



Oregon Water Resources Department Ground Water Application

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Today's Date: Tuesday, February 19, 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	\$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) **	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		\$2,210.00

OWRD Fee Schedule

Fee Calculator Version B20170117

Application for a Permit to Use Groundwater

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725 Summer Street NE, Suite A

Salem, Oregon 97301-1266

503-986-0900

www.oregon.gov/OWRD

SECTION 1: APPLICANT INFORMATION AND SIGNATURE**Applicant**

NAME WILSON DINSDALE			PHONE (HM)		
PHONE (WK) 503-838-3779		CELL 503-991-3395		FAX	
ADDRESS PO BOX 357					
CITY INDEPENDENCE		STATE OR	ZIP 97351	E-MAIL* DINSDALW@GMAIL.COM	

Organization

NAME BH LAND LLC			PHONE 503-838-3779		FAX 503-838-1050
ADDRESS PO BOX 357					CELL
CITY INDEPENDENCE		STATE OR	ZIP 97351	E-MAIL*	

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

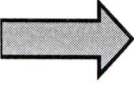
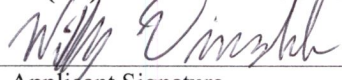
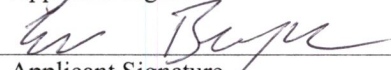
AGENT / BUSINESS NAME EMRANCE BERGER			PHONE 503-838-3779		FAX 503-838-1050
ADDRESS PO BOX 357					CELL 971-719-3003
CITY INDEPENDENCE		STATE OR	ZIP 97351	E-MAIL* EMRANCE.BHF@GMAIL.COM	

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 SignatureWilly Dinsdale, Manager
Print Name and Title if applicable2/13/19
Date
Applicant SignatureEmrance Berger, Operations
Print Name and Title if applicable2/13/19
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.

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- ☒ 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
MARI 53151	WILKERSON CREEK		

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: 1cfs (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)
RWELL	☐	☒	MARI 53151	☐	6"	+1'-79'	255'-313'	5% BENTONIT E USED TO SEAL WELL	155' (7/16/90)				
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									
	☐	☐		☐									

* 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.

For Department Use: App. Number: _____

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.

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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.

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:

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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

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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	MAY – OCTOBER	

For irrigation use only:

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

Primary: 215 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: 215

- 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*): _____

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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): 5HP SUBMERSIBLE TURBINE
☐ Other means (describe): _____

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

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

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*).

SECTION 7: PROJECT SCHEDULE

- a) Date construction will begin: INSTALLED AS PER A PREVIOUS TEMPORARY WATER RIGHT
- b) Date construction will be completed: _____
- c) Date beneficial water use will begin: _____

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: WELL ALREADY EXISTS

- ☐ 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: _____

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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*).

THE WELL IS EQUIPPED WITH A 5HP SUBMERSIBLE TURBINE PUMP THAT PUMPS INTO AN ADJACENT 3000 GALLON GROUND-LEVEL STORAGE BANK. WATER IS THEN PUMPED FROM THE TANK TO THE IRRIGATION SYSTEM THROUGH A 2HP SUBMERSIBLE PUMP. THE WELL PUMP DISCHARGE IS EQUIPPED WITH A 2" SENSUS WATER METER. AN ACCESS PORT IS AVAILABLE TO MEASURE WELL STATIC AND PUMPING WATER LEVELS.

IRRIGATION WATER IS PUMPED THROUGH BURIEND 2 1/2" PVC MAIN LINE. THE IRRIGATION WATER IS APPLIED USING AN AS GET INSTALLED DRIP SYSTEM

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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: \$ _____
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 tax lot 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.

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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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Attachment 2: Land Use Information Form

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

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

Applicant

NAME EMRANCE BERGER		PHONE (HM)	
PHONE (WK) 503-838-3779	CELL 971-719-3003	FAX 503-838-1050	
ADDRESS PO BOX 357			
CITY INDEPENDENCE	STATE OR	ZIP 97351	E-MAIL* EMRANCE.BHF@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:
8S	4W	25	SENE	100	RR-5 SA	☒ Diverted	☒ Conveyed	☒ Used	
8S	4W	25	SWNE NWNE NENE SENE NENW	100	RR-5 SA	☐ Diverted	☒ Conveyed	☒ Used	
8S	4W	24	SESE SWSE	100	RR-5 SA	☐ Diverted	☒ Conveyed	☒ Used	
						☐ Diverted	☐ Conveyed	☐ Used	

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

MARION 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: 35 ☐ 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:

APPLYING FOR A TEMPORAY WATER RIGHT TO ESTABLISH FILBERTS AND WINE GRAPES USING AN EXISTING WELL THAT WAS PREVIOUSLY PERMITTED. A MAP SHOWING THE WELL LOCATION AND GROUND TO BE IRRIGATED IS ATTACHED.

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For Local Government Use Only

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

Please check the appropriate box below and provide the requested information

☒ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): MCC 17.137

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

Type of Land Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land Use Approval:	
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued

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>LISA MILLIMAN</u>		TITLE: <u>ASSOCIATE PLANNER</u>	
SIGNATURE <u>Lisa Milliman</u>	PHONE: <u>503 588 5038</u>	DATE: <u>2/13/19</u>	
GOVERNMENT ENTITY <u>MARION 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 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: _____



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.

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SEND TAX STATEMENTS TO:

BH Land LLC

PO Box 357

Independence, OR 97351

AFTER RECORDING, RETURN TO:

Evans & Batlan, Attorneys at Law

969 - 13th Street SE

Salem, OR 97302-2504

The true and actual consideration for this transfer is contribution to a limited liability company.

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REEL 3456 PAGE 293

MARION COUNTY

BILL BURGESS, COUNTY CLERK

12-21-2012 12:02 pm.

Control Number 329810 \$ 76.00

Instrument 2012 34047274

BARGAIN AND SALE DEED

PETER B. DINSDALE, GRANTOR

Conveys to

BH LAND LLC, an Oregon limited liability company, GRANTEE

All the following described real property situated in Marion County, Oregon described on Exhibit "A" attached hereto and by this reference incorporated herein.

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.

Dated this 21st day of December, 2012



PETER B. DINSDALE

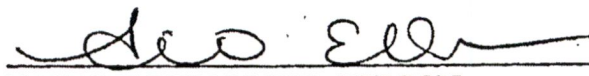
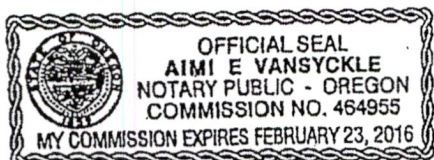
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WATER RESOURCES DEPT
SALEM, OREGON

STATE OF OREGON, County of Marion) ss.

PERSONALLY appeared before me this 21st day of December, 2012, the above named PETER B. DINSDALE and acknowledged the foregoing instrument to be his voluntary act and deed.



NOTARY PUBLIC FOR OREGON

My Commission Expires: Feb 23, 2016

12.21.12 10:50 F:\WORDDOCEST\WCClient Documents\Dinsdale, Peter\LLCDeed Marion County.wpd

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Cole Road

EXHIBIT "A"
Legal Description**RECEIVED**

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Tax Account Numbers R33248, R33243, R33249, R33250, R33245
WATER RESOURCES DEPT
SALEM, OREGON

Beginning on the North line of the South ½ of Section 30 in Township 8 South, Range 3 West of the Willamette Meridian, Marion County, Oregon, at a point which is 20.00 chains East from the quarter corner on the West line of said section; thence South 0° 10' West parallel with the West line of said section 20.085 chains; thence West parallel with the North line of the South ½ of said Section 7.50 chains; thence South 0° 10' West 5.00 chains; thence East 20.700 chains; thence South 0° 10' West 14.970 chains to a point on the South line of said section; thence North 89° 42' East 8.460 chains to the quarter corner of the South line of said section; thence South 89° 15' East along the South line of said section 14.740 chains; thence North 0° 10' East 19.230 chains; thence East 20.570 chains; thence North 0° 10' East 20.970 chains to a point on the North line of the South ½ of said section; thence West 56.970 chains to the place of beginning.

Edwards Farm Tax Account Number R33764

All of the following property lying West of the railroad right of way:

A tract of land located in Sections 26 and 27, Township 8 South, Range 4 West of the Willamette Meridian, Marion County, Oregon, and it is hereby understood that all deeds referred to herein by Volume numbers and Page numbers are Volume and Page numbers of deeds recorded in Deed Records of Marion County, Oregon; said tract of land being more particularly described as follows:

Beginning at the section corner common to Sections 22, 23, 26 and 27, Township 8 South, Range 4 west of the Willamette Meridian; from said beginning point thence West 20.41 chains to the Northeast corner of the tract of land described in Volume 158 on Page 487; thence South 6.07 chains to the Southeast corner of said tract; thence West 6.58 chains to the Northeast corner of the tract of land described in Volume 164 on Page 449; thence South 4.0 chains and South 27° 30' West 3.025 chains along the Easterly boundary of said last mentioned tract to the North boundary of the tract of land described in Volume 134 on Page 497; thence East 7.286 chains along the North boundaries of the tracts of land described in Volume 134 on Page 497 and Volume 215 on Page 577 to the Northeast corner of the aforesaid tract described in Volume 215 on Page 577; thence South 27.28 chains to the Northeast corner of the last mentioned tract, which corner is located in the East and West center line of said Section 27; thence East 21.404 chains to the East 1/4 section of said Section 27; thence North 20.0 chains along the East boundary of said Section 27 to the Southeast corner of the Northeast 1/4 of the Northeast 1/4 of said Section 27; thence East 20.0 chains to the Southeast corner of the Northwest 1/4 of the Northwest 1/4 of the aforementioned Section 26; thence North 2.5 chains to the Northwest corner of the tract of land described in Volume 188 on Page 532; thence along the North boundary of the last mentioned tract, East 4.166 chains to the most Westerly corner of the tract of land described in Volume 141 on Page 268; thence North 66° 40' East 1.912 chains and North 85° 43' East 6.684 chains along the Northerly boundary of the last mentioned tract to the most Westerly Southwest corner of the tract of land described in Volume 183 on Page 501; thence North 3.488 chains to the Northwest corner thereof; thence North 89° 15' East 15.288 chains along the North boundaries of the last mentioned tracts and the tracts described in Volume 163 on Page 169 to the most Easterly corner of the last mentioned tract in the center line of the county road and also in the Northwesterly boundary of the tract described in a correction deed recorded in Volume 72 on Page 350; thence along said last mentioned Northwesterly boundary, the following four courses and distances: North 25° East 3.3 chains, North 74° 15' East 1.73 chains, North 29° East 2.64 chains and North 54° 30' East 2.83 chains to the most Southerly Southeast corner of the tract of land described in Volume 130 on Page 93; thence West 7.43 chains to the Southwest corner of said tract; thence North 5.1 chains to the Northwest corner of said tract located in the North boundary of said Section 26; thence along said North boundary South 89° 15' West 7.64 chains to the 1/4 section corner; thence continuing along said North boundary South 89° West 7.5 chains to the Northeast corner of the tracts of land described in Volume 162 on Page 529; thence South 3.0 chains to the Southwest corner thereof; thence North 16° 30' East 3.116 chains to the Northwest corner thereof and which last mentioned corner is located in the North boundary of said Section 26; thence South 89° West 26.25 chains along the North boundary of said

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Section 26 to the place of beginning of the tract herein described.

SAVE AND EXCEPT railroad right of way.

WATER RESOURCES DEPT
SALEM, OREGON

ALSO SAVE AND EXCEPT three tracts of land heretofore conveyed to the Oregon Electric Railway Company and described in Volume 113 on Page 582, Volume 125 on Page 352 and Volume 131 on Page 184.

Martin Farm

Tax Account Numbers R33765, R33766

Beginning at a point on the South line of Mary Lee Butler's land, 25.7 chains West from the one-quarter section corner between Sections 26 and 27, Township 8 South, Range 4 West of the Willamette Meridian, in Marion County, State of Oregon, said point being 5.07 chains West of the Northeast corner of Emma D. Fennell's land; thence North 27.28 chains; thence West 11 chains; thence South 27.28 chains to the South line of Mary Lee Butler's land; thence East 11 chains to the place of beginning.

ALSO, the following described premises, to wit :

Beginning at the Southeast corner of the land conveyed to Vance L. Butler by Mary Lee Butler and Orville Butler, her husband, as described in deed recorded in Book 134, Page 497, Deed Records for Marion County, Oregon; thence Easterly along the Southerly line of said Vance L. Butler land extending 242 feet; thence Northerly and parallel with the East line of said Vance L. Butler land to a point 242 feet Easterly from the Northeast corner of the Vance L. Butler land on the Northerly line of said Vance L. Butler land, extended Easterly; thence Westerly on said North line extended to the Northeast corner of said Vance L. Butler land; thence South on the East line of said Vance L. Butler land to the place of beginning.

Kaufman Farm

Tax Account Numbers R33741, R33796

Beginning at a point which is 4.485 chains Southerly and 17.02 chains Westerly and 3.97 chains South 0° 45' East and 160.73 feet South 67° 00' West from the Northeast corner of the Southwest 1/4 of the Southeast 1/4 of Section 26 in Township 8 South, Range 4 West of the Willamette Meridian in Marion County, Oregon, said point being on the Westerly right-of-way line of the Burlington Northern Railroad; thence South 25° 53' 31" East along said right-of-way line 287.16 feet; thence along the arc of a 4990.77 foot radius curve to the left (the chord of which bears South 31° 11' 42" East, 922.54 feet) a distance of 923.85 feet; thence South 36° 29' 53" East, 1160.65 feet; thence leaving said right-of-way line South 201.52 feet to the center of the County Road No. 906; thence along the arc of a 770.49 foot radius curve to the left (the chord of which bears North 71° 04' 20" West, 512.05 feet) a distance of 521.97 feet; thence South 89° 31' 12" West, 857.99 feet to the West line of a tract of land conveyed to George Grabenhorst and recorded in Volume 655, Page 326 Deed Records for said County and State; thence North 0° 10' East along said West line to the Northwest corner of the Northeast 1/4 of Section 35 in said Township and Range; thence East along said Grabenhorst tract of land to the middle of a slough; thence North 26° 48' West along the middle of the slough to a point which is South 67° 00' West from the point of beginning; thence North 67° 00' East 321.54 feet more or less to the point of beginning.

Save and Except the following described real property: Beginning at a point which is 4.485 chains Southerly and 17.02 chains Westerly and 3.97 chains South 0° 45' East and 160.73 feet South 67° 00' West and 2887.16 feet South 25° 53' 31" East and 922.54 feet South 31° 11' 42" East and 1160.65 feet South 36° 29' 53" East from the Northeast corner of the Southwest 1/4 of Section 26 in Township 8 South, Range 4 West of the Willamette Meridian in Marion County, Oregon, said point being on the Westerly right-of-way line of the Burlington Northern Railroad; thence leaving said railroad South 176.22 feet to the Northerly right-of-way line of County Road No. 906; thence along the arc of a 790.49 feet radius curve to the left (chord of which bears North 55° 26' 37" West, 72.85 feet) a distance of 72.88 feet; thence North 215.99 feet to the Westerly right-of-way line of said railroad; thence South 36° 29' 53" East along said right of way line 100.87 feet to the point of beginning.

Together with an easement appurtenant to the real property conveyed hereby in favor of the Grantee, and the Grantee's heirs, successors and assigns for road and roadway purposes over and across the parcel described immediately hereinabove.

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Tax Account Numbers R33747, R33748, R33760, R33784, R33800
WATER RESOURCES DEPT
SALEM, OREGON

Beginning at a point on the North line of Section 27, in Township 8 South, Range 4 West of the Willamette Meridian, Marion County, Oregon, 7.00 chains South 89° 25' West from the quarter section corner between Section 22 and 27; thence South 89° 25' West 13.00 chains; thence South 40.00 chains; thence West 8.02 chains; thence South 8.36 chains to the center of a County road; thence North 89° 45' East along the center of said road, 19.65 chains; thence South 76° East, along the center of said road, 3.84 chains; thence East, along the center of said road, 4.80 chains, more or less, to the line dividing said Section 27 into East and West halves; thence South 30.77 chains to the Southwest corner of the Southeast quarter of said Section 27; thence East 20.00 chains to the Southwest corner of the Southeast quarter of the Southeast quarter of said Section 27; thence North 20.00 chains to the Northwest corner of the Southeast quarter of the Southeast quarter of said Section 27; thence East 64.00 chains to the Southwest corner of a certain 11.92 acre tract described in Volume 123, page 164; Marion County Deed Records; thence North 7.45 chains to the Northwest corner of said 11.92 acre tract; thence East 16.00 chains to the Northeast corner of said 11.92 acre tract; thence North 50 rods to the Southwest corner of the Southeast quarter of the Northeast quarter of Section 26 in said Township and Range; thence East 20.00 chains to the Southeast corner of said Southeast quarter of the Northeast quarter of said Section 26; thence North 20.00 chains to the Northeast corner of said Southeast quarter of the Northeast quarter of Section 26; thence West 20.00 chains, more or less, to the Northwest corner of said Southeast quarter of the Northeast quarter of said Section 26; thence North 2.50 chains; thence West 14.00 chains, more or less, to the center of a county road; thence South 63° 04' West 2.34 chains, along the center of said road; thence South 74° 35' West 3.32 chains along the center of said road; thence South 79° 04' West 1.22 chains along the center of said road; thence North 59° 35' West 4.08 chains along the center of said road; thence North 58° 14' West 2.25 chains, along the center of said road; thence South 85° 43' West 7.784 chains along the center of said road; thence South 66° 40' West 1.912 chains along the center of said road to a point which is 2.50 chains North and 4.166 chains North 89° 15' East from a point which is 2.50 chains North and 4.166 chains North 89° 15' East from the Southeast corner of the Northwest quarter of the Northwest quarter of Section 26, in said Township and Range; thence South 89° 15' West 4.166 chains; thence South 2.50 chains to the last mentioned corner; thence West 20.00 chains to the East line of Section 27 in said Township and Range; thence South 20.00 chains to the quarter section corner between Sections 26 and 27 in said Township and Range; thence West along the line dividing Section 27 into North and South halves, 47.00 chains, more or less, to a point south of the point of beginning; thence North 40.00 chains to the point of beginning.

ALSO SAVE AND EXCEPT roads and roadways.

The Southeast quarter of the Southeast quarter of Section 27; and the South half of the Southwest quarter of the Southwest quarter of the Southeast quarter of Section 26, the Northeast quarter of the Northeast quarter of Section thirty-four (34) and the North half of the Northwest quarter of Section 35, all in Township 8 south, Range 4 West of the Willamette Meridian in Marion County, Oregon.

ALSO SAVE AND EXCEPT that tract of land described in deed from Peter S. Haslebacher and Stella N. Haslebacher, husband and wife, to Leonard Schindler et ux, et al, recorded May 19, 1972 in Volume 726, Page 781, Deed Records for Marion County, Oregon.

ALSO SAVE AND EXCEPT that tract of land in Sales Agreement between Peter S. Haslebacher, et ux,

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and M.A. Melgard, recorded April 12, 1973 in Volume 749, Page 567, Deed Records.

ALSO SAVE AND EXCEPT that tract described in deed from Peter S. Haslebach, et ux to M.A. Melgard, recorded April 12, 1973 in Volume 749, Page 574, Deed Records.

ALSO SAVE AND EXCEPT: Beginning at a point 20 chains West of the Southeast corner of Section 27 in Township 8 South, Range 4 West; thence West 20 chains; thence North 30.77 chains, more or less, to the center of Market Road No. 53; thence Easterly along the center of said County Road to a point which is North 31.90 chains, more or less, from the point of beginning; thence South 31.90 chains, more or less, to the point of beginning.

ALSO SAVE AND EXCEPT that tract of land described in deed from Stella M. Haslebach and Peter S. Haslebach, her husband, to George H. Grabenhorst Jr. et al recorded October 16, 1968 in Volume 655, Page 326, Deed Records for Marion County, Oregon.

Lauderback Place Tax Account Numbers R33790, R33791

Being parts of Section 35 and 36, in Township 8 South, Range 4 West of the Willamette Meridian, Marion County, Oregon, and being bounded and described as follows: Beginning at a point 80 rods South of the Northeast corner of said Section 35; and running thence East 16 rods; thence South to the Willamette River; thence down the East bank or North bank of said river to a point thereon 80 rods West of the East line of said Section 35; thence North to a point due West of the place of beginning; thence East to the place of beginning.

SAVE AND EXCEPT from said premises the land conveyed to the Oregon Electric Railway Company, a corporation, by deed recorded at Page 587, of Book 113, of the Deed Records for Marion County, Oregon.

ALSO SAVE AND EXCEPT that portion of the above described tract of land lying within the boundaries of all roads and roadways.

ALSO SAVE AND EXCEPT: Beginning in the center of a County Road at a point which is 4.00 chains East and 7.60 chains North 0° 44' West from the quarter corner on the West line of Section 36, in Township 8 South, Range 4 West of the Willamette Meridian, Marion County, Oregon; thence South 0° 44' East 3.65 chains; thence North 85° 37' West parallel with the center of said County Road 2.74 chains; thence North 0° 44' West 3.65 chains to the center of said County Road; thence South 85° 37' East 2.74 chains to the place of beginning.

ALSO SAVE AND EXCEPT: A parcel of land located in Section 35, Township 8 South, Range 4 West of the Willamette Meridian, Marion County, Oregon. Beginning at a 5/8 inch iron rod with plastic cap on the Southerly right of way of County Road 906 which bears South 20 chains and East 4 chains and South 00° 44' 00" East 830.95 feet and North 85° 40' 00" West 412.18 feet and South 00° 44' 00" East 20.07 feet from the Northeast corner of Section 35, Township 8 South, Range 4 West of the Willamette Meridian, Marion County, Oregon; thence North 85° 40' 00" West along said right of way 410.00 feet; thence North 59° 30' 00" West continuing along said right of way 112.89 feet to a point on the Northeasterly right of way of the Oregon Electric Railroad as it is now located; thence South 37° 25' 01" East along said right of way 626.41 feet to a point of spiral curve left defined by a centerline "a" of 1.5 and a delta of 3° and a length of 200 feet; thence along the arc of said right of way spiral (the long chord bears South 38° 22' 45" East 195.42 feet) to the point of curvature of a circular curve left defined by a radius of 1860.08 feet an delta value of 0° 31' 15"; thence along the arc of said curve 16.91 feet (the long chord bears South 42° 54' 31" East 16.91 feet) to a 5/8 inch iron rod with plastic cap at a point on curve; thence North 00° 44' 00" West 574.87 feet to the point of beginning.

ALSO SAVE AND EXCEPT: A parcel of land located in Section 35 and 36, Township 8 South, Range 4 West of the Willamette Meridian, Marion County, Oregon. Beginning at a 7/8 inch x 22 inch iron rod which bears South 20 chains and East 4 chains from the Northeast corner of Section 35, in Township 8 South, Range 4 West of the Willamette Meridian; thence South 00° 44' 00" East 810.88 feet to a point on the Northerly right of way of County Road 906; thence along said Northerly right of way the following three courses and distances: North 85° 40' 00" West 809.34 feet; thence North 59° 30' 00" West 146.19 feet; thence North 50° 15' 00" West 146.19 feet; thence North 50° 15' 00" West 94.78 feet to a point on the

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Northeasterly right of way of the Oregon Electric Railroad as it is now located; thence North 37° 25' 01" West along said right of way 774.15 feet to a point due West of the point of beginning; thence East 1201.86 feet, more or less, to a stone recorded as being South 20 chains from the Northeast corner of said Section 35; thence East 264.00 feet to the point of beginning.

ALSO SAVE AND EXCEPT: Beginning at a 3/8 inch x 31 inch iron rod which bears South 20 chains and East 4 chains and South 00° 44' 00" East 13322.55 feet from the Northeast corner of Section 35, Township 8 South, Range 4 West of the Willamette Meridian, Marion County, Oregon; thence North 00° 44' 00" West 260.70 feet; thence North 85° 40' 00" West 180.84 feet; thence North 00° 44' 00" West 220.82 feet to the southerly right of way of County Road 906; thence North 85° 40' 00" West along said right of way 231.34 feet to a 5/8 inch iron rod with plastic cap; thence South 00° 44' 00" East 574.87 feet to a 5/8 inch iron rod with plastic cap on the Northeasterly right of way of the Oregon Electric Railroad as it is now located; said 5/8 inch iron rod with plastic cap is a point on curve of a circular curve left defined by a radius of 1860.08 feet and a delta value of 16° 25' 12"; thence along the arc of a said curve 533.06 feet (the long chord bears South 51° 22' 44" East 531.24 feet) to a 1/4 inch x 33 inch iron rod; thence North 00° 45' 48" West 393.81 feet to the point of beginning.

Miller Place Tax Account Numbers R33783, R33782, R33780, R33789, R33787

PARCEL I:

The South half of the Northwest quarter of Section 35, Township 8 South, Range 4 West of the Willamette Meridian in Marion County, Oregon.

ALSO: Lots Three (3) and Four (4), in Section 35 in Township 8 South, Range 4 West of the Willamette Meridian in Marion County, Oregon, according to the official survey thereof as platted and filed in the United States District Land Office for the State of Oregon; which said premises are also described as beginning at the Northeast corner of the Southwest quarter of said Section 35, and running thence South 20.00 chains, more or less, to the bank of the Willamette River at low water mark; thence running in a general Northwesterly direction following the meanders of the bank of said Willamette River at low water mark to the Section line between Sections 34 and 35 in said Township and Range; thence North along said Section line to the Northwest corner of the Southwest quarter of said Section 35 and running thence East along the North line of said Southwest quarter of said Section 35, 40.00 chains, more or less, to the place of beginning.

PARCEL II:

Beginning at a point 4.65 chains South of the meander post on the line between Section 35 and 36, Township 8 South, Range 4 West of the Willamette Meridian in Marion County, Oregon, said meander post being 19.13 chains North of the Southeast corner of Section 35 and running thence North 32° 15' West 4.16 chains; thence North 56° 30' West 3.31 chains; thence North 67° West 6.30 chains; thence North 65° 45' West .49 of a chain; thence North 74° 30' West .85 of a chain; thence North 79° 45' West 1.05 chains; thence North 25° West 1.17 chains; thence South 60° 30' West .81 chain; thence South 87° 30' West 1.44 chains; thence South 74° 15' West .78 of a chain; thence South 68° 30' West .95 of a chain; thence South 87° 15' West 5.49 chains; thence South 77° West 4.64 chains; thence South 61° West 5.30 chains; thence South 52° 30' West 3.25 chains; thence South 44° 30' West 3.11 chains; thence South 43° 5' East 2.80 chains; thence South 51° 15' East 3.00 chains; thence South 62° 15' East 2.70 chains; thence South 50° 45' East 2.64 chains; thence South 39° East 2.00 chains; thence North 75° East 5.35 chains; thence North 85° East 12.71 chains; thence North 83° East 3.75 chains; thence to the place of beginning.

The premises above described constitute an Island in the Willamette River commonly known and designated as "Tice's Island."

SAVE AND EXCEPT from the above described real property any portion which lies below the mean high water mark of the Willamette River.

PARCEL III:

Beginning at a point 20 chains West and 20 chains North of the center of Section 34, Township 8 South, Range 4 West of the Willamette Meridian in Marion County, Oregon; thence East 16 chains to the center of a slough; thence Southeasterly following the center of said slough to a point 12.50 chains East and 5.90

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chains North of the center of said Section 34; thence South to the North bank of the Willamette River; thence following said bank in a Northwesterly direction to a point due West of the point of beginning; thence East to said point of beginning.

SAVE AND EXCEPT that certain tract of land conveyed to the State of Oregon by deed recorded in Volume 455, Page 312, Deed Records for Marion County, Oregon.

PARCEL IV:

Beginning at a point 20.00 chains South from the quarter Section corner between Sections 27 and 34 in Township 8 South, Range 4 West of the Willamette Meridian, in Marion County, State of Oregon, and running thence South 4.00 chains to the center of slough; thence in a Southeasterly course along the center of said slough to an iron pipe; from which a maple tree 40 inches in diameter bears North 69° East 19 links; said pipe being 12.50 chains East and 14.10 chains South from the beginning point; thence South to the right bank of the Willamette River; thence in a Southeasterly course, following up the right bank of said river, to the line between Section 34 and 35; thence North to the Northeast corner of the Southeast quarter of the Northeast quarter of said Section and thence West 40.78 chains to the place of beginning.

Skyline Farm Tax Account Numbers R33736, R33730, R33732

Specifically reserving Grantor's personal residence located at 7455 Skyline Road, Salem, together with the surrounding property necessary to the useful enjoyment thereof.

PARCEL I

Beginning at the Southeast corner of the Northeast quarter of Section 25, Township 8 South, Range 4 West of the Willamette Meridian in Marion County, Oregon, said beginning point being in the center of the County Road, and running thence North 54.46 chains; thence West 33.34 chains; thence South 86° West 12.17 chains; thence South 0° 45' West 1.46 chains; thence South 10° 15' East 1.29 chains; thence South 6° 30' East 1.29 chains; thence South 1° East 2.97 chains; thence South 13° 30' West 2.89 chains; thence South 43° East 1.09 chains; thence South 1° 30' East 3.95 chains; thence South 1° East 2.97 chains; thence South 13° 30' West 2.89 chains; thence South 29° 30' West 2.89 chains; thence South 29° 30' West 5.28 chains; thence South 24° 30' West 3.03 chains; thence South 7° 45' West 3.59 chains; thence South 11° 30' East 4.39 chains; thence South 25° 30' West 2.29 chains; thence South 4° 30' West 2.74 chains; thence South 37° West 1.39 chains; thence South 1° 30' East 1.40 chains; thence South 14° 30' East 4.95 chains; thence South 1° 30' West 2.11 chains; thence South 14° 30' East 1.42 chains; thence South 21° East 3.34 chains; thence South 4° East 3.06 chains; thence South 86° 33' East 46.30 chains to the place of beginning.

SAVE AND EXCEPT: Beginning at a point at the Northwest corner of a tract of land conveyed to The United States of America by deed recorded in Volume 442, Page 406, Deed Records for Marion County, Oregon, said point being North 82° 08' 30" West 2,220.70 feet and South 62° 21' 50" West 600.0 feet and North 27° 08' 30" West 2,220.70 feet and South 62° 21' 50" West 600.00 feet and North 27° 38' 10" West 160.0 feet from the Southeast corner of Section 24, in Township 8 South, Range 4 West of the Willamette Meridian in said County and State; thence South 27° 38' 10" East along the Westerly line of said tract of land and extension thereof 200.00 feet; thence South 62° 21' 50" West 200.00 feet; thence North 27° 38' 10" West 200.00; thence North 62° 21' 50" East 200.00 feet to the place of beginning.

ALSO SAVE AND EXCEPT: A parcel of land in Lot 2 and a part of Lot 3 of Section 24 and a part of the Northeast 1/4 of the Northwest and the Northwest 1/4 of the Northeast 1/4 of Section 25, Township 8 South, Range 4 West, Willamette Meridian, Marion County, Oregon, described as: Beginning at a point in said Lot 2 which bears North 82° 08' 30" West a distance of 2220.7 feet from the Southeast corner of said Section 24; thence North 27° 38' 10" West 160.0 feet; thence South 62° 21' 50" West 600.0 feet; thence South 27° 38' 10" East 160.0 feet; thence North 62° 21' 50" East 600.0 feet to the point of beginning.

ALSO SAVE AND EXCEPT: A piece or parcel of land situate, lying and being in Lot 2 of the Southeast quarter of Section 24, Township 8 South, Range 4 West, Willamette Base and Meridian, County of Marion, State of Oregon, more particularly described as follows: Beginning at the most Easterly corner of land described in deed dated August 4, 1952 from the United States National Bank of Portland (Oregon) as trustee under the last Will and Testament of Clarence W. Noble, deceased, to the United States of America, recorded August 11, 1952, in Volume 442, Page 406, Deed Records of Marion County, distant North 82° 08' 30" West 2220.7 feet from the Southeast corner of Section 24; thence North 27° 38' 10" West, along the Northeasterly line of said land described in said deed, 51.0 feet; thence

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North 62° 21' 50" East, 14.0 feet to the actual point of beginning of the parcel of land to be described; thence North 62° 21' 50" East, 100.0 feet; thence South 27° 38' 10" East, 100.0 feet; thence South 62° 21' 50" West, 100 feet; thence North 27° 38' 10" West, 100.0 feet to the actual point of beginning.

ALSO SAVE AND EXCEPT that portion conveyed to the United States of America, by instrument recorded April 22, 1954, in Book 462, Page 308, Deed Records for Marion County, Oregon.

PARCEL II

Beginning at the Northeast corner of Section 25, Township 8 South, Range 4 West of the Willamette Meridian, Marion County, Oregon; thence along the East, North and Westerly boundary lines of said tract, the courses of which bears North 01° 55' 00" East a distance of 943.08 feet; thence North 88° 05' 00" West a distance of 2200.44 feet, South 87° 55' 00" West a distance of 803.2 feet; South 02° 40' 00" West a distance of 96.33 feet; South 08° 20' 00" East a distance of 85.14 feet; South 04° 35' 00" East a distance of 85.14 feet; South 00° 25' 00" West a distance of 250.70 feet; South 41° 05' 00" East a distance of 71.94 feet; South 00° 55' West a distance of 196.02 feet; South 15° 25' 00" West a distance of 190.74 feet; South 31° 25' 00" West a distance of 250.53 feet to the southwest corner of a parcel of land leased to Oregon Education Public Broadcasting System (unrecorded); thence south 88° 30' 00" East along the South line of said leased parcel, a distance of 304.48 feet to the southeast corner thereof; thence North 59° 01' 29" East a distance of 1022.36 feet; thence North 09° 00' 14" East a distance of 209.41 feet; thence South 84° 00' 08" East a distance of 513.67 feet; thence North 67° 2' 07" East 127.99 feet; thence North 65° 53' 42" East a distance of 295.54 feet to the south line of a 14 foot roadway easement as described in Volume 501, Page 133, Marion County Records; thence running along the South and West lines of said easement the courses of which bears: North 49° 00' 00" East a distance of 424.75 feet; North 85° 00' 00" East a distance of 227.28 feet; South 87° 47' 00" East a distance of 191.55 feet; South 87° 37' 00" East a distance of 257.34 feet to a point on the arc of a curve concave to the Southwest; thence Southeasterly along the arc of said curve, to the right, having a radius of 73.00 feet and a central angle of 050° 13' 34" for an arc distance of 114.96 feet, the chord of which bears south 42° 44' East 103.44 feet; thence South 02° 09' 00" West continuing along said easement, a distance of 348.24 feet, South 03° 55' 00" West a distance of 185.14 feet; South 00° 10' 00" East a distance of 153.80 feet; South 07° 14' 00" West a distance of 152.48 feet; South 07° 55' 00" East a distance of 115.18 feet; South 04° 15' 00" West a distance of 152.57 feet to the North right of way line of Skyline Road; thence South 88° 05' 00" East along said North right of way line a distance of 22.58 feet to the East line of said Section 25; thence North 01° 55' 00" East along said Section line a distance of 305.00 feet to the point of beginning.

SAVE AND EXCEPT a tract of land conveyed to the United States of America, recorded in Volume 442, Page 406, Marion County records.

ALSO SAVE AND EXCEPT a tract of land conveyed to A T & T recorded in Reel 331, Page 388, Marion County, Records.

ALSO SAVE AND EXCEPT a tract of land conveyed to Southern Pacific Corporation as recorded in Circuit Court Judgment No. 56575, and described in Volume 182, Page 156, Circuit Court Records.

ALSO SAVE AND EXCEPT a tract of land conveyed to the United States of America, as described in Volume 462, Page 308, Marion County Records.

RECEIVED
DEC 28 2016
WATER RESOURCES DEPT
SALEM, OREGON

G-18421

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FEB 15 2019

OWRD

REEL: 3456

PAGE: 293

December 21, 2012, 12:02 pm.

CONTROL #: 329810

State of Oregon
County of Marion

RECEIVED
DEC 28 2016
WATER RESOURCES DEPT
SALEM, OREGON

I hereby certify that the attached
instrument was received and duly
recorded by me in Marion County
records:

FEE: \$ 76.00

BILL BURGESS
COUNTY CLERK

THIS IS NOT AN INVOICE.