

Application for a Permit to Use Groundwater



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

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant

NAME MILES PENNER		PHONE (HM) 503.317.9957	
PHONE (WK) N/A	CELL 503.317.9957	FAX N/A	
ADDRESS 20100 NE KINGS GRADE			
CITY NEWBERG	STATE OR	ZIP 97132	E-MAIL* SEE NOTE BELOW

Organization

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

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

AGENT / BUSINESS NAME ASPEN RURAL LAND CONSULTING C/O ERIC URSTADT		PHONE 971.250.1520	FAX NA
ADDRESS 39290 NW MURTAUGH ROAD			CELL 971.250.1520
CITY NORTH PLAINS	STATE OR	ZIP 97133	E-MAIL* SEE NOTE BELOW

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.)

NOTE: THE APPLICANT AND AGENT WANT EMAILS OF ALL CORRESPONDENCE, BUT ALSO WANT MAILED COPIES. OUR EMAILS ARE: MILESPENNER@GMAIL.COM AND ERICURSTADT@HOTMAIL.COM.

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.



Miles Penner, co-owner

4/24/2019


Signature

Brandy Penner, co-owner

4/24/19
date

RECEIVED

MAY 06 2019

OWRD

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.

RECEIVED
MAY 06 2019
OWRD

- 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).*

N/A

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
1	UN-NAMED TRIB TO CHEHALEM CREEK	1170' (S80*W)	170' UP FROM WATER TO WELL HEAD

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).*

THE OWNER IS CERTAIN THAT YAMH 1087 IS THE CORRECT WELL LOG DUE TO THJE DATE THE WELL WAS DRILLED, THE NAME OF THE LANDOWNER ON THE WELL LOG BEING THE SAME AS THE LANDOWNER AT THAT TIME, AND THE LOCATION OF THE WELL.

THE LOCAL WATERMASTER'S OFFICE HAS BEEN CONTACTED (JEFF). JEFF CONTACTED THE REGIONAL DIRECTOR, MIKE MCCORD, WHO STATED THAT THE WELL WOULD BE CONSIDERED BEING IN THE CHEHALEM MOUNTAIN GROUND WATER LIMITED AREA (CMGWLA) AQUIFER DESPITE THE FACT THE WELL LOG DOES NOT MENTION "BASALT" SPECIFICALLY. WITH THAT DECIDED, MCCORD STATED TO JEFF THAT THE LANDOWNER COULD APPLY FOR YEAR-ROUND IRRIGATION USING A DRIP SYSTEM, BUT THEY COULD NOT EXCEED 1 ACRE-FOOT PER ACRE PER YEAR MAXIMUM DUTY IN THE CMGWLA.

SECTION 3: WELL DEVELOPMENT, continued

0.025 cfs

Total maximum rate requested: 11 GPM (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below).

The table below must be completed for each source to be evaluated or the application will be returned. If this is an existing well, the information may be found on the applicable well log. (If a well log is available, please submit it in addition to completing the table.) If this is a proposed well, or well-modification, consider consulting with a licensed well driller, geologist, or certified water right examiner to obtain the necessary information.

OWNER'S WELL NAME OR NO.	PROPOSED	EXISTING	WELL ID (WELL TAG) NO.* OR WELL LOG ID**	FLOWING ARTESIAN	CASING DIAMETER	CASING INTERVALS (IN FEET)	PERFORATED OR SCREENED INTERVALS (IN FEET)	SEAL INTERVALS (IN FEET)	MOST RECENT STATIC WATER LEVEL & DATE (IN FEET)	PROPOSED USE			
										SOURCE AQUIFER***	TOTAL WELL DEPTH	WELL-SPECIFIC RATE (GPM)	ANNUAL VOLUME (ACRE-FEET)
1	<input type="checkbox"/>	<input checked="" type="checkbox"/>	YAMH 1087	<input type="checkbox"/>	6 INCH 5 INCH	0-67 60-380	320-340 360-380	0-65	200	CMGWLA^	380 FEET	11 GPM^^	14.3 (MAX)
	<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.

^Chehalem Mountain Ground Water Limited Area (basalt) - the applicant was told that Mike McCord, Regional Director, determined this from the well log.
 ^^ Although the well log says 1 GPM rate, the well has been tested by the pump system provider to produce 11 GPM.

RECEIVED
 MAY 06 2019
 OWRD

For Department Use: App. Number: A-18820

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.

RECEIVED

MAY 06 2019

OWRD

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:

Statewide - OAR 690-033-0330 thru -0340

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

Yes No

RECEIVED

MAY 06 2019

OWRD

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	All Year*	14.3 (Maximum)

*Note: Jeff at the Watermaster’s office, via a discussion with Mike McCord, Regional Manager, said that irrigation could be done all year as long as the annual duty did not exceed the 1 acre-foot per acre per year limit that exists in the Chehalem Mountain Ground Water Limited Area.

For irrigation use only:

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

Primary: 14.3 Acres Supplemental: 0 Acres

If you listed supplemental acres, list the Permit or Certificate number of the underlying primary water right(s):

N/A

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 14.3

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households: N/A (**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*): N/A

SECTION 6: WATER MANAGEMENT

RECEIVED

A. Diversion and Conveyance

MAY 06 2019

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

OWRD

- Pump (give horsepower and type): 1.5 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. A pump in the well pumps to 2500 gallon above ground black plastic tank. From this tank a 2HP booster pump pressurizes two pressure tanks. One pressure tank feeds the home for exempt domestic use, and one feeds the proposed irrigation system that uses drip irrigation.

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 Irrigation (per Chehalem Ground Water Limited Area rules.

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*).

Drip irrigation will be used.

SECTION 7: PROJECT SCHEDULE

- a) Date construction will begin: Summer, 2019
- b) Date construction will be completed: Summer 2024
- c) Date beneficial water use will begin: Summer 2019

SECTION 8: RESOURCE PROTECTION

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

- Water quality will be protected by preventing erosion and run-off of waste or chemical products.
Describe: No runoff is anticipated.
- 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 excavation is needed near any riparian or streamside area.
- Other state and federal permits or contracts required and to be obtained, if a water right permit is granted:

List: None Known**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 None Known	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 log has been discussed with Jeff of the local Watermaster's office, who also discussed the project with Mike McCord, Regional Manager.

The landowner and farmers are not sure of how much of this land they can build out and irrigate. They may be limited by water and the economics of the crops they select.

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

RECEIVED

MAY 06 2019

OWRD

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: \$ 2210.00
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 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.

For Department Use: App. Number: G-18820

RECEIVED
MAY 06 2019
OWRD

A-1/8



First American Title™

Customer Service Department
Phone: 503.219.TRIO (8746)
Fax: 503.790.7872
Email: cs.oregon@firstam.com
Date: 4/18/2019

RECEIVED

MAY 06 2019

OWRD

OWNERSHIP INFORMATION

Owner: Penner, Miles
CoOwner: Penner, Brandy
Site: OR 0
Mail: 20100 NE Kings Grade Newberg OR 97132

Parcel #: R232702600 ✓
Ref Parcel #: 4667
TRS: 02S / 03W / 27
County: Yamhill

PROPERTY DESCRIPTION

Map Grid:
Census Tract: 030302 Block: 2006
Neighborhood:
School Dist: 29J Newberg School District
Impr Type: 0
Subdiv/Plat:
Land Use: 550 - Farm - Exclusive Farm Use (EFU) - Vacant
Std Land Use: VAGR - Vacant Agriculture/Rural
Zoning: EF-20 - Exclusive Farm Use
Lat/Lon: 45.363217 / -123.035039
Watershed: Chehalem Creek-Willamette River
Legal: Township 2S Range 3W Section 27 TaxLot 02600

ASSESSMENT AND TAXATION

Market Land: \$169,779.00
Market Impr: \$0.00
Market Total: \$169,779.00 (2018)
% Improved: 0.00%
Assessed Total: \$1,348.00 (2018)
Levy Code: 29.2
Tax: \$17.64 (2018)
Millage Rate: 13.0872
Exemption:
Exemption Type:

PROPERTY CHARACTERISTICS

Bedrooms:	Total SqFt:	Year Built:
Baths, Total:	First Floor:	Eff Year Built:
Baths, Full:	Second Floor:	Lot Size Ac: 6.10 Acres
Baths, Half:	Basement Fin:	Lot Size SF: 265,716 SqFt
Total Units:	Basement Unfin:	Lot Width:
# Stories:	Basement Total:	Lot Depth:
# Fireplaces:	Attic Fin:	Roof Material:
Cooling:	Attic Unfin:	Roof Shape:
Heating:	Attic Total:	Ext Walls:
Building Style:	Garage:	Const Type:

SALES AND LOAN INFORMATION

Owner	Date	Doc #	Sale Price	Deed Type	Loan Amt	Loan Type
PENNER,MILES & BRANDY	3/3/2016	000003207	\$450,000.00	Warranty	\$685,879.00	Const

Sentry Dynamics, Inc. and its customers make no representations, warranties or conditions, express or implied, as to the accuracy or completeness of information contained in this report.

A-18820

RECEIVED

A-2/8

MAY 06 2019

OWRD



After recording return to:
Miles Penner and Brandy Penner
20100 NE Kings Grade
Newberg, OR 97132

Until a change is requested all tax
statements shall be sent to the
following address:
Miles Penner and Brandy Penner
20100 NE Kings Grade
Newberg, OR 97132

File No.: 1032-2567668 (jg)
Date: December 07, 2015

THIS SPACE RESERVED FOR RECORDER'S USE

Yamhill County Official Records	201603207
DMR-DDMR	
Stn=6 SUTTONS	03/03/2016 01:38:15 PM
3Pgs \$15.00 \$11.00 \$5.00 \$20.00	\$51.00

I, Brian Van Bergen, County Clerk for Yamhill County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.

Brian Van Bergen - County Clerk

STATUTORY WARRANTY DEED

Emile E. Lefebvre, Grantor, conveys and warrants to **Miles Penner and Brandy Penner as tenants by the entirety**, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

LEGAL DESCRIPTION: Real property in the County of Yamhill, State of Oregon, described as follows:

See Attached Exhibit A

Subject to:

1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is **\$450,000.00**. (Here comply with requirements of ORS 93.030)

FIRST AMERICAN TITLE 2567668

G-18820

A-7/8

RECEIVED

MAY 06 2019

OWRD

EXHIBIT A

LEGAL DESCRIPTION: Real property in the County of Yamhill, State of Oregon, described as follows:

PARCEL 1:

Government Lot 9 in Section 27, Township 2 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon.

?

PARCEL 2:

Being a part of the Donation Land Claim of Ira C. Conger and Melissa Conger, Notification No. 5889, Claim No. 52 in Section 27, Township 2 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon, and being more particularly described as follows:

Beginning at the Easterly Southeast corner of said Claim; thence North along the East line 510 feet to a point; thence West 1270 feet to the East line of County Road No. 108; thence Southerly along the road 520 feet to the South line of said Claim; thence East 1120 feet to the point of beginning.

A-18820

A-5/B



First American Title™

Customer Service Department
Phone: 503.219.TRIO (8746)
Fax: 503.790.7872
Email: cs.oregon@firstam.com
Date: 4/18/2019

RECEIVED
MAY 06 2019

OWRD

OWNERSHIP INFORMATION

Owner: Penner, Miles ✓
CoOwner: Penner, Brandy ✓
Site: 20100 NE Kings Grade Newberg OR 97132
Mail: 20100 NE Kings Grade Newberg OR 97132

Parcel #: R232702701 ✓
Ref Parcel #: 304977
TRS: 02S / 03W / 27
County: Yamhill

PROPERTY DESCRIPTION

Map Grid:
Census Tract: 030302 Block: 2006
Neighborhood:
School Dist: 29J Newberg School District
Impr Type: 14 - 2 Story with Basement
Subdiv/Plat:
Land Use: 551 - Farm - Exclusive Farm Use (EFU) - Improved (typical of class)
Std Land Use: AFAR - Farms And Crops
Zoning: EF-20 - Exclusive Farm Use
Lat/Lon: 45.362726 / -123.037970
Watershed: Chehalem Creek-Willamette River
Legal: Township 2S Range 3W Section 27 TaxLot 02701

ASSESSMENT AND TAXATION

Market Land: \$346,048.00
Market Impr: \$519,942.00
Market Total: \$865,990.00 (2018)
% Improved: 60.00%
Assessed Total: \$331,747.00 (2018)
Levy Code: 29.2
Tax: \$4,341.64 (2018)
Millage Rate: 13.0872
Exemption:
Exemption Type:

PROPERTY CHARACTERISTICS

Bedrooms: 4	Total SqFt: 5,472 SqFt	Year Built: 1981
Baths, Total: 2.50	First Floor: 1,458 SqFt	Eff Year Built:
Baths, Full: 2	Second Floor: 1,020 SqFt	Lot Size Ac: 14.00 Acres
Baths, Half: 1	Basement Fin: 1,536 SqFt	Lot Size SF: 609,840 SqFt
Total Units:	Basement Unfin:	Lot Width:
# Stories:	Basement Total:	Lot Depth:
# Fireplaces: 1	Attic Fin: 1,458 SqFt	Roof Material:
Cooling:	Attic Unfin:	Roof Shape:
Heating:	Attic Total:	Ext Walls:
Building Style:	Garage:	Const Type:

SALES AND LOAN INFORMATION

Owner	Date	Doc #	Sale Price	Deed Type	Loan Amt	Loan Type
PENNER, MILES & BRANDY	3/3/2016	0000003207	\$450,000.00	Warranty	\$685,879.00	Const

Sentry Dynamics, Inc. and its customers make no representations, warranties or conditions, express or implied, as to the accuracy or completeness of information contained in this report.

9-18820

RECEIVED

A-6/8

MAY 06 2019

OWRD



After recording return to:
Miles Penner and Brandy Penner
20100 NE Kings Grade
Newberg, OR 97132

Until a change is requested all tax
statements shall be sent to the
following address:
Miles Penner and Brandy Penner
20100 NE Kings Grade
Newberg, OR 97132

File No.: 1032-2567668 (jg)
Date: December 07, 2015

THIS SPACE RESERVED FOR RECORDER'S USE

Yamhill County Official Records	201603207
DMR-DDMR	
Stn=6 SUTTONS	03/03/2016 01:38:15 PM
3Pgs \$15.00 \$11.00 \$5.00 \$20.00	\$51.00

I, Brian Van Bergen, County Clerk for Yamhill County, Oregon, certify
that the instrument identified herein was recorded in the Clerk
records.

Brian Van Bergen - County Clerk

STATUTORY WARRANTY DEED

Emile E. Lefebvre, Grantor, conveys and warrants to **Miles Penner and Brandy Penner as tenants by the entirety**, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

LEGAL DESCRIPTION: Real property in the County of Yamhill, State of Oregon, described as follows:

See Attached Exhibit A

Subject to:

1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is **\$450,000.00**. (Here comply with requirements of ORS 93.030)

FIRST AMERICAN TITLE 2567668

A-18820

RECEIVED

MAY 06 2019

OWRD

APN: 304977

Statutory Warranty Deed
-- continued --

File No.: 1032-2567668 (jg)

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

Dated this 10th day of February, 2016.

Emile E. Lefebvre by Gerald D. Lefebvre as Attorney In Fact *FOA 2/10/2016*

STATE OF Oregon)
)ss.
County of Yamhill)

This instrument was acknowledged before me on this 10th day of February, 2016 by **Gerald D. Lefebvre as Attorney in Fact for Emile E. Lefebvre.**

Jessica Lyn Grell

Notary Public for Oregon
My commission expires: 7/28/19



RECEIVED

MAY 06 2019

OWRD

A-8/8

EXHIBIT A

LEGAL DESCRIPTION: Real property in the County of Yamhill, State of Oregon, described as follows:

PARCEL 1:

Government Lot 9 in Section 27, Township 2 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon.

PARCEL 2:

Being a part of the Donation Land Claim of Ira C. Conger and Melissa Conger, Notification No. 5889, Claim No. 52 in Section 27, Township 2 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon, and being more particularly described as follows:

Beginning at the Easterly Southeast corner of said Claim; thence North along the East line 510 feet to a point; thence West 1270 feet to the East line of County Road No. 108; thence Southerly along the road 520 feet to the South line of said Claim; thence East 1120 feet to the point of beginning.

G-18820

B-1/2

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

RECEIVED
MAY 06 2019
OWRD

Applicant

NAME MILES PENNER		PHONE (HM) N/A	
PHONE (WK) N/A	CELL 503.317.9957	FAX N/A	
ADDRESS 20100 KINGS GRADE			
CITY NEWBERG	STATE OR	ZIP 97132	E-MAIL* MILESPENNER@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:
2S	3W	27	N/A	2600	EF-20	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
2S	3W	27	N/A	2701	EF-20	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

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

Yamhill 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: 11 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:

The project is to utilize drip irrigation for a ^{14.3}~~1~~ acre farm operation for specialty crops.



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.

A-18820

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): **SECTION 462.02(A) OF THE UCO**
- 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."

RECEIVED
MAY 06 2019
OWRD

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

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

NAME LANCE WOODS	TITLE: ASSOCIATE PLANNER
SIGNATURE <i>[Signature]</i>	PHONE: (503) 474-7516
GOVERNMENT ENTITY TAMMILL COUNTY PLANNING DEPT	DATE: 4/23/2019

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: _____