

# 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       |       | PHONE (HM) |         |
| PHONE (WK) | CELL  | FAX        |         |
| ADDRESS    |       |            |         |
| CITY       | STATE | ZIP        | E-MAIL* |

### Organization

|  |             |                       |         |
|--|-------------|-----------------------|---------|
| NAME<br>SANDAN, LLC, ATTN: EMILY EVERETT |             | PHONE<br>503-816-3969 | FAX     |
| ADDRESS<br>10280 NE OAK SPRINGS FARM RD  |             |                       | CELL    |
| CITY<br>CARLTON                          | STATE<br>OR | ZIP<br>97111          | E-MAIL* |

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

|  |             |                       |         |
|--|-------------|-----------------------|---------|
| AGENT / BUSINESS NAME<br>GSI WATER SOLUTIONS, INC. ATTN: KIM GRIGSBY |             | PHONE<br>541-257-9004 | FAX     |
| ADDRESS<br>1600 SW WESTERN BLVD., SUITE 240                          |             |                       | CELL    |
| CITY<br>CORVALLIS  | STATE<br>OR | ZIP<br>97333          | E-MAIL* |

Note: Attach multiple copies as needed

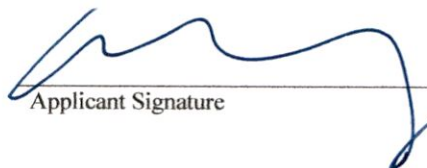
\* By providing an e-mail address, consent is given to receive all correspondence from the Department electronically. (Paper copies of the proposed and final order documents will also be mailed.)

**By my signature below I confirm that I understand:**

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



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

  
Applicant Signature

Emily Everett, General Manager  
Print Name and Title if applicable

6-22-19  
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).*

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.

See Attachment A

**SECTION 3: WELL DEVELOPMENT**

| WELL NO. | NAME OF NEAREST SURFACE WATER | IF LESS THAN 1 MILE:              |  |
|----------|-------------------------------|-----------------------------------|--|
|          |                               | DISTANCE TO NEAREST SURFACE WATER | ELEVATION CHANGE BETWEEN NEAREST SURFACE WATER AND WELL HEAD |
| WELL 1   | UNNAMED STREAM (HAWN CREEK)*  | 800 FT                            | 22 FT  |
| WELL 2   | UNNAMED STREAM (HAWN CREEK)*  | 700 FT                            | 27 FT  |
| WELL 3   | UNNAMED STREAM (HAWN CREEK)*  | 655 FT                            | 35 FT  |

**\*Note: The Unnamed Stream is in the Yamhill sub-basin, and the wells are in the Chehalem Creek sub-basin**

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).*

See Attachment B for well logs

**SECTION 3: WELL DEVELOPMENT, continued**

**Total maximum rate requested:** 0.15 CFS (66 GPM) (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below).

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

| OWNER'S WELL NAME OR NO. | PROPOSED                 | EXISTING                            | WELL ID (WELL TAG) NO.* OR WELL LOG ID** | FLOWING ARTESIAN         | CASING DIAMETER      | CASING INTERVALS (IN FEET) | PERFORATED OR SCREENED INTERVALS (IN FEET) | SEAL INTERVALS (IN FEET) | MOST RECENT STATIC WATER LEVEL & DATE (IN FEET) | PROPOSED USE      |                  |                          |                           |
|--------------------------|--------------------------|-------------------------------------|--|--------------------------|----------------------|----------------------------|--|--------------------------|---|-------------------|------------------|--------------------------|---------------------------|
|                          |                          |                                     |  |                          |                      |                            |  |                          |   | SOURCE AQUIFER*** | TOTAL WELL DEPTH | WELL-SPECIFIC RATE (GPM) | ANNUAL VOLUME (ACRE-FEET) |
| WELL 1                   | <input type="checkbox"/> | <input checked="" type="checkbox"/> | YAMH 704                                 | <input type="checkbox"/> | 6 IN<br>4 IN (LINER) | +1 TO 39<br>5 TO 120       | 110 TO 120                                 | 0 TO 33                  | 2<br>(3/25/1991)                                | SANDSTONE         | 120 FT           | 20 GPM                   | UP TO<br>13.08 AF         |
| WELL 2                   | <input type="checkbox"/> | <input checked="" type="checkbox"/> | YAMH 57912                               | <input type="checkbox"/> | 6 IN<br>4 IN (LINER) | +1.5 TO 76.5<br>2 TO 122   | 122 TO 222                                 | 0 TO 76                  | 14.5<br>(4/19/2018)                             | SANDSTONE         | 222 FT           | 30 GPM                   |                           |
| WELL 3                   | <input type="checkbox"/> | <input checked="" type="checkbox"/> | YAMH 57913                               | <input type="checkbox"/> | 6 IN<br>4 IN (LINER) | +2 TO 38<br>4 TO 104       | 104 TO 222                                 | 0 TO 38                  | 24<br>(4/20/2018)                               | SANDSTONE         | 222 FT           | 16 GPM                   |                           |
|                          | <input type="checkbox"/> | <input type="checkbox"/>            |  | <input type="checkbox"/> |                      |                            |  |                          |   |                   |                  |                          |                           |

\* Licensed drillers are required to attach a Department-supplied Well Tag, with a unique Well ID or Well Tag Number to all new or newly altered wells. Landowners can request a Well ID for existing wells that do not have one. The Well ID is intended to serve as a unique identification number for each well.

\*\* A well log ID (e.g. MARI 1234) is assigned by the Department to each log in the agency's well log database. A separate well log is required for each subsequent alteration of the well.

\*\*\* Source aquifer examples: Troutdale Formation, gravel and sand, alluvium, basalt, bedrock, etc.

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## 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\\_trsq\\_features/](https://apps.wrd.state.or.us/apps/misc/lkp_trsq_features/)

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

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

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

Yes  No

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

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

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

### 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:**  
N/A – Proposed use is for less than 1 cfs

**Statewide - OAR 690-033-0330 thru -0340**

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

Yes  No

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

**SECTION 5: WATER USE**

| USE     | PERIOD OF USE          | ANNUAL VOLUME (ACRE-FEET) |
|---------|------------------------|---------------------------|
| Storage | December 1 to April 30 | Up to 13.08 AF            |
|         |                        |                           |

**For irrigation use only:**

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

Primary: N/A Acres Supplemental: N/A 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: N/A

- 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**

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**A. Diversion and Conveyance**

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

- Pump (give horsepower and type): **Wells 1, 2 and 3 have 1.5 hp submersible pumps**
- Other means (describe): \_\_\_\_\_

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. **Water will be pumped from the wells to two storage ponds (East Pond and North Pond) via 12-inch PVC piping.**

**B. Application Method**

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler) *(attach additional sheets if necessary)*

**Water will be pumped and conveyed to two storage ponds. The East Pond will hold up to 3.97 acre-feet and the North Pond will store up to 9.11 acre-feet.**

**C. Conservation**

Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; prevent damage to aquatic life and riparian habitat; prevent the discharge of contaminated water to a surface stream; prevent adverse impact to public uses of affected surface waters *(attach additional sheets if necessary)*.

**The storage of groundwater is needed for multiple purposes when live flow is unavailable in the Chehalem Creek basin. Conveyance of groundwater to the storage ponds will be through enclosed PVC piping. Storage ponds will be lined to prevent leaks and adverse impacts to the surrounding area.**

**SECTION 7: PROJECT SCHEDULE**

- a) Date construction will begin: Within 5 years of permit issuance
- b) Date construction will be completed: Within 5 years of permit issuance
- c) Date beneficial water use will begin: Within 5 years of permit issuance

**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: **Water will be conveyed through enclosed PVC piping to prevent leaks to surrounding area and resources.**

- 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: **N/A – No excavation or clearing of banks is planned.**

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



**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<br>N/A | Address |     |
| City                            | State   | Zip |

**SECTION 10: REMARKS**

Use this space to clarify any information you have provided in the application (*attach additional sheets if necessary*).

\_\_\_\_\_

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## 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. **(Attachment C)**
- 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. **(Attachment A)**
- Fees - Amount enclosed: \$ 2,910  
See the Department's Fee Schedule at [www.oregon.gov/owrd](http://www.oregon.gov/owrd) or call (503) 986-0900.
- Map that includes the following items: **(Attachment D)**
  - 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: 6-18878





# Oregon

Kate Brown, Governor

## Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

November 25, 2019

Dear Applicant:

The Oregon Water Resources Department has received your groundwater application for a water use permit. Your application has been assigned file number **G-18878, R-88778 and R-88779**. Please refer to this number when contacting the Department. Should you have any questions about your application, please contact the following Water Rights Specialist assigned to your application:

|                                      |   |
|--------------------------------------|---|
| Lisa Graham, Water Rights Specialist | Phone: 503-986-0808   |
|                                      | Email: <a href="mailto:elisabeth.a.graham@oregon.gov">elisabeth.a.graham@oregon.gov</a> |

A description of the steps that are used for processing a water right application are shown on the reverse side of this letter.

The first step in the water rights process is the completion of a groundwater review by the Department. This review can take approximately 6-9 months to complete, sometimes longer. Once the groundwater review is completed, you will receive a copy of an Initial Review that summarizes the Department's preliminary determinations. Copies of the Proposed Final Order and Final Order will also be mailed to you.

Please note that your application is subject to review and comment from other state agencies and interested parties.

Sincerely,

**COPY**

Judy Ferrell  
Customer Service Representative  
Oregon Water Resources Department

cc: File

# **Water-Use Permit Application Processing Steps**

## **Oregon Water Resources Department**

### **1. 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.

### **2. 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](http://www.oregon.gov/owrd). The public comment period is 30 days from publication in the weekly notice.

### **3. 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 Initial Review, 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.

### **4. 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.

### **5. 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 will specify the details of the authorized use and any terms, limitations or conditions that the Department deems appropriate.



**Wetland Determination Request  
Wetlands Program**

**BATCH  
WD#: \_\_\_\_\_**

Oregon Department of State Lands  
775 Summer Street, NE, Suite 100, Salem, OR 97301-1279

The Department of State Lands (DSL) conducts *offsite* wetland determinations upon request. There is no fee for this service. An offsite determination consists of reviewing wetlands and soils maps, aerial photos and other information to determine if wetlands or other regulated water bodies (such as creeks) are present, likely to be present, or unlikely to be present. Only an *onsite* check can verify whether or not there are regulated wetlands on a site. As time allows, DSL staff may be able to conduct a site visit to verify an offsite determination. Please allow 2-3 weeks for an initial response.

If wetlands are present or likely to be present on a parcel or near a project area, a wetland delineation by a qualified wetland consultant may be needed. Wetland delineation reports and the required fee should then be submitted to DSL for review and agency approval.

**Please provide the following information:**

1. Vicinity map (like a city map) with the precise parcel location indicated.
2. Large scale map (1" = 100' if possible) of the parcel showing existing buildings, property boundaries, any creeks and other features. An annotated tax assessor's map is fine, and a hand-drawn map is acceptable.
3. City, County, and site address. Please fill in below.  
City \_\_\_\_\_ (or nearest town if outside City limits)  
County \_\_\_\_\_  
Site address \_\_\_\_\_ (or nearest cross streets if no address)
4. Township, Range, Section, Quarter/Quarter Section and Tax Lot number(s) (Tax Map number is equivalent). Please fill in below.  
Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_ QQ \_\_\_\_\_ Tax Lot (s) \_\_\_\_\_

Property owner    Legal representative    Other (specify): \_\_\_\_\_

Name: \_\_\_\_\_

Firm: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ E-Mail \_\_\_\_\_

I either own or have legal authority to allow access to the property for which this request is made. My signature below authorizes DSL staff to conduct a wetland determination and to access the property to confirm the wetland determination, as needed. *(DSL will phone prior to conducting a site visit.)*

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

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November 12, 2019

Alyssa Mucken  
Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, OR 97301

Re: Application for a Permit to Appropriate Groundwater in the name of Sandan, LLC

Dear Ms. Mucken:

Please find enclosed a permit application filed on behalf of Sandan, LLC requesting authorization to appropriate groundwater from three wells at Abbey Road Farm in the Willamette River Basin. Sandan, LLC is requesting to appropriate groundwater from December 1 to April 30 at a total rate of up to 0.15 cfs (66 gpm) for storage of up to 13.08 acre-feet in two reservoirs. (Sandan, LLC is filing separate applications requesting to store water.)

Enclosed is the required application fee of \$2,910, which was calculated as follows:

\$1,340—Base Fee  
\$ 350—Rate Fee of \$350 for a rate of less than 1 cfs  
\$ 700—Fee for 3 points of appropriation (\$350 for each POA after first)  
\$ 520—Permit Recording Fee

Total = \$2,910

If you have any questions about the enclosed materials, please contact me at 541-257-9004.

Sincerely,

A handwritten signature in blue ink that reads "Kimberly Grigsby".

Kimberly Grigsby  
Principal Water Resources Consultant

Enclosures: Groundwater application  
Check for application fee in the amount of \$2,910



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Well 1: YAMH\_704  
Well 2: YAMH\_57912  
Well 3: YAMH\_57913

Attachment B

Well Logs

Application for a Permit to Use Groundwater – Sandan, LLC

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G-10078

#16

APR 17 1991

YAMH 704

L-127717  
35/36/19ac

STATE OF OREGON WATER RESOURCES DEPT. WATER WELL REPORT SALEM, OREGON (as required by ORS 537.765)

(START CARD) # 17468

(1) OWNER: Name MR & Mrs Cloes, I Well Number: 91-291  
Address 10280 Oak Spring Farms Rd  
City Carlton State OR Zip 97111

(9) LOCATION OF WELL by legal description:  
County Hamhill Latitude Longitude  
Township 35 N or S, Range 3 W E or W, WM.  
Section 19 SW 1/4 NE 1/4  
Tax Lot Lot Block Subdivision  
Street Address of Well (or nearest address) Same

(2) TYPE OF WORK:  
 New Well  Deepen  Recondition  Abandon

(10) STATIC WATER LEVEL:  
2 ft. below land surface. Date 3/25/91  
Artesian pressure lb. per square inch. Date

(3) DRILL METHOD  
 Rotary Air  Rotary Mud  Cable  
 Other

(11) WATER BEARING ZONES:  
Depth at which water was first found

(4) PROPOSED USE:  
 Domestic  Community  Industrial  Irrigation  
 Thermal  Injection  Other

| From | To  | Estimated Flow Rate | SWL |
|------|-----|---------------------|-----|
| 110  | 120 | 30                  | 2   |
|      |     |                     |     |
|      |     |                     |     |

(5) BORE HOLE CONSTRUCTION:  
Special Construction approval Yes No Depth of Completed Well 120 ft.  
Explosives used Yes No Type Amount

(12) WELL LOG: Ground elevation 450

| HOLE     |      |     | SEAL     |      |    | Amount          |
|----------|------|-----|----------|------|----|-----------------|
| Diameter | From | To  | Material | From | To | sacks or pounds |
| 10       | 0    | 33  | Cement   | 0    | 33 | 17              |
| 6        | 33   | 120 |          |      |    |                 |

| Material       | From | To  | SWL |
|----------------|------|-----|-----|
| Topsoil        | 0    | 1   |     |
| Clay Red       | 1    | 4   |     |
| Clay Tan       | 4    | 33  |     |
| Sandstone Gray | 33   | 120 | 7   |

How was seal placed: Method  A  B  C  D  E  
 Other  
Backfill placed from ft. to ft. Material  
Gravel placed from ft. to ft. Size of gravel

(6) CASING/LINER:  
Diameter From To Gauge Steel Plastic Welded Threaded  
Casing: 6 1 39 1.250      
Liner: 4" 5 120

Date started 3/23/91 Completed 3/25/91

Final location of shoe(s)

(7) PERFORATIONS/SCREENS:  
 Perforations Method STILL Saw  
 Screens Type Material

| From | To  | Slot size | Number | Diameter | Tele/pipe size | Casing                   | Liner                               |
|------|-----|-----------|--------|----------|----------------|--------------------------|-------------------------------------|
| 110  | 120 | 6"        | 24     | 1/4      |                | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

(unbonded) Water Well Constructor Certification:  
I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon well construction standards. Materials used and information reported above are true to my best knowledge and belief.  
Signed \_\_\_\_\_ Date \_\_\_\_\_ WWC Number \_\_\_\_\_

(8) WELL TESTS: Minimum testing time is 1 hour  
 Pump  Bailer  Air  Artesian  
Yield gal/min Drawdown Drill stem at Time  
30 90 1 hr.

(bonded) Water Well Constructor Certification:  
I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. all work performed during this time is in compliance with Oregon well construction standards. This report is true to the best of my knowledge and belief.  
Signed Tom Bryant WWC Number 703  
Date 3/25/91

Temperature of water 51 Depth Artesian Flow Found  
Was a water analysis done? No Yes By whom  
Did any strata contain water not suitable for intended use? No Too little  
 Salty  Muddy  Odor  Colored  Other  
Depth of strata:

61-10078





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

Application for
Well ID Number

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Do not complete if the well already has a Well Identification Number.

I. OWNER INFORMATION

Current Owner Name (please print): Daniel & Sandi Wilkens
Mailing Address: 10280 NE OAK SPRINGS FARM RD.
City, State, Zip: CARLTON, OR 97111
Name & Address: Using tag from Blue Water Drilling inventory
City, State, Zip:

II. WELL LOCATION INFORMATION (Please fill out as completely as possible)

Township: 3 (North/South) Range: 3 (East/West) Section: 19 SE 1/4 of the SW 1/4
Tax Lot (usually last 3-5 numbers of Tax Map #): R332-300 County Yamhill
GPS Coordinates:
Street Address of Well, City: 10280 NE OAK SPRINGS FARM RD, CARLTON
If the property had a different street address in the past:

III. GENERAL WELL INFORMATION (Please fill out as completely as possible, AND attach copy of Well Log, if available)

Use of Well (domestic, irrigation, commercial, industrial, monitoring): domestic
Date Well Constructed (or property built): 3/25/91 Total Well Depth: 120 Casing Diameter: 6
Owner at time the well was constructed (if known): Cloepfil Well Log # (if known): YAMH 704
Other Information:

SUBMITTED BY (please print): David Paysinger WWC #1438
PHONE: 503 868 7878 EMAIL &/or FAX: bluewaterdrilling@gmail.com

Send application to: Oregon Water Resources Department 725 Summer St NE, Suite A, Salem, Oregon 97301; or fax to (503) 986-0902.
Applications are processed in the order they are received, and Well ID Numbers are mailed within 4-5 business days.

For Official Use Only by the Oregon Water Resources Department:
Received Date: Well Log Number: L127717 Well Identification #:
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G-10070







WATER SUPPLY WELL REPORT - Map with location identified must be attached and shall include an approximate scale and north arrow

YAMH 57912

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Map of Hole

STATE OF OREGON  
WELL LOCATION MAP

Oregon Water Resources Department

725 Summer St NE, Salem OR 97301  
(503)986-0900



This map is supplemental to the WATER SUPPLY WELL REPORT

LOCATION OF WELL

Latitude: 45.2892646852 Datum: WGS84

Longitude: -123.10517280844

Township/Range/Section/Quarter-Quarter Section:

WM 3S 3W 19 SESW

Address of Well:

10501 NE ABBEY RD. CARLTON

Well Label: 127721

Printed: April 21, 2018

DISCLAIMER: This map is intended to represent the approximate location the well. It is not intended to be construed as survey accurate in any manner.

Provided by well constructor



6-18878







WATER SUPPLY WELL REPORT - Map with location identified must be attached and shall include an approximate scale and north arrow

YAMH 57913

4/23/2018

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Map of Hole

STATE OF OREGON  
WELL LOCATION MAP

This map is supplemental to the WATER SUPPLY WELL REPORT

Oregon Water Resources Department

725 Summer St NE, Salem OR 97301  
(503)986-0900



LOCATION OF WELL

Latitude: 45.2883891063 Datum: WGS84

Longitude: -123.10557648089

Township/Range/Section/Quarter-Quarter Section:

WM 3S 3W 19 SESW

Address of Well:

10501 NE ABBEY RD. CARLTON, CARLTON, OR 97111

Well Label: 127722

Printed: April 23, 2018

DISCLAIMER: This map is intended to represent the approximate location the well. It is not intended to be construed as survey accurate in any manner.

Provided by well constructor



G-10078

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## Attachment C

### Land Use Information Form

Application for a Permit to Use Groundwater – Sandan, LLC

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G-10070



# Land Use Information Form



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

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## NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

**This form is NOT required if:**

- 1) Water is to be diverted, conveyed, and/or used only on federal lands; **OR**
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and **all** of the following apply:
  - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
  - b) The application involves a change in place of use only;
  - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; **and**
  - d) The application involves irrigation water uses only.

## NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

# Land Use Information Form



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

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**OWRD**

Applicant(s): Sandan, LLC, Attn: Emily Everett

Mailing Address: 10280 NE Oak Springs Farm Rd

City: Carlton

State: OR

Zip Code: 97111

Daytime Phone: 503-816-3969

## 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:          |
|------------|------------|-----------|--------------|------------|---|---|-----------------------------|
| <u>3 S</u> | <u>3 W</u> | <u>19</u> | <u>SW-SE</u> | <u>300</u> | <u>EF-80</u>                                    | <input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used | <u>Multipurpose storage</u> |
| <u>3 S</u> | <u>3 W</u> | <u>19</u> | <u>SE-SE</u> | <u>300</u> | <u>EF-80</u>                                    | <input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used | <u>Multipurpose storage</u> |
| <u>3 S</u> | <u>3 W</u> | <u>19</u> | <u>NW-SE</u> | <u>300</u> | <u>EF-80</u>                                    | <input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used | <u>Multipurpose storage</u> |
| <u>3 S</u> | <u>3 W</u> | <u>19</u> | <u>SE-SW</u> | <u>300</u> | <u>EF-80</u>                                    | <input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input type="checkbox"/> Used | <u>Multipurpose storage</u> |
| <u>3 S</u> | <u>3 W</u> | <u>19</u> | <u>NE-SW</u> | <u>300</u> | <u>EF-80</u>                                    | <input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input type="checkbox"/> Used            | <u>Multipurpose storage</u> |

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

Yamhill County, Oregon

## 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 Ground Water Registration Modification  
 Limited Water Use License   
  Allocation of Conserved Water   
  Exchange of Water

Source of water:  Reservoir/Pond     Ground Water     Surface Water (name)

Estimated quantity of water needed: 0.23     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 Storage

Briefly describe:

The Applicant is requesting a permit to appropriate up to 0.23 cfs of groundwater from three existing wells for multiple purpose storage.

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

See bottom of Page 3. →



# For Local Government Use Only

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

### Please check the appropriate box below and provide the requested information

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

| Type of Land-Use Approval Needed<br>(e.g., plan amendments, rezones, conditional-use permits, etc.) | Cite Most Significant, Applicable Plan Policies & Ordinance Section References         | Land-Use Approval:  |  |
|---|--|---|--|
| SITE DESIGN REVIEW<br>SDR-28-18 / BOARD ORDER 19-50   | 402.02(A) and 402.10(E)<br>1101 of the PCZO 3.0RS 215.452<br>AND 402.02(A) OF THE PCZO | <input checked="" type="checkbox"/> Obtained<br><input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued<br><input type="checkbox"/> Not Being Pursued |
|   |  | <input type="checkbox"/> Obtained<br><input type="checkbox"/> Denied            | <input type="checkbox"/> Being Pursued<br><input type="checkbox"/> Not Being Pursued |
|   |  | <input type="checkbox"/> Obtained<br><input type="checkbox"/> Denied            | <input type="checkbox"/> Being Pursued<br><input type="checkbox"/> Not Being Pursued |
|   |  | <input type="checkbox"/> Obtained<br><input type="checkbox"/> Denied            | <input type="checkbox"/> Being Pursued<br><input type="checkbox"/> Not Being Pursued |
|   |  | <input type="checkbox"/> Obtained<br><input type="checkbox"/> Denied            | <input type="checkbox"/> Being Pursued<br><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: [Signature] Phone: (503) 434-7516 Date: 8/14/2019  
 Government Entity: YAMHILL COUNTY PLANNING DEPT.

**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: \_\_\_\_\_

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## Attachment A

### Legal Description of Property

Application for a Permit to Use Groundwater – Sandan, LLC

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After recording return to:  
Daniel P. Wilkens and Sandra Wilkens  
10000 NE Oaks Spring Farm Rd  
Carlton, OR 97111

Until a change is requested all tax  
statements shall be sent to the  
following address:  
Daniel P. Wilkens and Sandra Wilkens  
10000 NE Oaks Spring Farm Rd  
Carlton, OR 97111

File No.: 1032-2894721 (jg)  
Date: June 27, 2017

THIS SPACE RESERVED FOR RECORDER'S USE

|   |  |                               |
|---|--|-------------------------------|
| Yamhill County Official Records   |  | <b>201715824</b>              |
| DMR-DDMR  |  | <b>10/02/2017 09:48:00 AM</b> |
| SIn=3 SUTTONS   |  |                               |
| 4Pgs \$20.00 \$11.00 \$5.00 \$20.00   |  | <b>\$56.00</b>                |
| <p>I, Brian Van Bergen, County Clerk for Yamhill County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.</p> <p style="text-align: right;">Brian Van Bergen - County Clerk</p> |  |                               |

FIRST AMERICAN TITLE 2894721

### STATUTORY WARRANTY DEED

**John A. Stuart, Trustee of the Stuart 1991 Trust U/T/A dated March 15, 2002**, Grantor, conveys and warrants to **Sandan, LLC as to Parcel 1 and Daniel P. Wilkens and Sandra Wilkens, as tenants by the entirety, as to Parcel 2**, 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. The **2017-18 Taxes**, a lien not yet payable.
2. 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 **\$10.00 and other good and valuable consideration.**  
(Here comply with requirements of ORS 93.030)





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**EXHIBIT A**

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

**PARCEL 1:**

A part of the James Scott Donation Land Claim Notification No. 1426, Claim No. 50 in sections 19 and 30, Township 3 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon, and BEGINNING at the Northwest corner of the T.J. Hubbard Donation Land Claim, said corner being an angle corner on the South boundary of the James Scott Donation Land Claim; thence North 207.90 feet to angle corner of said Scott Claim; thence North 85° West along the South boundary of said Scott Claim, 517.02 feet to a point in the center of County Road No. 208; thence North 14°02' East along the center of said County Road, 921.62 feet to a stake; thence North 11°36' East, along center of said County Road, 447.34 feet to angle in road; thence North 16°02' East along center of said road, 409.93 feet to angle in road; thence North 20°08' East along center of said road, 487.95 feet to angle in road; thence North 21°28' East along center of said road, 646.48 feet to intersection of center lines of County Road No. 208 and Market Road No. 11; thence South 28°59' East along center of Market Road, 2474.60 feet to angle in road; thence South 02° 13' East along center of said road, 877.15 feet to a point on the South boundary of said Scott Claim; thence West along South boundary of said Claim, 1533.62 feet to the PLACE OF BEGINNING.

EXCEPTING THEREFROM a 2 Acre tract of land being more particularly described as follows:

Beginning at the re-entrant corner on the south boundary of the James Scott DLC #50, said corner being North 00° 14' 01" West 207.98 feet from the Northwest corner of the T.J. Hubbard Donation Land Claim No. 52; thence South 84° 28' 55" East 30.00 feet to an iron rod; thence North 20° 52' 52" East 65.22 feet to an iron rod at the beginning point of a curve to the left; thence 78.38 feet along a 70.00 foot radius curve, concave to the southwest, chord bearing North 11° 11' 50" West 74.35 feet to an iron rod at the point of reverse curvature; thence 52.87 feet along a 70.00 foot radius curve, concave to the northeast, chord bearing North 21° 38' 16" West 51.62 feet to an iron rod; thence North 51.01 feet to an iron rod; thence North 84° 28' 55" West 163.64 feet to an iron rod; thence South 05° 31' 05" West 50.00 feet to an iron rod; thence North 84° 28' 55" West 50.00 feet to an iron rod; thence South 05° 31' 05" West 49.99 feet to an iron rod; thence North 84° 28' 55" West 275.01 feet (passing an iron rod at 244.42 feet) to the center of Oak Springs Farm Road (Market Road 208); thence South 16° 44' 41" West 133.37 feet along the center of Oak Springs Farm Road to the intersection with the South boundary of the James Scott Donation Land Claim #50; thence South 84° 28' 55" East 517.18 feet along said south boundary to the place of beginning.

NOTE: This legal description was approved under Yamhill County Planning File No. L-04-17

**PARCEL 2:**

6-10070



Beginning at the re-entrant corner on the south boundary of the James Scott DLC #50, said corner being North  $00^{\circ} 14' 01''$  West 207.98 feet from the Northwest corner of the T.J. Hubbard Donation Land Claim No. 52; thence South  $84^{\circ} 28' 55''$  East 30.00 feet to an iron rod; thence North  $20^{\circ} 52' 52''$  East 65.22 feet to an iron rod at the beginning point of a curve to the left; thence 78.38 feet along a 70.00 foot radius curve, concave to the southwest, chord bearing North  $11^{\circ} 11' 50''$  West 74.35 feet to an iron rod at the point of reverse curvature; thence 52.87 feet along a 70.00 foot radius curve, concave to the northeast, chord bearing North  $21^{\circ} 38' 16''$  West 51.62 feet to an iron rod; thence North 51.01 feet to an iron rod; thence North  $84^{\circ} 28' 55''$  West 163.64 feet to an iron rod; thence South  $05^{\circ} 31' 05''$  West 50.00 feet to an iron rod; thence North  $84^{\circ} 28' 55''$  West 50.00 feet to an iron rod; thence South  $05^{\circ} 31' 05''$  West 49.99 feet to an iron rod; thence North  $84^{\circ} 28' 55''$  West 275.01 feet (passing an iron rod at 244.42 feet) to the center of Oak Springs Farm Road (Market Road 208); thence South  $16^{\circ} 44' 41''$  West 133.37 feet along the center of Oak Springs Farm Road to the intersection with the South boundary of the James Scott Donation Land Claim #50; thence South  $84^{\circ} 28' 55''$  East 517.18 feet along said south boundary to the place of beginning.

TOGETHER WITH an access and utility easement of variable width, the exterior boundary being more particularly described as follows:

Beginning at a point on the west margin of Abbey Road (Market Road 11), said point being North  $61^{\circ} 23' 35''$  East 1705.07 feet from the Northwest corner of the Thomas J. Hubbard Donation Land Claim No. 52; thence North  $88^{\circ} 21' 46''$  West 1265.43 feet; thence 84.11 feet along a 100.00 foot radius curve, concave to the southeast, chord bearing South  $67^{\circ} 32' 32''$  West 81.65 feet; thence South  $43^{\circ} 26' 51''$  West 145.65 feet; thence 71.00 feet along a 100 foot radius curve, concave to the southeast, chord bearing South  $23^{\circ} 06' 25''$  West 69.52 feet; thence South  $02^{\circ} 45' 59''$  West 213.95 feet to an iron rod at the northeast corner of the above described 2.0 Acre tract; thence North  $84^{\circ} 28' 55''$  West 50.06 feet along the north boundary of said 2.0 Acre tract; thence North  $02^{\circ} 45' 59''$  East 211.62 feet; thence North  $13^{\circ} 40' 45''$  East 194.83 feet; thence South  $88^{\circ} 21' 46''$  East 90.00 feet; thence North  $47^{\circ} 06' 42''$  East 102.66 feet; thence South  $88^{\circ} 21' 46''$  East 55.00 feet; thence South  $01^{\circ} 38' 14''$  West 10.00 feet; thence South  $88^{\circ} 21' 46''$  East 70.00 feet; thence North  $01^{\circ} 38' 14''$  East 3.00 feet; thence South  $88^{\circ} 21' 46''$  East 1070.00 feet; thence 94.68 feet along a 45.00 foot radius curve, concave to the northwest, chord bearing North  $31^{\circ} 21' 41''$  East 78.16 feet; thence North  $28^{\circ} 54' 51''$  West 475.00 feet; thence North  $61^{\circ} 05' 09''$  East 30.00 feet; thence South  $28^{\circ} 54' 51''$  East 563.96 feet; thence South  $02^{\circ} 15' 17''$  East 56.64 feet to the place of beginning.

NOTE: This legal description was approved under Yamhill County Planning File No. L-04-17