the north line of the Joel Ketchum D.L.C., Claim No. 47; thence South 74°23' West 41.72 chains; thence South 0°48' East 40.38 chains to the place of beginning. EXCEPTING THEREFROM that portion previously deeded to the State of Oregon, by and through its State Highway Commission, all lying and being in Linn County, State of Oregon.

FOR INFORMATION PURPOSES ONLY, THE MAP/TAX ACCT #(S) ARE REFERENCED HERE:

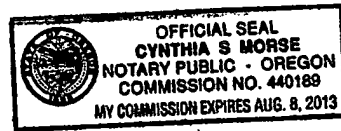
Tax Account No: 65025 11-2W-16 200
Tax Account No: 926171 11-2W-16 200

The true and actual consideration for this conveyance is \$616,000.00.
The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any:
2012-2013 Real Property Taxes a lien not yet due and payable.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated this 20 day of September, 2012

Volbeda, LLC
BY: John H. Volbeda MANAGER
John H. Volbeda, Managers
BY: Lucyann Volbeda
Lucyann Volbeda, Managers



State of Oregon / County of LINN

This instrument was acknowledged before me on September 20, 2012 by John H. Volbeda and Lucyann Volbeda, Managers, Volbeda, LLC.

Cynthia S. Morse
(Notary Public for Oregon) My commission expires: 8-8-13

11-2W-16 200 | 11-2W-16 200
After Recording Return to: AmeriTitle 096412L 02-609238

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Grantor's Name and Address:
Chris Chipman and Robin Chipman
34309 Hwy 34, SE
Albany, OR 97322

Grantee's Name and Address:
Gerig Farms, LLC, an Oregon
limited liability company
36216 Gerig Drive
Albany, OR 97322-9739

After Recording Return to:
Amerititle
Attn: Cindy Morse
1393 Clay Street
Albany, OR 97321

**Until a Change is Requested, Send
Tax Statements to:**
Gerig Farms, LLC, an Oregon
limited liability company
Attn: Leonard Gerig, Member and Manager
36216 Gerig Drive
Albany, OR 97322-9739

Tax Account Nos.: 221834 and 925603

LINN COUNTY, OREGON **2015-08936**
D-WD
Stn=8 S. WILSON **06/16/2015 09:57:23 AM**
\$20.00 \$11.00 \$10.00 \$19.00 \$20.00 **\$80.00**

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

After Recording Return To: Amerititle 47035 AM

STATUTORY WARRANTY DEED

FOR VALUE RECEIVED, Chris Chipman and Robin Chipman, husband and wife ("Grantor"), conveys and warrants to Gerig Farms, LLC, an Oregon limited liability company ("Grantee"), the real property (the "Property") described as follows:

See Exhibit A attached hereto and incorporated herein by this reference.

Subject to all easements, conditions, and restrictions of record.

The true and actual consideration paid for this conveyance in dollars is \$555,000.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS

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INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

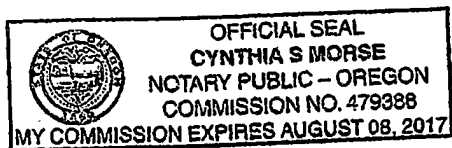
15th In witness whereof, Grantor has executed and delivered this instrument as of the day of June, 2015.

By: Chris Chipman
Chris Chipman

By: Robin Chipman
Robin Chipman

State of Oregon)
) ss.
County of Linn)

The foregoing instrument was acknowledged before me this 15th day of June, 2015 by Chris Chipman and Robin Chipman.



Cynthia S. Morse
Notary Public for Oregon
My Commission Expires: 8-8-17

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EXHIBIT A

Beginning at the Southwest corner of the Donation Land Claim of Thos. J. Faulkner and wife, Notification No. 2115, Claim No. 58, in Township 12 South, Range 3 West of the Willamette Meridian, Oregon; and running thence East 44.666 chains, more or less, to the Southeast corner of the West half of said Claim No. 58; thence North on said division line 36.00 chains more or less, to the North boundary line of said Claim No. 58; thence West 44.666 chains to a Northwest corner of said Claim No. 58; thence South 36.00 chains to the place of beginning.

Excepting Therefrom that portion conveyed to the State of Oregon, by and through its Department of Transportation by deeds recorded December 10, 1997 in Volume 910, Page 176 and Volume 910, Page 185, Microfilm Records of Linn County, Oregon.

Also Excepting Therefrom the following described property:

Beginning at a 1 inch galvanized iron pipe marking the Southwest corner of the Thomas Faulkner Donation Land Claim Number 58 in the South 1/2 of Section 2, Township 12 South, Range 3 West of the Willamette Meridian in Linn County, Oregon; thence North 00°24'41" West along the West line of said Donation land Claim No. 58, a distance of 889.14 feet, thence North 89°38'32" East parallel to the South line of Donation Land Claim No. 58, a distance of 2835.21 feet to a point on the West line of a parcel conveyed to the Oregon Department of Transportation in deed Volume 910, Page 186; thence following the West line of said deed the following courses; South 24°46'20" East, 37.68 feet, and South 46°46'19" East, 82.02 feet, and South 69°46'19" East, 41.23 feet to the East line of the West 1/2 of said Donation Land Claim No. 58; thence leaving said deed, South 00°21'28" East along said East line, a distance of 783.78 feet to the Southeast Corner of the said West 1/2 of Donation Land Claim No. 58; thence South 89°38'32" West along the South line of said Donation Land Claim No. 58, a distance of 2617.84 feet to a 1 inch galvanized pipe; thence continuing South 89°38'32" West along said line, a distance of 330.12 feet to the point of beginning as shown on the record of survey entitled "Property Line Adjustment For Dean R. Schrock" dated April 15, 2001, recorded in the Linn County Surveyor's Office.

SUBJECT TO:

1. Taxes deferred, as disclosed by the tax roll, the premises herein described have been zoned or classified for farm use. At any time that said land is disqualified for such use the property will be subject to additional taxes or penalties and interest.
2. The property lies within and is subject to the levies and assessments of the Linn Soil and Water Conservation District.
3. The rights of the public in and to that portion of the herein described property lying within the limits of public roads, streets or highways.

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4. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:
Granted To: Pacific Power & Light Company
Recorded: January 4, 1962
Instrument No.: Volume: 281 Page: 56

5. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:
Granted To: Pacific Northwest Belle Telephone Company
Recorded: June 1, 1976
Instrument No.: MF Volume: 135 Page: 558

6. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:
Granted To: Consumers Power Inc., an Oregon Corporation
Recorded: June 16, 1978
Instrument No.: MF Volume: 203 Page: 220

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MEMORANDUM OF ACTION
OF THE
MEMBER AND MANAGER OF

GERIG FARMS, LLC
(the "Company")

Effective Date: December 31, 2011

The following actions were taken by and on behalf of the member and manager of the Company:

Confirmation of Member and Manager

Resolved: That the following person was affirmed as the Member and Manager of the Company:

Manager and Member: Leonard D. Gerig

Ratification and Approval of Acts of the Member and Manager

Further Resolved: That all acts of the Member and Manager of the Company on behalf of the Company, whether or not described specifically below, prior to this date are hereby ratified, approved and confirmed in all respects.

Once executed, a photocopy or other electronic reproduction of this document shall be regarded as the original Memorandum.



Leonard D. Gerig, Manager and Member

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

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

Today's Date: Thursday, March 15, 2018

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)	3.2	\$1,400.00
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		\$3,610.00

OWRD Fee Schedule

Fee Calculator Version B20170117