



**Oregon Water Resources Department
Ground Water Application**

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Today's Date: Tuesday, October 2, 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)	.37	\$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
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

G-18740

Application for a Permit to Use
Groundwater

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OREGON Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1266
 503-986-0900
 www.oregon.gov/OWRD

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 WATER RESOURCES DEPARTMENT
 OCT 2 2018

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant

NAME MFE Covered Bridge, LLC		PHONE (HM)	
PHONE (WK)	CELL (505) 400-3397	FAX	
ADDRESS P.O. Box 4967			
CITY Kansas City	STATE MO	ZIP 64120	E-MAIL* shonda@chesscapitalpartners.com

Organization

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

Agent— 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 proposed and final order documents will also be mailed.)

By my signature below I confirm that I understand:

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

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

Applicant Signature

Print Name and Title if applicable

Date

Applicant Signature

Print Name and Title if applicable

Date

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.
- YES, the land is encumbered by easements, rights of way, roads or other encumbrances.
- NO, I have a recorded easement or written authorization permitting access.
- NO, I do not currently have written authorization or easement permitting access.
- NO, 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).
- NO, because water is to be diverted, conveyed, and/or used only on federal lands.

Affected Landowners:List the names and mailing addresses of all owners of any lands that are not owned by the applicant and that are crossed by the proposed ditch, canal or other work, even if the applicant has obtained written authorization or an easement from the owner. *(Attach additional sheets if necessary).*

Legal Description: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	Thomas Creek	1850'	41'
POA 2	Thomas Creek	1250'	28'

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: 0.37 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"/>	10"					gravel and sand	365'		73.75
POA 2	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	10"					gravel and sand	350'		73.75
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									

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

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For Department Use: App. Number: _____

01281-9

SECTION 4: SENSITIVE, THREATENED OR ENDANGERED FISH SPECIES PUBLIC INTEREST INFORMATION

This information must be provided for your application to be accepted as complete. The Water Resources Department will determine whether the proposed use will impair or be detrimental to the public interest with regard to sensitive, threatened or endangered fish species if your proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters.

To answer the following questions, use the map provided in Attachment 3 or the link below to determine whether the proposed point of appropriation (POA) is located in an area where the Upper Columbia, the Lower Columbia, and/or the Statewide public interest rules apply.

For more detailed information, click on the following link and enter the TRSQQ or the Lat/Long of a POA and click on "Submit" to retrieve a report that will show which section, if any, of the rules apply:

https://apps.wrd.state.or.us/apps/misc/lkp_trsqq_features/

If you need help to determine in which area the proposed POA is located, please call the customer service desk at (503) 986-0801.

Upper Columbia - OAR 690-033-0115 thru -0130

Is the well or proposed well located in an area where the Upper Columbia Rules apply?

Yes No

If yes, you are notified that the Water Resources Department will consult with numerous federal, state, local and tribal governmental entities so it may determine whether the proposed use is consistent with the "Columbia River Basin Fish and Wildlife Program" adopted by the Northwest Power Planning Council in 1994 for the protection and recovery of listed fish species. The application may be denied, heavily conditioned, or if appropriate, mitigation for impacts may be needed to obtain approval for the proposed use.

If yes, and if the Department determines that proposed groundwater use has the potential for substantial interference with nearby surface waters:

- I understand that the permit, if issued, will not allow use during the time period April 15 to September 30, except as provided in OAR 690-033-0140.
- I understand that the Department of Environmental Quality will review my application to determine if the proposed use complies with existing state and federal water quality standards.
- I understand that I will install and maintain water use measurement and recording devices as required by the Water Resources Department, and comply with recording and reporting permit condition requirements.

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Lower Columbia - OAR 690-033-0220 thru -0230

Is the well or proposed well located in an area where the Lower Columbia rules apply?

Yes No

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If yes, and the proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters you are notified that the Water Resources Department will determine, by reviewing recovery plans, the Columbia River Basin Fish and Wildlife Program, and regional restoration programs applicable to threatened or endangered fish species, in coordination with state and federal agencies, as

appropriate, whether the proposed use is detrimental to the protection or recovery of a threatened or endangered fish species and whether the use can be conditioned or mitigated to avoid the detriment.

If a permit is issued, it will likely contain conditions to ensure the water use complies with existing state and federal water quality standards; and water use measurement, recording and reporting required by the Water Resources Department. The application may be denied, or if appropriate, mitigation for impacts may be needed to obtain approval of the proposed use.

If yes, you will be required to provide the following information, if applicable.

Yes No The proposed use is for more than **one** cubic foot per second (448.8 gpm) and is not subject to the requirements of OAR 690, Division 86 (Water Management and Conservation Plans).

If yes, provide a description of the measures to be taken to assure reasonably efficient water use:

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Statewide - OAR 690-033-0330 thru -0340

Is the well or proposed well located in an area where the Statewide rules apply?

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Yes No

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If yes, and the proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters you are notified that the Water Resources Department will determine whether the proposed use will occur in an area where endangered, threatened or sensitive fish species are located. If so, the Water Resources Department, Department of Fish and Wildlife, Department of Environmental Quality, and the Department of Agriculture will recommend conditions required to achieve “no loss of essential habitat of threatened and endangered (T&E) fish species,” or “no net loss of essential habitat of sensitive (S) fish species.” If conditions cannot be identified that meet the standards of no loss of essential T E fish habitat or no net loss of essential S fish habitat, the agencies will recommend denial of the application unless they conclude that the proposed use would not harm the species.

SECTION 5: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Irrigation	March 1 - October 31	73.75

For irrigation use only:

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

Primary: 29.5 Acres Supplemental: 0 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: 73.75

- 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 6: WATER MANAGEMENT

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A. Diversion and Conveyance

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

- Pump (give horsepower and type): 30 HP submersible
- Other means (describe): _____

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. It is proposed to pump water from the well with a 30 HP submersible pump, deliver it to the fields through buried PVC mainline and apply water to the fields through drip and/or high pressure sprinklers.

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*)
Drip and/or high pressure sprinklers.

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 the irrigation of crops, the system will be equipped with a measuring device, equipment will be kept in good operating condition and care will be taken not to contaminate any surface water.

SECTION 7: PROJECT SCHEDULE

- a) Date construction will begin: 2019
- b) Date construction will be completed: Request 5 years from permit issue date.
- c) Date beneficial water use will begin: 2019

SECTION 8: RESOURCE PROTECTION

In granting permission to use water the state encourages, and in some instances requires, careful control of activities that may affect adjacent waterway or streamside area. See instruction guide for a list of possible permit requirements from other agencies. Please indicate any of the practices you plan to undertake to protect water resources.

- Water quality will be protected by preventing erosion and run-off of waste or chemical products.
Describe: The proposed source of water is a well and will not be near live stream surface water. Care will be taken to prevent any erosion and run-off of waste or chemical products.

- Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.

Note: If disturbed area is greater than one acre, applicant should contact the Oregon Department of Environmental Quality to determine if a 1200C permit is required.

Describe planned actions and additional permits required for project implementation: _____

Other state and federal permits or contracts required and to be obtained, if a water right permit is granted:
List: _____

SECTION 9: WITHIN A DISTRICT

Check here if the point of appropriation (POA) 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*).

POA 1 is the first choice for the well site, but if an insufficient amount of water is found, then a well will be drilled at POA 2.

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Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050 & ORS 537.140)

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.

Please submit the original application and signatures to the Water Resources Department. Applicants are encouraged to keep a copy of the completed application.

- SECTION 1: Applicant Information and Signature
- SECTION 2: Property Ownership
- SECTION 3: Well Development
- SECTION 4: Sensitive, Threatened or Endangered Fish Species Public Interest Information
- SECTION 5: Water Use
- SECTION 6: Water Management
- SECTION 7: Project Schedule
- SECTION 8: Resource Protection
- SECTION 9: Within a District
- SECTION 10: Remarks

Include the following additional items:

- 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.
- Fees - Amount enclosed: \$2,560
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.
- Map that includes the following items:
 - 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 diversion, by reference to a recognized public land survey corner (distances north/south and east/west)
 - Indicate the area of use by Quarter/Quarter and taxlot identified clearly.
 - 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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Note: In addition to a groundwater application, a standard reservoir application is required to store groundwater in a reservoir. If an applicant proposes to divert water from a reservoir, a surface water application is also required.

G-18740

Land Use Information Form



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1266
 503-986-0900
www.oregon.gov/OWRD

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 groundwater 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.oregon.gov/OWRD

Applicant

NAME MFE Covered Bridge, LLC			PHONE (HM)		
PHONE (WK)		CELL (505) 400-3397		FAX	
ADDRESS P.O. Box 4967					
CITY Kansas City		STATE MO	ZIP 64120	E-MAIL* shonda@chesscapitalpartners.com	

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:
10S	1W	9	NENE	100	EFU	<input checked="" type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
10S	1W	9	NWNE	100	EFU	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
10S	1W	9	SWNE	100	EFU	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
10S	1W	9	SESE	100	EFU	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
10S	1W	9	SENE	100	EFU	<input 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.

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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: 73.75 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:

Application is being made for 29.5 acres of new water right for uncovered areas on the farm.

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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.

G-10740

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 landuse 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): Linn County Code 925.310(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

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.

Farming is an outright use in the EFU

NAME <u>Jennifer Cepello</u>	TITLE: <u>Ass. Planner</u>
SIGNATURE 	PHONE: <u>541-967-3816</u>
GOVERNMENT ENTITY <u>Linn County</u>	DATE: <u>9/20/2018</u>

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 completedLand Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible withlocal comprehensive plans.

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Receipt for Request for Land Use Information

OCT 2 2018

Applicant name: _____

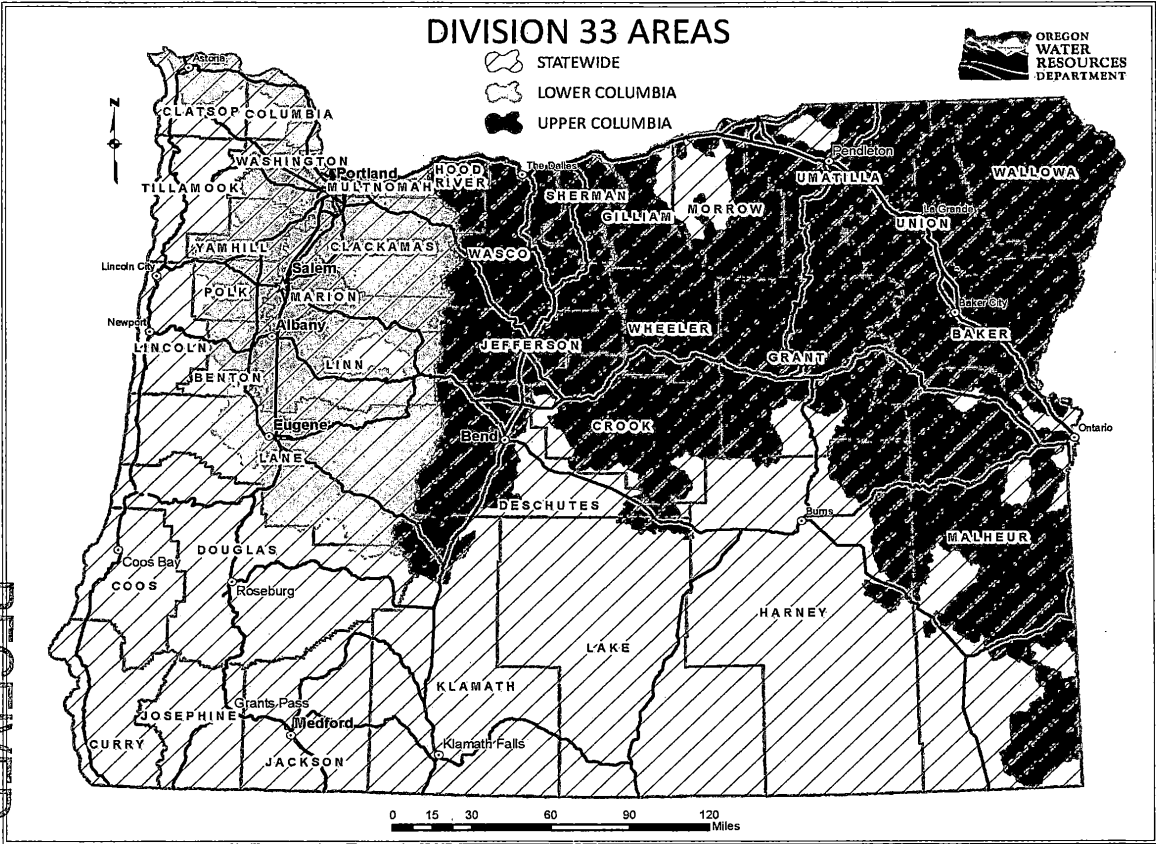
City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

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Figure 1: Map of Division 33 Areas



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For more detailed information, click on the following link and enter the TRSQQ or the Lat/Long of a POA and click on "Submit" to retrieve a report that will show which section, if any, of the Division 33 rules apply: https://apps.wrd.state.or.us/apps/misc/lkp_trsqq_features/

Shonda K. Warner
2701 Guinotte
Kansas City, MO 64120
Grantor

MFE Covered Bridge, LLC
3131 Turtle Creek Blvd., Suite 1020
Dallas TX 75219
Grantee

After Recording Return to:
MFE Covered Bridge, LLC
3131 Turtle Creek Blvd., Suite 1020
Dallas TX 75219

Unless requested otherwise send all tax statements to:
MFE Covered Bridge, LLC
3131 Turtle Creek Blvd., Suite 1020
Dallas TX 75219

LINN COUNTY, OREGON **2018-14952**
D-WD
Str=48 S. WILSON **08/21/2018 02:00:00 PM**
\$25.00 \$11.00 \$10.00 \$60.00 \$19.00 **\$125.00**

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

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WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that **Shonda K. Warner**, hereinafter called **Grantor**, for the consideration hereinafter stated, to Grantor paid by **MFE Covered Bridge, LLC**, hereinafter called **Grantee**, does hereby grant, bargain, sell and convey unto the Grantee and Grantee's heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in the County of Linn, State of Oregon, described as follows, to-wit:

Beginning at a Linn County monument at the Northeast corner of Section 9, Township 10 South, Range 1 West of the Willamette Meridian, in Linn County, Oregon; and running thence North 89°51'50" West, along the North line of said Section 9, 1862.66 feet to a 5/8 inch iron rod; thence South 1°10'35" West 1485.02 feet to a 5/8 inch iron rod; thence North 86°59'17" West 79.04 feet to a 5/8 inch iron rod; thence South 72°05'28" West 218.51 feet to a 5/8 inch iron; thence South 54°19'33" West 226.46 feet to a 5/8 inch iron; thence South 35°52'14" West 102.46 feet to a 5/8 inch iron rod; thence South 24°08'24" West 73.18 feet to a 5/8 inch iron rod; thence South 35°53'15" West 91.59 feet to a 5/8 inch iron rod; thence South 46°51'06" West 74.16 feet to a 5/8 inch iron rod; thence South 77°32'45" West 88.92 feet to a 5/8 inch iron rod; thence North 75°12'11" West 19.54 feet to a 5/8 inch iron rod; thence North 0°18'09" East 652.80 feet to a 3/4 inch bolt; thence North 87°43'43" West 1341.52 feet to a truck axle marking the Northwest corner of Lot 6 of J.L. MILLERS LAND PLAT; thence Southerly, along the West line of said Lot 6, 864.60 feet, more or less, to the center of Thomas Creek; thence, up the center of Thomas Creek, to its intersection with the East line of said Section 9; thence Northerly, along said East line of Section 9, 2505.36 feet, more or less, to the point of beginning.

EXCEPTING THEREFROM that portion conveyed to Linn County, Oregon, by instrument recorded March 15, 1954, in Book 236, Page 575, Linn County Deed Records.

ALSO EXCEPTING THEREFROM that portion conveyed to Linn County, a political subdivision of the State of Oregon, by instrument recorded April 16, 1962, Volume 595, Page 585, Linn County Records.

SUBJECT TO AND RESERVING a life estate in favor of Grantor Shonda Warner in that portion of the real property legally described herein on Exhibit "A", a copy of which is attached hereto and by this reference incorporated herein. The property subject to a life estate in favor of Grantor Shonda Warner is further depicted on Exhibit "B", a copy of which is attached hereto and by this reference incorporated herein.

Fidelity National Title # 202203125

G-18740

To Have and to Hold the same unto said Grantee and Grantee's heirs, successors and assigns forever.

And Grantor hereby covenants to and with Grantee and Grantee's heirs, successors and assigns, that Grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances, except the matters contained in the usual printed exceptions to a title insurance policy and liens and encumbrances placed on the property or suffered by a purchaser subject to the life estate referenced herein in favor of Grantor, and that Grantor will warrant and forever defend the premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances, if any.

During the term of the life estate:

1. Life Tenant shall be solely responsible for all repair, maintenance and replacements of the Life Estate Parcel.

2. Life Tenant shall provide Grantee, and the owner of the remainder interest in the Life Estate Parcel with a certificate of insurance naming them as an additional insured under a liability insurance policy in form and substance reasonably acceptable to the owner of the remainder interest and issued by an insurance company licensed to do business in the state of Oregon and rated A- VII or better by AM Best Insurance Guides, Life Tenant shall indemnify, defend and hold the owner of the remainder interest harmless from any and all claims, demands, losses for damage or injury to persons or property arising out of the Life Tenant's use and ownership of the Life Estate reserved by Life Tenant.

3. Life tenant may maintain an owner's/fire insurance policy insuring the dwelling and structures on the life estate parcel. To the extent that life estate tenant elects to do so, she shall name Grantee as an additional insured. Life tenant shall be responsible for maintenance of any premiums affiliated with said insurance.

4. Grantee or the then owner of the remainder interest shall have a right of first refusal on any proposed sale by Life Tenant to a third party. Upon receipt by Grantee or the owner of the remainder interest of notice of a proposed sale and a proposed contract with a bona fide third party, Grantee or the owner of the remainder interest shall respond to any such notice of sale within 15 days. If the owner of the remainder interest fails to respond within such 15 day period, Life tenant may proceed to transfer the Life Estate Parcel in accordance with the terms of the offer. If the owner of the remainder interest shall accept the proposed offer, the closing shall be in accordance with the terms of the proposed contract offered to the owner of the remainder interest.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$1,200,000.00. However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration. In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

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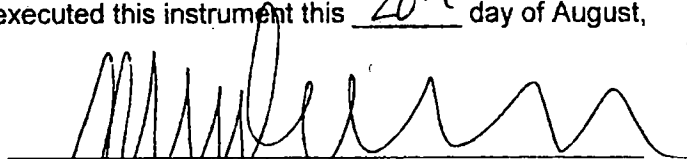
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BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO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

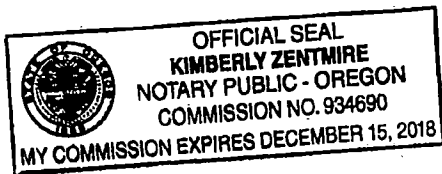
THE PROPERTY DESCRIBED IN THIS INSTRUMENT MAY NOT BE WITHIN A FIRE PROTECTION DISTRICT PROTECTING STRUCTURES. THE PROPERTY IS SUBJECT TO LAND USE LAWS AND REGULATIONS THAT, IN FARM OR FOREST ZONES, MAY NOT AUTHORIZE CONSTRUCTION OR SITING OF A RESIDENCE AND THAT LIMIT LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, IN ALL ZONES. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. 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 VERIFY THE EXISTENCE OF FIRE PROTECTION FOR STRUCTURES AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009.

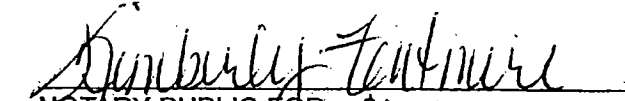
IN WITNESS WHEREOF, the Grantor has executed this instrument this 20th day of August, 2018.


Shonda K. Warner, Grantor

STATE OF Oregon)
County of Benton) ss.

This instrument was acknowledged before me on this 20th day of August, 2018, by Shonda K. Warner.




NOTARY PUBLIC FOR Oregon
My commission expires: 12/15/2018

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EXHIBIT "A"

LEGAL DESCRIPTION RESERVE AREA

AN AREA OF LAND SHOWN IN EXHIBIT "B" LOCATED IN THE JESSE B. THOMAS DONATION LAND CLAIM NO. 47, IN THE NORTHEAST QUARTER SECTION 9, TOWNSHIP 10 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN, LINN COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE 1/4 CORNER BETWEEN SECTIONS 9 & 10 OF SAID TOWNSHIP AND RANGE; THENCE ALONG SAID SECTION LINE, NORTH 00°38'56" EAST 639.59 FEET; THENCE LEAVING SAID SECTION LINE NORTH 60°18'05" WEST 34.32 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00°38'56" 244.59 FEET; THENCE NORTH 75°40'30" WEST 901.06 FEET; THENCE SOUTH 09°55'04" WEST 160.00 FEET; THENCE SOUTH 77°09'15" EAST 605.77 FEET; THENCE SOUTH 60°18'05" EAST 353.69 FEET TO THE POINT OF BEGINNING.

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