

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: \$3,260
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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SECTION 1: APPLICANT INFORMATION AND

SIGNATURE

Applicant Information

NAME Clarence and Rosetta Venell			PHONE (HM)		
PHONE (WK) (541) 752-2446		CELL		FAX	
ADDRESS 30742 Venell Place					
CITY Corvallis		STATE OR	ZIP 97333	E-MAIL* larry@venellfeed.com	

Organization Information

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

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

AGENT / BUSINESS NAME Steven R. Bruce Skookum Water Associates Inc.			PHONE (503) 319-8926		FAX
ADDRESS 1626 Victorian Way					CELL
CITY Eugene		STATE OR	ZIP 97401	E-MAIL* steve@skookumwater.com	

Note: Attach multiple copies as needed

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

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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.

Clarence Venell
Applicant Signature

Clarence Venell
Print Name and title if applicable

7-26-18
Date

Rosetta Venell
Applicant Signature

Rosetta Venell
Print Name and title if applicable

7/26/18
Date

For Department Use		
App. No. <u>G-18721</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*).
NA

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

SECTION 3: WELL DEVELOPMENT

WELL NO.	NAME OF NEAREST SURFACE WATER	IF LESS THAN 1 MILE:	
		DISTANCE TO NEAREST SURFACE WATER	ELEVATION CHANGE BETWEEN NEAREST SURFACE WATER AND WELL HEAD
Well 2	Albany Channel	1,610 feet	10 feet (estimated)
Well 3	Albany Channel	1,650 feet	10 feet (estimated)

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

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SECTION 3: WELL DEVELOPMENT, CONTINUED

Total maximum rate requested: 500 gpm (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 2	<input type="checkbox"/>	<input checked="" type="checkbox"/>	BENT 55311	<input type="checkbox"/>	12 inch	+1.5 to 18.5	18.5 to 58	0 to 18.5	13.3 3/31/2016	Alluvium	60 ft		
Well 3	<input checked="" type="checkbox"/>	<input type="checkbox"/>	--	<input type="checkbox"/>	12 inch	+2 to 25+/-	25 to 55+/-	0 to 19+/-	--	Alluvium	55+/- ft		

* 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)
Agriculture/Commercial	Year-Round	200

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

If you listed supplemental 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
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*): 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): Submersible; horsepower to be determined

Other means (describe): _____

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. Water will be diverted from the wells using submersible pumps and conveyed to the places of use by buried mainlines. The places of use are expected to include buildings and equipment needed to manufacture and produce agricultural products.

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*) Water will be used in a mint still and in other equipment used to produce agricultural-related products. The equipment for applying the water is expected to include, but not be limited to, spigots, facets, sprinklers and spray bars.

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*). Water is currently needed for operation of a mint still. Other water uses related to the production and manufacture of agricultural products are expected to be developed on the property as we expand our farming business. A flowmeter will be installed at each well. The places of use are not near surface-water bodies so aquatic life, riparian habitat and streams will not be affected or damaged by the proposed water uses.

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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: NA Acreage inundated by reservoir: NA

Use(s):

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 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): NA

USE OF STORED GROUNDWATER	PERIOD OF USE
NA	

SECTION 8: PROJECT SCHEDULE

Date construction will begin: As soon as a permit is issued

Date construction will be completed: September 30, 2024

Date beneficial water use will begin: As soon as a permit is issued

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 NA	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).

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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

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Applicant: Clarence and Rosetta
First

Venell
Last

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Mailing Address: 30742 Venell Place

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Corvallis
City

OR
State

97333
Zip

Daytime Phone: (541) 752-2446

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:
13 S	4 W	7	NW NE	200		<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Agricultural Related
13 S	4 W	7	SE NE	200		<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	"
13 S	4 W	7	NE NW	200		<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	"
13 S	4 W	7	SE NW	200		<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	"
13 S	4 W	7	NE SW	200		<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	"

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

Benton 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
 Groundwater
 Surface Water (name) _____

Estimated quantity of water needed: 200
 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 Agriculture

Briefly describe:

Water will be used for a variety of purposes, including mint distillation and the production of agricultural goods.

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department. See bottom of Page 3. →

For Local Government Use Only

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

Please check the appropriate box below and provide the requested information

Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): _____

Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
Documentation non-conforming use	BCC 53.305	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input checked="" type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
- or -		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
ministerial	BCC 55.106(1)(b)	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input checked="" 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: Lucy Godwin Title: Assoc. Planner
 Signature: Lucy Godwin Phone: 541 766 6819 Date: 7/30/18
 Government Entity: Benton 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: _____

Date _____

(For staff use only)



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

WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):

- SECTION 1: _____
- SECTION 2: _____
- SECTION 3: _____
- SECTION 4: _____
- SECTION 5: _____
- SECTION 6: _____
- SECTION 7: _____
- SECTION 8: _____
- SECTION 9: _____
- Land Use Information Form _____
- Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.
- Fees _____

MAP

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

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BENTON COUNTY, OREGON 2003-351152
DE-WD
CMT#1 SIn#8 COUNTER# 09/04/2003 12:57:17 PM
\$35.00 \$11.00 \$10.00 \$15.00 \$71.00



I, James V. Morales, County Clerk for Benton County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.
James V. Morales - County Clerk



After Recording Return To:

Venell Farms, Inc.
Clarence Venell
30742 Venell Place
Corvallis OR 97333

Title Order No. 10-39667	13418 00300
Escrow No. 10-39667	A#215115, 13418 00300
Tax Account No. 13407 00100	A#351692, 13418 00800
A#182786, 13407 00100	A#182919, 13419 00100
A#351650, 13407 00101	A#182927, 13419 00100
A#182794, 13407 00200	A#351704, 13419 00200
A#182810, 13407 00200	A#182935, 13513 00200
A#351676,	A#191480, 13524 00200
	A#192140

Send Tax Statements To:

Venell Farms, Inc.
Clarence Venell
30742 Venell Place
Corvallis OR 97333

WARRANTY DEED
(ORS 93.850)

Jerry A. Dyksterhuis and Deanna Dyksterhuis, as tenants in common, Grantor, conveys and warrants to Venell Farms, Inc., an Oregon Corporation, Grantee, the following described real property free of encumbrances except as specifically set forth herein:

See Exhibit 'A' attached hereto and by reference made a part hereof.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

The true consideration for this conveyance is \$ 1,792,500.00.

Dated this 2 day of September, 2003.

Jerry A. Dyksterhuis

Deanna Dyksterhuis

State of OR, County of Benton)ss.

This instrument was acknowledged before me on September 2nd, 2003 by Jerry A. Dyksterhuis and Deanna Dyksterhuis.

Notary Public

My commission expires: 07/05/2007



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Ticor Title 10-39667

G-18721

EXHIBIT "A"

BENTON COUNTY PROPERTY

PARCEL 1:

Tract A:

Beginning at a point 20 chains South and 10 chains and 8 links East of Quarter Section corner between Sections 6 and 7, Township 13 South, Range 4 West of the Willamette Meridian; thence South 14° East 5.97 chains; thence South 38 ½° East 7.50 chains; thence South 70 ¼ chains East 16 chains; thence South 13 ½° East 2.70 chains; thence East 4.60 chains; thence North 24° West 16.31 chains; thence South 78 ½° West 6 chains and 40 links; thence North 52 ¼° West 5 chains; thence North 15 ½° West 3.50 chains; thence West 8.75 chains to the place of beginning.

EXCEPTING THEREFROM the following: Beginning at a 5/8 inch iron rod which is 20 chains South and 10.08 chains East of the North Quarter corner of Section 7, Township 13 South, Range 4 West of the Willamette Meridian; thence South 14°00' East 394.02 feet; thence South 38°30' East 495 feet; thence South 70°15' East 125 feet to the West edge of water of a Slough; thence following said waters edge Northwesterly to a point due East of the point of beginning; thence West 100 feet to the point of beginning.

Tract B:

Government Lot 12 of Section 7, Township 13 South, Range 4 West of the Willamette Meridian in Benton County, Oregon.

PARCEL 2:

Government Lots 5 and 6 of Section 18, Township 13 South, Range 4 West of the Willamette Meridian, Benton County, Oregon.

PARCEL 3:

Tract A:

Beginning at a ½ inch pipe the most East Southeast corner of the Abel Hurburt Donation Land Claim No. 77, in Section 18, Township 13 South, Range 4 West, Willamette Meridian, Benton County, Oregon; and running thence North 0°10' West along the East line of said Claim 10.576 chains to the centerline of the Albany Slough, a branch of the Willamette River; thence South 50°59' West along the center of said Slough 16.69 chains to the South line of said Claim; thence South 89°41' East 13.00 chains to the place of beginning.

Escrow No: 10-39667
Title No: 10-39667

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Tract B:

Lots 10, 11 and 12 of Section 18, Township 13 South, Range 4 West of the Willamette Meridian, Benton County, Oregon.

PARCEL 4:

Government Lots 6 and 7 of Section 19, Township 13 South, Range 4 West of the Willamette Meridian, Benton County, Oregon.

PARCEL 5:

Beginning at a 1 inch iron at the most South Southeast corner of the Abel Hurlburt Donation Land Claim No. 60 in Section 24, Township 13 South, Range 5 West, Willamette Meridian, Benton County, Oregon; and running thence North 0°01' West along the Claim line 8.00 chains to the center line of the Albany Slough; thence South 50°50' West along the center line of said Slough 12.666 chains to the South line of said Claim; thence North 89°24' East 9.734 chains to the place of beginning.

PARCEL 6:

Tract A:

Lots No. 3 and 4 of Section 24, Township 13 South, Range 5 West of the Willamette Meridian. EXCEPTING THEREFROM that property conveyed by deed recorded in Book 160, Page 144, Deed Records of Benton County, Oregon.

Tract B:

Donation Land Claim of John E. P. Withers and wife, Notification No. 4726 and described as the East half of the West half of Section 13, Township 13 South, Range 5 West of the Willamette Meridian. EXCEPTING THEREFROM that property conveyed by deed recorded in Book 139, Page 363, Deed Records of Benton County, Oregon.

Tract C:

The East half of the North West Quarter; the Southwest Quarter of the Northeast Quarter and Lot 1 in Section 24, Township 13 South, Range 5 West of the Willamette Meridian. EXCEPTING THEREFROM that property conveyed in Book F, Page 271, Deed Records of Benton County, Oregon.

Tract D:

Beginning at a stone at the Southwest corner of the Abel Hurlburt Donation Land Claim No. 60 in Section 24, Township 13 South, Range 5 West of the Willamette Meridian in Benton County, Oregon; and running thence North 0°05' East along the West line of said Claim, 2.948 chains to the center of the channel of a Slough; thence South 74°36' East along the center line of said Channel, 10.696 chains to the South line of said Claim; thence South 89°24' West 10.316 chains to the place of beginning, all in Benton County, Oregon.

Escrow No: 10-39667
Title No: 10-39667

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Subject to:

BENTON COUNTY EXCEPTIONS

1. Taxes for the fiscal year 2003-04, a lien in an amount to be determined, but not yet payable.
2. The assessment and tax rolls disclose that the premises herein described have been specially assessed as Farm Use Land. If the land becomes disqualified for the special assessment under the statute, an additional tax may be levied for previous years in which the farm use assessment was in effect for the land. In addition thereto, a penalty may be levied if notice of disqualification is not timely given.
3. The rights of the public in and to that portion of the premises herein described lying within the limits of public roads, streets and highways.
4. The following matters are excluded from the coverage of the policy based on the proximity of the property to Willamette River, Willamette Sloughs, Albany Channel, Albany Slough, McBee Slough and Un-Named Creeks.
 - a. Rights of the public and governmental bodies (including claims of ownership) to that portion of the premises lying below the high water mark of Willamette River, Willamette Sloughs, Albany Channel, Albany Slough, McBee Slough and Un-Named Creeks.
 - b. Any adverse claim based on the assertion that:
 - i. Some portion of said land has been created by artificial means, or has accreted to such portion so created.
 - ii. Some portion of said land has been brought within the boundaries thereof by an avulsive movement of Willamette River, Willamette Sloughs, Albany Channel, Albany Slough, McBee Slough and Un-Named Creeks or has been formed by accretion to such portion.
5. Any rights and easements of the public and governmental bodies for rights of portage.
6. Unrecorded leases and/or tenancies, if any.
7. An Easement created by instrument, including the terms and provisions thereof,
In favor of: Willamette River Basin Commission
Recorded: December 28, 1955
Book: 153 Page: 428
in Benton County, Oregon.
Affects: Parcel 1
8. An Easement created by instrument, including the terms and provisions thereof,
In favor of: Benton County
Recorded: August 28, 1956
Book: 156 Page: 327
in Benton County, Oregon.
Affects: Parcel 1
9. An Easement created by instrument, including the terms and provisions thereof,
In favor of: Consumers Power, Inc.
Recorded: August 5, 1968
Microfilm No.: M-9203
in Benton County, Oregon.
Affects: Parcel 3 and 4

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Title No: 10-39667

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10. An Easement created by instrument, including the terms and provisions thereof,
For: Roadway purposes
Recorded: March 14, 1969
Microfilm No.: M-12507
In Benton County, Oregon.
Affects: Parcel 2, 3, 4 and 5
11. An Easement created by instrument, including the terms and provisions thereof,
In favor of: Pacific Power & Light Company
Recorded: August 4, 1970
Microfilm No.: M-19762
in Benton County, Oregon.
Affects: Parcel 1
12. An Easement created by instrument, including the terms and provisions thereof,
In favor of: Consumers Power, Inc.
Recorded: August 14, 1973
Microfilm No.: M-42665
in Benton County, Oregon.
Affects: Parcel 6
13. Oil and Gas Lease, including the terms and provisions thereof, a memorandum of which
was,
Lessor: Jerry A. Dyksterhuis and Deanna Dyksterhuis
Lessee: Mobil Oil Corporation
Dated:
Recorded: October 13, 1975
Microfilm No.: M-60073
in Benton County, Oregon.
Affects: Parcel 6
14. Easement as reserved in Memorandum of Land Sale Contract,
For: Access
Recorded: January 28, 1976
Microfilm No.: M-62706
in Benton County, Oregon.
Affects: Parcel 2 and 3
15. An Easement created by instrument, including the terms and provisions thereof,
In favor of: Pacific Power & Light Company
Recorded: May 27, 1976
Microfilm No.: M-66092
in Benton County, Oregon.
Affects: Parcel 1

Escrow No: 10-39667
Title No: 10-39667

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16. Oil and Gas Lease, including the terms and provisions thereof, a memorandum of which was,

Lessor: Larry A. Isom, Susanne Isom, Wynn Isom and Brenda Isom
Lessee: Mobil Oil Corporation
Dated:
Recorded: October 15, 1976
Microfilm No.: M-71935
in Benton County, Oregon.
Affects: Parcel 2, 3 and 5

17. An Easement created by instrument, including the terms and provisions thereof,

In favor of: Pacific Power & Light Company
Recorded: June 21, 1978
Microfilm No.: M-95749
in Benton County, Oregon.
Affects: Parcel 1

18. An Easement created by instrument, including the terms and provisions thereof,

In favor of: Consumers Power, Inc.
Recorded: May 19, 1982
Microfilm No.: M-38275-82
in Benton County, Oregon.
Affects: Parcel 4

19. An Easement created by instrument, including the terms and provisions thereof,

In favor of: Consumers Power, Inc.
Recorded: September 23, 1983
Microfilm No.: M-51713-83
in Benton County, Oregon.
Affects: Parcel 4

20. Easement for ingress and egress above and below the surface of the land as implied by reservation of mineral rights in Deed,

From: The Federal Land Bank of Spokane
To: Jerry A. Dyksterhuis and Deanna Dyksterhuis
Dated: April 18, 1985
Recorded: May 9, 1985
Microfilm No.: M-67037-85
in Benton County, Oregon.

The beneficial interest under said Reservation of Mineral Rights was transferred by instrument,

To: Northwest Farm Credit Services, FLCA
Recorded: August 11, 2003
Microfilm No.: 2003-348957
in Benton County, Oregon.

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Title No: 10-39667

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21. An Easement created by instrument, including the terms and provisions thereof,
In favor of: Consumers Power, Inc.
Recorded: September 24, 1987
Microfilm No.: M-94091-87
In Benton County, Oregon.
Affects: Parcel 6

Escrow No: 10-39667
Title No: 10-39667

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**Oregon Water Resources Department
Ground Water Application**

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Today's Date: Friday, August 3, 2018

Base Application Fee.		\$1,340.00
Number of proposed cubic feet per second (cfs) to be appropriated. (1 cfs = 448.83 gallons per minute)	1	\$350.00
Number of proposed Use's for the appropriated water. (i.e. Irrigation, Supplemental Irrigation, Pond Maintenance, Industrial, Commercial, etc) *	2	\$350.00
Number of proposed Ground Water points of appropriation. (i.e. number of wells) (include all injection wells, if applicable) **	2	\$350.00
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		\$2,910.00

OWRD Fee Schedule

Fee Calculator Version B20170117