



Oregon Water Resources Department
Ground Water Application

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Today's Date: Monday, February 4, 2019

| | | |
|---|-------------|------------|
| Base Application Fee. | | \$1,340.00 |
| Number of proposed cubic feet per second (cfs) to be appropriated. (1 cfs = 448.83 gallons per minute) | 1.59 | \$700.00 |
| Number of proposed Use's for the appropriated water. (i.e. Irrigation, Supplemental Irrigation, Pond Maintenance, Industrial, Commercial, etc) * | 1 | |
| Number of proposed Ground Water points of appropriation. (i.e. number of wells) (include all injection wells, if applicable) ** | 1 | |
| 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 |



Oregon Water Resources Department
Ground Water Application

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Today's Date: Friday, February 1, 2019

| | | |
|--|-----|--|
| Base Application Fee. | | \$1,340.00 |
| Number of proposed cubic feet per second (cfs) to be appropriated. (1 cfs = 448.83 gallons per minute) | 1.2 | \$700.00 |
| Number of proposed Use's for the appropriated water. (i.e. Irrigation, Supplemental Irrigation, Pond Maintenance, Industrial, Commercial, etc) * | 1 | |
| Number of proposed Ground Water points of appropriation. (i.e. number of wells) (include all injection wells, if applicable) ** | 1 | |
| Permit Recording Fee. *** | | \$520.00 |
| <p>* 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.</p> | | <input type="button" value="Recalculate"/> |
| Estimated cost of Permit Application | | \$2,560.00 |

OWRD Fee Schedule

| |
|----------------------------------|
| |
| Fee Calculator Version B20170117 |

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 | CALAPOOIA RIVER | 10,450' | 29' |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

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: 0.49 CFS IR, 1.10 CFS DIR (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/GRAVEL | 150' +/- | 215 GPM +/- | 97.5 AF |
| | <input type="checkbox"/> | <input type="checkbox"/> | | <input type="checkbox"/> | | | | | | | | | |
| | <input type="checkbox"/> | <input type="checkbox"/> | | <input type="checkbox"/> | | | | | | | | | |
| | <input type="checkbox"/> | <input type="checkbox"/> | | <input type="checkbox"/> | | | | | | | | | |
| | <input type="checkbox"/> | <input type="checkbox"/> | | <input type="checkbox"/> | | | | | | | | | |
| | <input type="checkbox"/> | <input type="checkbox"/> | | <input type="checkbox"/> | | | | | | | | | |
| | <input type="checkbox"/> | <input type="checkbox"/> | | <input type="checkbox"/> | | | | | | | | | |
| | <input type="checkbox"/> | <input type="checkbox"/> | | <input type="checkbox"/> | | | | | | | | | |

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

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For Department Use: App. Number: A-18786

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

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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.

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

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:
Keep equipment in good operating condition to minimize waste and install water use measuring device.

Statewide - OAR 690-033-0330 thru -0340

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

Yes No

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 | 97.5 |
| Deficiency in Rate | March 1 – October 31 | 0 |
| | | |

For irrigation use only:

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

Primary: 39.0 Acres IR, 113 Ac. DIR 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: 97.5 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 6: WATER MANAGEMENT

A. Diversion and Conveyance

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

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

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. 30 HP submersible pump in well to 6-8" PVC buried mainline

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*)
wheel line, hard hose traveler, hand line

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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 the standard for crop irrigation. The system will be equipped with a measuring device and care will be taken to keep the system in good operating condition to avoid any adverse impacts.

SECTION 7: PROJECT SCHEDULE

- Date construction will begin: upon permit issuance
- Date construction will be completed: request standard 5 year completion time
- Date beneficial water use will begin: 2019 irrigation season if permit is issued

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: Care will be taken in operating the system and the system will be kept in good operating condition.
- 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: No clearing will be required.
- 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*).

It is proposed to make up the 1.10 cfs deficiency in rate from permit G-15335 on this application. 0 AF is being requested in this application because permit G-15335 already authorizes the maximum 2.5 AF.

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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

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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: \$2,560.00
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)

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.

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. 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 \$410.00 for the applicant and \$810.00 for non-applicants. Protests are filed on approximately 10 percent 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 can issue a Final Order within 60 days of the close of the period for receiving protest. If the application is approved, a permit is issued. The permit specifies the details of the authorized use and any terms, limitations or conditions that the Department deems appropriate

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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

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 KYLE A RUCKERT OR LINDSEY D RUCKERT | | | PHONE (HM) | | |
| PHONE (WK) | | CELL (541) 979-4122 | | FAX | |
| ADDRESS 33660 RIDGE DR. | | | | | |
| CITY TANGENT | | STATE OR | ZIP 97389 | E-MAIL* RUCKERTKYLE@GMAIL.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: |
|----------|-------|---------|------|-----------|---|--|-----------------------------------|--|--------------------|
| 12S | 3W | 28 | NENE | 100 | EFU | <input checked="" type="checkbox"/> Diverted | <input type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | Farming |
| 12S | 3W | 28 | NWNE | 100 | EFU | <input type="checkbox"/> Diverted | <input type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | Farming |
| 12S | 3W | 27 | NENW | 200 | EFU | <input type="checkbox"/> Diverted | <input type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | Farming |
| 12S | 3W | 27 | NWNW | 200 | EFU | <input type="checkbox"/> Diverted | <input type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | Farming |
| 12S | 3W | 27 | SWNW | 200 | EFU | <input type="checkbox"/> Diverted | <input type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | Farming |
| 12S | 3W | 27 | SEnw | 200 | 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 bediverted, conveyed, and/or used or developed:

Linn County

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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: 97.5 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:

Proposed well POA 1 will be used to irrigate 38.5 acres of crops in tax lot 100 and provide water for a deficiency in rate on permit G-15335 for irrigation of crops in tax lot 200.



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-18784

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): CC 28.310(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: | |
|--|---|--|--|
| <p>RECEIVED FEB 01 2019 OWRD</p> | | <input type="checkbox"/> Obtained <input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued |
| | | <input type="checkbox"/> Obtained <input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued |
| | | <input type="checkbox"/> Obtained <input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued |
| | | <input type="checkbox"/> Obtained <input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued |
| | | <input type="checkbox"/> Obtained <input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued |

Local governments are invited to express special land use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

| | | |
|---|-------------------------------|---------------------------------|
| NAME <u>Alyssa Boles</u> | | TITLE: <u>Senior Planner</u> |
| SIGNATURE <u>Alyssa Boles</u> | PHONE: <u>541-967-3816</u> | DATE: <u>1/30/2019</u> |
| GOVERNMENT ENTITY <u>Linn County</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.

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

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After Recording Return To:
Dennis D. Ashenfelter
PO Box 667
Albany, OR 97321

Grantor's Name and Address:
Larry E. Ruckert
Dedra L. Ruckert
33660 Ridge Drive
Tangent, OR 97389

Grantee's Name and Address:
Kyle A. Ruckert
Lindsey D. Ruckert
PO Box 381
Halsey, OR 97348

Send Tax Statements To:
Kyle A. Ruckert
Lindsey D. Ruckert
PO Box 381
Halsey, OR 97348

Assessor's Account No. 225306

LINN COUNTY, OREGON **2015-04528**
D-WD
Stn=9 K. PETERSON **04/06/2015 03:42:53 PM**
\$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

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WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS that Larry E. Ruckert and Dedra L. Ruckert, husband wife, hereinafter referred to as Grantor, for the consideration hereinafter stated, do hereby convey and warrant to Kyle A. Ruckert and Lindsey D. Ruckert, husband and wife, hereinafter referred to as Grantee, and unto Grantee's heirs, successors and assigns, all of Grantor's interest in that certain real property, free of encumbrances except as specifically set forth herein, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in Linn County, State of Oregon, described as follows:

Said real property is described on Exhibit A attached hereto and incorporated herein.

The real property is conveyed subject to the encumbrances described on Exhibit B attached hereto and incorporated herein.

TO HAVE AND TO HOLD the same unto Grantee and Grantee's heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$125,000.

In construing this Deed, where the context so requires, the singular includes the plural, and all grammatical changes shall be made so that this Deed shall apply equally to corporations and to individuals.

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

After Recording Return To: **Ameritie** 1004212/02-610565

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EXHIBIT "A"

Beginning at the Northeast corner of the Donation Land Claim of E.H. Griffin, Not. No. 2435, Claim No. 50, in Township 12 South Range 3 West of the Willamette Meridian, in Linn County, Oregon, and running thence East along the North line of Section 28, in said Township and Range 33.52 chains to the Northeast corner of said Section 28, thence South along the East line of said Section, 11.93 chains, thence West 33.52 chains to the East line of said E.H. Griffin's D.L.C. thence North along the East line of said Claim to the place of beginning; containing 40 acres.

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EXHIBIT "B"

The conveyance made by this Warranty Deed is subject to the following:

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 the boundaries of the Linn Soil and Water Conservation District and is subject to any charges or assessments levied by said District and pipeline easements in connection therewith.
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.
4. A Deed of Trust, including the terms and provisions thereof, to secure the amount noted below, and any other amounts secured thereunder, if any:
Amount : \$525,000.00
Trustor/Grantor : Larry E. Ruckert and Dedra L. Ruckert
Trustee : AmeriTitle
Beneficiary : Citizens Bank
Dated : March 30, 2012
Recorded : April 3, 2012
Instrument No. : 2012-04743

An agreement to modify the terms and provisions of said Deed of Trust as therein provided:

Recorded : March 29, 2013
Instrument No. : 2013-053574

An agreement to modify the terms and provisions of said Deed of Trust as therein provided:

Recorded : March 17, 2014
Instrument No. : 2014-02886

An agreement to modify the terms and provisions of said Deed of Trust as therein provided:

Recorded : December 29, 2014
Instrument No. : 2014-16852

5. A Deed of Trust, including the terms and provisions thereof, to secure the amount noted below, and any other amounts secured thereunder, if any:
Amount : \$390,000.00
Trustor/Grantor : Larry E. Ruckert and Dedra L. Ruckert; Larry Earl Ruckert and Dedra Lynn Ruckert
Trustee : First American Title
Beneficiary : Citizens Bank
Dated : December 18, 2014
Recorded : December 30, 2014
Instrument No. : 2014-16879
(includes additional property)

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Grantor's Name and Address:

Violet Ruckert
1893 27th Avenue SE
Albany, OR 97321

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After Recording Return to:

Thomas L. Black
Weatherford Thompson
P O Box 667
Albany, OR 97321

WARRANTY DEED

Grantee's Name and Address:

Larry E. and Dedra L. Ruckert
33660 Ridge Drive
Tangent, OR 97389

Send tax statements to:

Larry E. and Dedra L. Ruckert
33660 Ridge Drive
Tangent, OR 97389

KNOW ALL BY THESE PRESENTS that Violet Ruckert, who succeeded to sole ownership on the death of her spouse, George A. Ruckert, on January 23, 1984, for which a copy of the death certificate is attached, hereinafter referred to as Grantor, for the consideration hereinafter stated, to Grantor paid by Larry E. Ruckert and Dedra L. Ruckert, each as tenants in common as to an undivided one-half interest, hereinafter referred to as Grantee, does hereby grant, bargain, sell and convey unto the Grantee and Grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in Linn County, State of Oregon, described as follows:

Commencing at the Northwest corner of Section 27 in Township 12, South, Range 3 West of the Willamette Meridian, in Linn County, Oregon, running thence East 120 rods; thence South to the South line of the Northwest Quarter of said Section, thence West to the Southwest corner of the Northwest Quarter of said Section, thence North to the place of beginning, continuing 120 acres, more or less.

TO HAVE AND TO HOLD the same unto 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 all easements, conditions, restrictions and encumbrances listed as exceptions to title by the document by which Grantor received record title to the property; and all easements, conditions, restrictions, and encumbrances created or suffered by the Grantor; and all leases and entered into by Grantor encumbering the property, if any, whether or not of record; and subject to an existing lease of warehouse site of G & R Seeds, 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.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$120,000. However, the actual consideration consists of or includes other property or value given or promised which is the whole part of the (indicate which) consideration.

In construing this deed, where the context so requires, the singular includes the plural, and all grammatical changes shall be made so that this deed shall apply equally to corporations and to individuals.

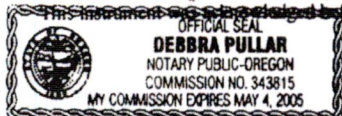
IN WITNESS WHEREOF, the Grantor has executed this instrument this 6th day of June 2001; if Grantor is a corporation, it has caused its name to be signed and its seal, if any affixed by an officer or other person duly authorized to do so by order of its board of directors.

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.

Violet Ruckert
Violet Ruckert

STATE OF OREGON, County Linn) ss.

This instrument was acknowledged before me on June 6, 2001, by Violet Ruckert.



Debora Pullar
NOTARY PUBLIC FOR OREGON
My commission expires: May 4, 2005

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Department of Human Resources

CERTIFICATE OF DEATH

Vital Records Unit

Local File Number: 35
State File Number: 35

DECEASED—NAME: George Allen RUCKERT
RACE: White
SEX: Male
AGE—Last birthday: 67
DATE OF BIRTH (month, day, year): 2 January 23, 1984
CITY, TOWN OR LOCATION OF BIRTH: Albany
CITY, TOWN OR LOCATION OF DEATH: Albany
DATE OF DEATH (month, day, year): 6 February 6, 1916
CITY, TOWN OR LOCATION OF DEATH: Linn
CITIZENSHIP: U.S.A.
MARRIED, NEVER MARRIED, WIDOWED, DIVORCED (Specify): Married
WAS DECEASED EVER IN U.S. ARMED FORCES (Specify year or no): NO

RESIDENCE—STATE: Oregon
CITY, TOWN, OR LOCATION: Albany
FATHER—NAME: George E. Ruckert
MOTHER—Maiden Name: Ellen Sparks
OCCUPATION (Specify kind of work done during last period of working life): Farmer
KIND OF BUSINESS OR INDUSTRY: Own Farm
STREET AND NUMBER OR R.F.D., ZIP: 923 SE 27th Avenue, 97321
INFORMANT—NAME and relationship to deceased: Violett Ruckert - wife
15: YES

16: George E. Ruckert
17: Ellen Sparks
18: Violett Ruckert - wife
19: Burial
20: Willamette Memorial Park Cemetery or Crematorium—NAME
306 SW Washington, Albany, Oregon
P. O. Box 156, Albany, OR 97321

21: E. Lew Hurd, MD, 306 Broadalbin SW, Albany, OR 97321

DATE RECEIVED BY REGISTRAR (date, day, yr): January 25, 1984
REGISTRAR: [Signature]

22: Immediate Cause: Myocardial infarction with anoxic brain damage
23: Intermediate Cause: Diabetes Mellitus
24: Final Cause: [Signature]

25: Interval (between onset and death): 2 days
26: Interval (between onset and death): [Signature]

27: Interval (between onset and death): [Signature]

28: Interval (between onset and death): [Signature]

29: Interval (between onset and death): [Signature]

30: Interval (between onset and death): [Signature]

31: Interval (between onset and death): [Signature]

32: Interval (between onset and death): [Signature]

33: Interval (between onset and death): [Signature]

34: Interval (between onset and death): [Signature]

35: Interval (between onset and death): [Signature]

36: Interval (between onset and death): [Signature]

37: Interval (between onset and death): [Signature]

38: Interval (between onset and death): [Signature]

39: Interval (between onset and death): [Signature]

40: Interval (between onset and death): [Signature]

41: Interval (between onset and death): [Signature]

42: Interval (between onset and death): [Signature]

43: Interval (between onset and death): [Signature]

44: Interval (between onset and death): [Signature]

45: Interval (between onset and death): [Signature]

46: Interval (between onset and death): [Signature]

47: Interval (between onset and death): [Signature]

48: Interval (between onset and death): [Signature]

49: Interval (between onset and death): [Signature]

50: Interval (between onset and death): [Signature]

STATE OF OREGON
COUNTY OF LINN

This certifies that the foregoing is a reproduction of a record of death on file with the Linn County Health Department.

[Signature]
Deputy Registrar of Vital Statistics
Date: [Signature]

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STATE OF OREGON
County of Linn

I hereby certify that the attached
was received and duly recorded
by me in Linn County records.

STEVE DRUCKENMILLER
Linn County Clerk

By Gh, Deputy

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A
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