

SECTION 2: PROPERTY OWNERSHIP

Please indicate if you own all the lands associated with the project from which the water is to be diverted, conveyed, and used.

- YES, there are no encumbrances.
- YES, the land is encumbered by easements, rights of way, roads or other encumbrances.
- NO, I have a recorded easement or written authorization permitting access.
- NO, I do not currently have written authorization or easement permitting access.
- NO, written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigation and/or domestic use only (ORS 274.040).
- NO, because water is to be diverted, conveyed, and/or used only on federal lands.

RECEIVED

FEB 03 2020

OWRD

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 = Not Applicable

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	SO. SANTIAM RIVER	1380 FEET TO NE**	25 FEET UP TO WELL*
2	SO. SANTIAM RIVER	1365 FET TO SSE	16 FEET UP TO WELL*
3	SO. SANTIAM RIVER	1110 FEET TO S	20 FEET UP TO WELL*
4	SO. SANTIAM RIVER	170 FEET TO NE	16 FEET UP TO WELL*

*Determined using Google Earth

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 nearest surface water to Well 1 is the South Santiam River. A small intermittent stream is near well 1; however, the Water Resources Department has typically utilized a solid blue line (meaning a year-round stream) on the USGS Quad map as the definition of the nearest surface water. (The USGS Quad maps utilized a solid blue line type for year-round streams and a dash-dot line type for intermittent streams.) Various line types were found on different maps for this stream. Ground verification indicates it is a seasonal or intermittent stream, so this small intermittent stream was not considered as the nearest surface water.**

The proposed wells will be constructed down to a depth until satisfactory water is obtained or abandoned. The aquifer accessed is unknown at this time. 600 GPM is requested from each well in case that one of the wells gets that rate; however, the applicant only hopes to utilize a maximum of 600 GPM from any combination of wells.

The applicant also requests that the Water Resource Department Groundwater Section (GWS) also analyze for lower rates from each of the wells because the applicant could beneficially utilize a much lower rate than applied for. It would be beneficial if the GWS computed what rate could be approved so that the applicant can decide if that rate is satisfactory for the applicant or not.

RECEIVED

FEB 03 2020

OWRD

SECTION 3: WELL DEVELOPMENT, continued

Total maximum rate requested: 600 GPM (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below). ***Note, although the owner could utilize a 600 gallon per minute (GPM) rate, the applicant could also utilize a considerably lower rate; and the applicant wishes that the Water Resources Department to analyze for lower rates to improve the chances of this applications approval.**

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 checked="" type="checkbox"/>	<input type="checkbox"/>	N/A	<input type="checkbox"/>	These details will be developed by the well driller.						600	39	
2	<input checked="" type="checkbox"/>	<input type="checkbox"/>	N/A	<input type="checkbox"/>							600	39	
3	<input checked="" type="checkbox"/>	<input type="checkbox"/>	N/A	<input type="checkbox"/>							600	39	
4	<input checked="" type="checkbox"/>	<input type="checkbox"/>	N/A	<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.

RECEIVED

FEB 03 2020

OWRD

RECEIVED

FEB 03 2020

OWRD

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

FEB 03 2020

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

OWRD

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

RECEIVED

Statewide - OAR 690-033-0330 thru -0340

FEB 03 2020

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

Yes No

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	Irrigation Season	39
Supplemental Irrig	Irrigation Season	0 *See Section 10 Remarks

For irrigation use only:

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

Primary: 25.7 Acres Supplemental: 85.4 Acres

If you listed supplemental acres, list the Permit or Certificate number of the underlying primary water right(s):
Certificates 26595 & 42307

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 39 (This corresponds to 1.5 AF/ac for primary uses.)

- 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

A. Diversion and Conveyance

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

Pump (give horsepower and type): HP depends on depth of water and well productivity; the type of pump will most likely be a submersible.

Other means (describe): N/A

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. The diversion will be a typical well that will convey water via pipelines to Big Guns that will water the crops.

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)*

The current plan for the water ing system is Big Guns, but that may change depending on the crops and many other varioables.

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 applicant needs the water requested to develop his land for the farming of certain crops for which irrigation is either needed or advantageous. The applicant will have no need to come near aquatic life or riparian habitiat for this project. The applicant is a long-term and well experienced farmer that tries to utilize only as much was as is needed for the crops. The applicant strives to always make sure that no water, contaminated or otherwise, is discharged into a surface stream. The applicant has many employees that routinely check on the crops and make adjustment to the irrigation systems as needed. The application will not adversely affect public uses of surface waters.

SECTION 7: PROJECT SCHEDULE

- a) Date construction will begin: As soon as this application is approved; maybe Fall 2021
- b) Date construction will be completed: Summer 2026
- c) Date beneficial water use will begin: Spring 2026

RECEIVED

FEB 03 2020

OWRD

SECTION 8: RESOURCE PROTECTION

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

Water quality will be protected by preventing erosion and run-off of waste or chemical products. Describe: The owner is a full-time competent farmer, and as a rule, always acts to minimize and/or prevent erosion and runoff of waste or chemical products.

Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas. **Note:** If disturbed area is greater than one acre, applicant should contact the Oregon Department of Environmental Quality to determine if a 1200C permit is required. Describe planned actions and additional permits required for project implementation: No excavation or clearing of banks is required for the well development that is proposed in this application.

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

List: No other permits or contracts are known to be required.

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*).

1. It is expected that in most years no water will be needed for the supplemental use, but occasionally it will be needed.
2. Please read the notes in Section 3.

RECEIVED

FEB 03 2020

OWRD

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: \$ 3610.00
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)


RECEIVED

FEB 03 2020

OWRD

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.

Land Use Information Form

OREGON

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

Applicant

NAME South Santiam River Farm, LLC c/o Paul Kuehne			PHONE (HM)		
PHONE (WK) (503) 864-4422		CELL (503) 437-4833		FAX	
ADDRESS Po Box 99					
CITY Lafayette		STATE OR	ZIP 97127	E-MAIL* paul@creeksidevalleyfarms.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:
13S	1W	2	N/A	603	EFU	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	farming
13S	1W	2	N/A	608	EFU	<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:
 Linn

RECEIVED
FEB 03 2020

B. Description of Proposed Use

OWRD

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: 30
 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:
 This application is to obtain water for irrigation of farm 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.

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.

RECEIVED
FEB 03 2020
OWRD

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): CC 928.31A(B)(1)

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:	
		<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.

PD20-004

NAME <u>Alyssa Boles</u>	TITLE: <u>Senior Planner</u>
SIGNATURE <u>Alyssa Boles</u>	PHONE: <u>511-967-3516</u>
GOVERNMENT ENTITY <u>Lincoln County</u>	DATE: <u>1/17/2020</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.

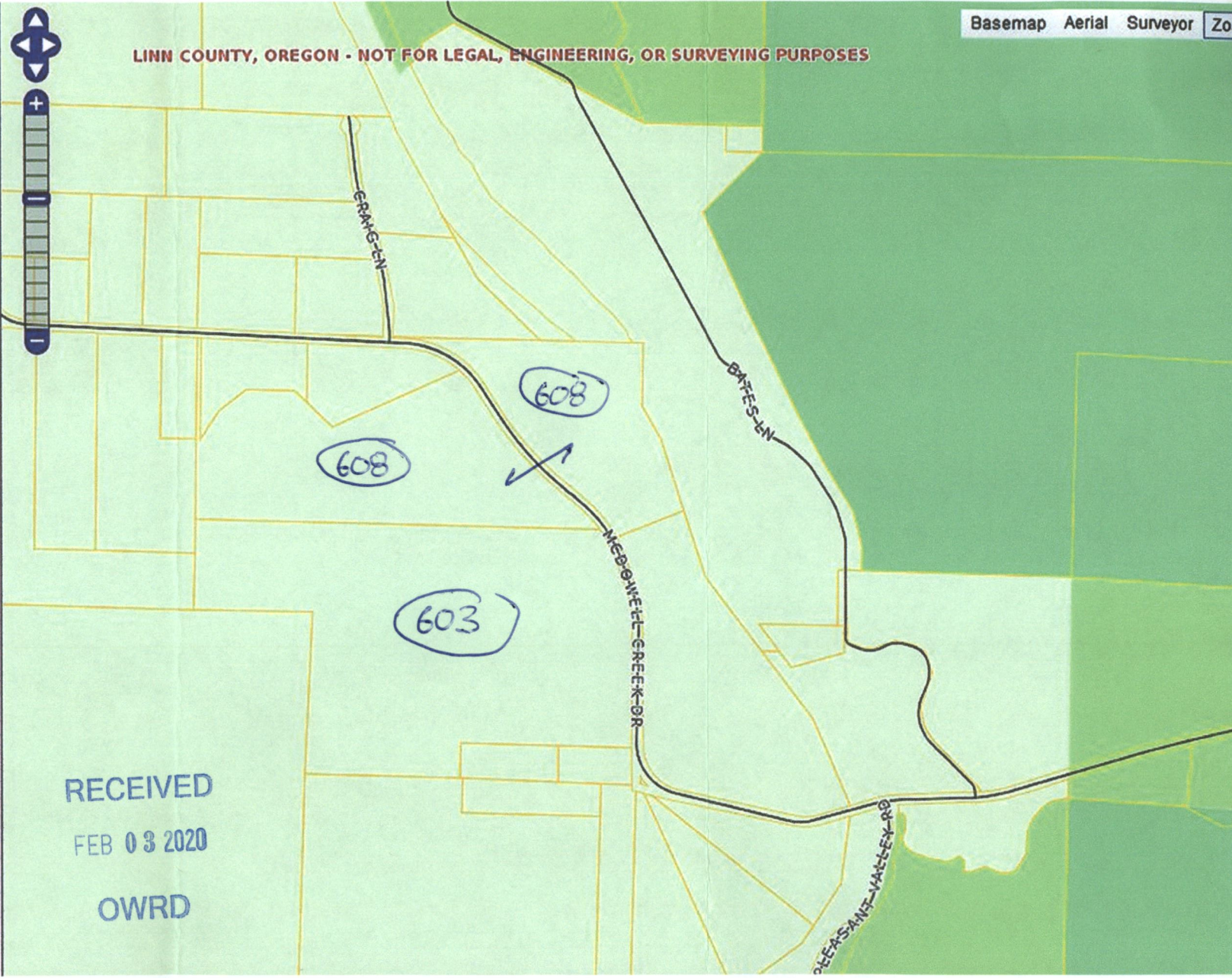
Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

LINN COUNTY, OREGON - NOT FOR LEGAL, ENGINEERING, OR SURVEYING PURPOSES



- ing Layers
 or
 g Layers
 ning
- EFU - Exclusive Farm Use
 - F/F - Farm Forest
 - FCM - Forest Conservation and Manag
 - AB - Agribusiness
 - ARO - Aggregate Resource Overlay
 - FIC - Freeway Interchange Commercia
 - HI - Heavy Industrial
 - HRO - Historical Resource Overlay
 - LI - Limited Industrial
 - NR-5 - Non Resource 5 Acre Minimum
 - RCM - Rural Commercial
 - RCT-1 - Rural Center 1 Acre Minimum
 - RCT-2.5 - Rural Center 2.5 Acre Minim
 - RCT-5 - Rural Center 5 Acre Minimum
 - RR-1 - Rural Residential 1 Acre Minimu
 - RR-2.5 - Rural Residential 2.5 Acre Min
 - RR-5 - Rural Residential 5 Acre Minimu
 - RR-10 - Rural Residential 10 Acre Minir
 - UD-I - Urban Development - Eastgate t
 - UD-II - Urban Deelopment - Highway 3
 - UGA-AB - Urban Growth Area - Agribus
 - UGA-EFU - Urban Growth Area Exclushi
 - UGA-EFU-80 - Urban Growth Area Excl
 - UGA-F/F - Urban Growth Area-Farm/Fo
 - UGA-HI - Urban Growth Area - Heavy Ir
 - UGA-LI - Urban Growth Area - Limited I
 - UGA-RCM - Urban Growth Area - Rural
 - UGA-RR-1 - Urban Growth Area - Rural
 - UGA-RR-2.5 - Urban Growth Area - Rur
 - UGA-RR-5 - Urban Growth Area - Rural
 - UGA-UGM-2.5 - Urban Growth Area-Ur
 - UGA-UGM-5 - Urban Growth Area-Urb
 - UGA-UGM-10 - Urban Growth Area-Urt
 - UGA-UGM-20 - Urban Growth Area-Urt
 - City Zoning

RECEIVED
FEB 03 2020
OWRD

G-10910

B-3/3

ATTACH C-1/3

RECORDING REQUESTED BY:



Fidelity National Title
Company of Oregon

500 Liberty St. SE, Ste 200
Salem, OR 97301

LINN COUNTY, OREGON **2017-09090**

D-WD 05/22/2017 12:17:36 PM

Stn=0 K. PETERSON \$15.00 \$11.00 \$10.00 \$20.00 \$19.00 **\$75.00**

I, Steve Druckenmiller, County Clerk for Linn County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.
Steve Druckenmiller - County Clerk

GRANTOR'S NAME:

Terrance M. Rahe and Patricia A. Rahe, Trustees of the Terrance M. Rahe and Patricia A. Rahe Revocable Living Trust

GRANTEE'S NAME:

South Santiam River Farm LLC

AFTER RECORDING RETURN TO:

Order No.: 60221700957-TD
South Santiam River Farm LLC, an Oregon limited liability company ✓
P.O. Box 99
Lafayette, OR 97127

SEND TAX STATEMENTS TO:

South Santiam River Farm LLC, an Oregon limited liability company
P.O. Box 99
Lafayette, OR 97127

APN: 433447

McDowell Creek Drive, Lebanon, OR 97355

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Fidelity National Title # 60321700957

STATUTORY WARRANTY DEED

Terrance M. Rahe and Patricia A. Rahe, Trustees of the Terrance M. Rahe and Patricia A. Rahe Revocable Living Trust, Grantor, conveys and warrants to **South Santiam River Farm LLC, an Oregon limited liability company**, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Linn, State of Oregon:

Parcel 1:

Parcel 3, Partition Plat 2007-67, recorded August 23, 2007, document number 2007-20295 County of Linn, and State of Oregon.

Parcel 2:

Beginning at a point on the West line of and 1530.0 feet North of the Southwest corner of Section corner of Section 2, Township 13 South, Range 1 West, Willamette Meridian, in Linn County, Oregon; thence South along said Section line 530 feet, more or less, to it's intersection with the North line of the Adolphe Geisler DLC #38; thence East along said DLC line 700 feet, more or less, to the Northeast corner of said DLC #38; thence South along the East line of said DLC 1000 feet, more or less, to the point of intersection with the South line of said Section 2; thence East along said Section line 930 feet, more or less, to the Southwest corner of that tract of land conveyed to W. Arthur Bates, et ux, by deed recorded February 16, 1967 in Book 321, Page 807 Deed Records; thence North 208.0 feet to the Northwest corner of said Bates Tract; thence East 1020.0 feet, more or less, to the Westerly right of way line of Linn County Road #729; thence Northerly and Northwesterly 1400 feet, more or less, along said right of way line to a point due East of the point of beginning; thence due West 2400 feet, more or less, to the point of beginning.

TL'S
603
+
608

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS OTHER GOOD AND VALUABLE CONSIDERATION. (See ORS 93.030).

Subject to:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

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.

RECEIVED

FEB 03 2020

OWRD

6-10910

STATUTORY WARRANTY DEED
(continued)

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Dated: May 18, 2017

Terrance M. Rahe and Patricia A. Rahe Revocable Living Trust

BY: Terrance M. Rahe
Terrance M. Rahe
Trustee

BY: Patricia A. Rahe
Patricia A. Rahe
Trustee

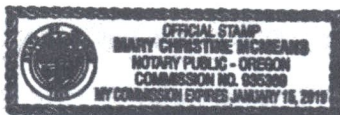
State of Oregon

County of Deschutes

This instrument was acknowledged before me on May 18th, 2017 by Terrance M. Rahe and Patricia A. Rahe, Trustees of the Terrance M. Rahe and Patricia A. Rahe Revocable Living Trust.

M. McIllegua
Notary Public - State of Oregon

My Commission Expires: 1-15-19



RECEIVED
FEB 03 2020
OWRD

C- 3/3

EXHIBIT "A"
Exceptions

Subject to:

The Land has been classified as Farm Land, as disclosed by the tax roll. If the Land becomes disqualified, said Land may be subject to additional taxes and/or penalties.

Rights of the public to any portion of the Land lying within the area commonly known as roads, streets or highways.

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: United State of America
Purpose: electric power transmission structures and appurtenances
Recording Date: October 11, 1966
Recording No: Book 319, Page 655
Affects: see document for location

Covenants, conditions, restrictions and easements but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, source of income, gender, gender identity, gender expression, medical condition or genetic information, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth in the document

Recording Date: August 23, 2007
Recording No: 2007-20296
Affects: Parcel 1

Any adverse claim based upon the assertion that:

- a) Said Land or any part thereof is now or at any time has been below the highest of the high watermarks of South Santiam River, in the event the boundary of said South Santiam River has been artificially raised or is now or at any time has been below the high watermark, if said South Santiam River is in its natural state.
- b) Some portion of said Land has been created by artificial means or has accreted to such portion so created.
- c) Some portion of said Land has been brought within the boundaries thereof by an avulsive movement of South Santiam River, or has been formed by accretion to any such portion.

Affects: Parcel 1

Rights and easements for navigation and fishery which may exist over that portion of said Land lying beneath the waters of South Santiam River.
Affects: Parcel 1

Rights and easements for navigation and fishery which may exist over that portion of said Land lying beneath the waters of Oxbow Lake.
Affects: Parcel 1

25' Encroachment, as disclosed in Partition Plat 2007-67.
Affects: The Northwesterly 25' of Parcel 1

Conditions and restrictions as established by Linn County:

Purpose: Measure 37 Claim
Ordinance No. / File No.: 2006-123
Recording Date: March 15, 2006
Recording No.: 2006-05977

RECEIVED
FEB 03 2020
OWRD

G-10910

ATTACH D-71



Oregon Water Resources Department
Groundwater Application

- [Main](#)
- [Help](#)
- [Return](#)
- [Contact Us](#)

Today's Date: Friday, January 17, 2020

Base Application Fee.		\$1,340.00
Number of proposed cubic feet per second (cfs) to be appropriated. (1 cfs = 448.83 gallons per minute)	1.34	\$700.00
Number of proposed Use's for the appropriated water. (i.e. Irrigation, Supplemental Irrigation, Pond Maintenance, Industrial, Commercial, etc) *	1	
Number of proposed groundwater points of appropriation. (i.e. number of wells) (include all injection wells, if applicable) **	4	\$1,050.00
Subtotal:		\$3,090.00
Permit Recording Fee. ***		\$520.00
* the 1st Water Use is included in the base cost. ** the 1st groundwater 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		\$3,610.00

RECEIVED

FEB 03 2020

OWRD

G-10910

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 South Santiam River Farm, LLC c/o Paul Kuehne		PHONE (HM) N/A	
PHONE (WK) (503) 864-4422	CELL (503) 437-4833		FAX N/A
ADDRESS Po Box 99			
CITY Lafayette	STATE OR	ZIP 97127	E-MAIL* see note below*

Organization

NAME SAME AS ABOVE		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 503.647.1919	FAX N/A
ADDRESS 39290 NW Murtaugh Road			CELL 971.250.1520
CITY North Plains	STATE OR	ZIP 97133	E-MAIL* see note below*

* 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: Please send correspondence by both US mail and email to both (ericurstadt@hotmail.com & paul@creeksidevalleyfarms.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.

Paul Kuehne, managing member

Applicant Signature

Print Name and Title if applicable

Date

SECTION 2: PROPERTY OWNERSHIP

Please indicate if you own all the lands associated with the project from which the water is to be diverted, conveyed, and used.

- YES, there are no encumbrances.
- YES, the land is encumbered by easements, rights of way, roads or other encumbrances.
- NO, I have a recorded easement or written authorization permitting access.
- NO, I do not currently have written authorization or easement permitting access.
- NO, written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigation and/or domestic use only (ORS 274.040).
- NO, because water is to be diverted, conveyed, and/or used only on federal lands.

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

N/A = Not Applicable

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	SO. SANTIAM RIVER	1380 FEET TO NE	25 FEET UP TO WELL
2	SO. SANTIAM RIVER	1365 FET TO SSE	16 FEET UP TO WELL
3**	SO. SANTIAM RIVER**	1920 FEET TO NE**	15 FEET UP TO WELL**
4**	SO. SANTIAM RIVER**	2060 FEET TO SSE**	28 FEET UP TO WELL**

*Determined using Google Earth

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 original application was reviewed by the Groundwater Section (GS) on Febr. 19, 2020. This application has been revised to meet the recommendations in that review to get the application approved. The nearest surface water has been determined from a map in the GW review. Well 4 was moved away from the S. Santiam River similar to Well 3; it is assumed that because the original application had 4 POA's that 4 POA's in the amended application would be satisfactory also.**

The proposed wells will be constructed down to a depth until satisfactory water is obtained or abandoned. The aquifer accessed shall be the bedrock aquifer as discussed in said GS review.

300 GPM is requested from each well in case one of the wells gets that rate; however, the applicant is actually planning to utilize a combined maximum of 300 GPM from any of the proposed wells.

For Department Use: App. Number: _____

SECTION 3: WELL DEVELOPMENT, continued

Total maximum rate requested: 300 GPM (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below). **Note that this 300 GPM rate has been reduced from the original application rate per the Groundwater Section’s recommendations.**

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 checked="" type="checkbox"/>	<input type="checkbox"/>	N/A	<input type="checkbox"/>	These details will be developed by the well driller.					bedrock	U	300	39
2	<input checked="" type="checkbox"/>	<input type="checkbox"/>	N/A	<input type="checkbox"/>						bedrock	U	300	39
3	<input checked="" type="checkbox"/>	<input type="checkbox"/>	N/A	<input type="checkbox"/>						bedrock	U	300	39
4	<input checked="" type="checkbox"/>	<input type="checkbox"/>	N/A	<input type="checkbox"/>						bedrock	U	300	39

* 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: **The bedrock aquifer is per the Groundwater Section recommendations. The “U” means unknown at this time.**

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

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

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

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

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

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

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

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

Yes No

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

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

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

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

Statewide - OAR 690-033-0330 thru -0340

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

Yes No

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

SECTION 5: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Irrigation	Irrigation Season	39
Supplemental Irrig	Irrigation Season	0 *See Section 10 Remarks

For irrigation use only:

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

Primary: 25.7 Acres Supplemental: 85.4 Acres

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

Certificates 26595 & 42307

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 39 (This corresponds to 1.5 AF/ac for primary uses.

- 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

A. Diversion and Conveyance

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

Pump (give horsepower and type): HP depends on depth of water and well productivity; the type of pump will most likely be a submersible.

Other means (describe): N/A

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. The diversion will be a typical well that will convey water via pipelines to Big Guns that will water the crops.

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)*

The current plan for the water ing system is Big Guns, but that may change depending on the crops and many other varioables.

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 applicant needs the water requested to develop his land for the farming of certain crops for which irrigation is either needed or advantageous. The applicant will have no need to come near aquatic life or riparian habitat for this project. The applicant is a long-term and well experienced farmer that tries to utilize only as much was as is needed for the crops. The applicant strives to always make sure that no water, contaminated or otherwise, is discharged into a surface stream. The applicant has many employees that routinely check on the crops and make adjustment to the irrigation systems as needed. The application will not adversely affect public uses of surface waters.

SECTION 7: PROJECT SCHEDULE

- a) Date construction will begin: As soon as this application is approved; maybe Fall 2021
- b) Date construction will be completed: Summer 2026
- c) Date beneficial water use will begin: Spring 2026

SECTION 8: RESOURCE PROTECTION

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

Water quality will be protected by preventing erosion and run-off of waste or chemical products. Describe: The owner is a full-time competent farmer, and as a rule, always acts to minimize and/or prevent erosion and runoff of waste or chemical products.

Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas. **Note:** If disturbed area is greater than one acre, applicant should contact the Oregon Department of Environmental Quality to determine if a 1200C permit is required.

Describe planned actions and additional permits required for project implementation: No excavation or clearing of banks is required for the well development that is proposed in this application.

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

List: No other permits or contracts are known to be required.

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*).

1. It is expected that in most years no water will be needed for the supplemental use, but occasionally it will be needed.
2. Please read the notes in Section 3.

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: \$ 3610.00
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.