

# 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 <u>Nathan Johnson</u>		PHONE (HM)	
PHONE (WK)	CELL <u>971-409-8009</u>		FAX
ADDRESS <u>6910 SW Plymouth Dr.</u>			
CITY <u>Corvallis</u>	STATE <u>OR</u>	ZIP <u>97333</u>	E-MAIL* <u>Sunbowproduce@peak.org</u>

### Organization

NAME <u>Sunbow Farm LLC.</u>		PHONE <u>(541) 929-5782</u>		FAX
ADDRESS <u>6910 SW Plymouth Dr.</u>		CELL		
CITY <u>Corvallis</u>	STATE <u>OR</u>	ZIP <u>97333</u>	E-MAIL*	

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

AGENT / BUSINESS NAME		PHONE		FAX
ADDRESS		CELL		
CITY	STATE	ZIP	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.)

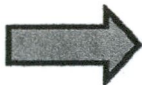
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By my signature below I confirm that I understand:

- 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.

<u>Nathan Johnson</u> Applicant Signature	<u>Nathan Johnson, Manager</u> Print Name and Title if applicable	<u>2-25-20</u> Date
_____ 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).*

**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
5247	Marys River	.6 miles	32 ft
1510	Marys River	.55 miles	30 ft

Please provide any information for your existing or proposed well(s) that you believe may be helpful in evaluating your application. For existing wells, describe any previous alteration(s) or repair(s) not documented in the attached well log or other materials *(attach additional sheets if necessary).*

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**SECTION 3: WELL DEVELOPMENT, continued**

**Total maximum rate requested:** 17gpm (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)
Main	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1510	<input type="checkbox"/>	6"				60' 10-25-94		245'	9	
Barn	<input type="checkbox"/>	<input checked="" type="checkbox"/>	5247	<input type="checkbox"/>	6"				26' 8-31-87		75'	8	
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									

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

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**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/](https://apps.wrd.state.or.us/apps/misc/lkp_trsqq_features/)

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

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

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

Yes  No

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

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

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

**Lower Columbia - OAR 690-033-0220 thru -0230**

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

Yes  No

**If yes, and the proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters you are notified** that the Water Resources Department will determine, by reviewing recovery plans, the Columbia River Basin Fish and Wildlife Program, and regional restoration programs applicable to threatened or endangered fish species, in coordination with state and federal agencies, as

appropriate, whether the proposed use is detrimental to the protection or recovery of a threatened or endangered fish species and whether the use can be conditioned or mitigated to avoid the detriment.

If a permit is issued, it will likely contain conditions to ensure the water use complies with existing state and federal water quality standards; and water use measurement, recording and reporting required by the Water Resources Department. The application may be denied, or if appropriate, mitigation for impacts may be needed to obtain approval of the proposed use.

**If yes, you will be required to provide the following information, if applicable.**

Yes  No The proposed use is for more than **one** cubic foot per second (448.8 gpm) and is not subject to the requirements of OAR 690, Division 86 (Water Management and Conservation Plans).

If yes, provide a description of the measures to be taken to assure reasonably efficient water use:

\_\_\_\_\_

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

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

Yes  No

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

**SECTION 5: WATER USE**

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Nursery	January 1st to December 31st	65
Irrigation	March 1st to October 31st	included above

**For irrigation use only:**

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

Primary: 13.25 Acres                      Supplemental: \_\_\_\_\_ Acres

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

\_\_\_\_\_

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

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households: \_\_\_\_\_ (Exempt Uses: Please note that 15,000 gallons per day for single or group **domestic** purposes and 5,000 gallons per day for a single **industrial or commercial** purpose are exempt from permitting requirements.)

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- If the use is **mining**, describe what is being mined and the method(s) of extraction (*attach additional sheets if necessary*): \_\_\_\_\_

**SECTION 6: WATER MANAGEMENT**

**A. Diversion and Conveyance**

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

- Pump (give horsepower and type): Submersible 3/4 hp, Surface Jet pump 3/4 hp.
- Other means (describe): \_\_\_\_\_

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. \_\_\_\_\_ 1" poly lines to 3/4" hose or 1/2" drip line heads to drip tape or drip emitters.

**B. Application Method**

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

Drip tape, drip emitters, low-pressure sprinklers,

**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*). \_\_\_\_\_

We require the water requested in order to propagate and sustain food crops for our operation year-round. During the irrigation season we don't irrigate after 10am until 4pm. We use shut off timers to limit application of water. See attached

**SECTION 7: PROJECT SCHEDULE**

- a) Date construction will begin: Already constructed.
- b) Date construction will be completed: \_\_\_\_\_
- c) Date beneficial water use will begin: Within five years of permit issuance.

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**SECTION 8: RESOURCE PROTECTION**

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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: We plant cover crops, and apply mulches to fields. We are a certified organic farm, and manage nutrients carefully.
- Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas. **Note: If disturbed area is greater than one acre, applicant should contact the Oregon Department of Environmental Quality to determine if a 1200C permit is required.** Describe planned actions and additional permits required for project implementation: \_\_\_\_\_

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

Section 6, C. continued:

We're members of the Dry Farming Collaborative, a growing community of farmers, land stewards, plant breeders and researchers developing techniques and selecting plant varieties that enable high quality crops to be raised with minimal or no supplemental water use. We currently dry farm these crops: watermelons, musk melons, Summer squash, Winter Squash, dry beans, tomatoes, jerusalem artichokes, asparagus, rhubarb, tomatillos, boysenberries, table grapes, prune plums, cherry plums, apples, and pears.

We plant native hedgerows and windbreaks to minimize water loss from plant transpiration and to preserve native habitat using local plant stock that is adapted to the dry Summer season we experience.

We will deploy drip irrigation and have installed a rain harvesting system on our pole barn to reduce our anticipated groundwater use.

We are certified organic and our agricultural practices include the use of mulches, cover crops, and crop residues left to the field to increase organic matter which helps maintain soil moisture, lowers Summer soil temperatures, provides habitat, and prevents erosion.

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**SECTION 9: WITHIN A DISTRICT**

Check here if the point of appropriation (POA) or place of use (POU) are located within or served by an irrigation or other water district.

Irrigation District Name	Address	
City	State	Zip

**SECTION 10: REMARKS**

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

\_\_\_\_\_

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## Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050 & ORS 537.140)

### Include this checklist with the application

Check that each of the following items is included. The application will be returned if all required items are not included. If you have questions, please call the Water Rights Customer Service Group at (503) 986-0900.

Please submit the original application and signatures to the Water Resources Department. Applicants are encouraged to keep a copy of the completed application.

- SECTION 1: Applicant Information and Signature
- SECTION 2: Property Ownership
- SECTION 3: Well Development
- SECTION 4: Sensitive, Threatened or Endangered Fish Species Public Interest Information
- SECTION 5: Water Use
- SECTION 6: Water Management
- SECTION 7: Project Schedule
- SECTION 8: Resource Protection
- SECTION 9: Within a District ?
- SECTION 10: Remarks

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#### Include the following additional items:

- Land Use Information Form with approval and signature of local planning department (*must be an original*) or signed receipt.
- Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.
- Fees - Amount enclosed: \$ 2,560.<sup>00</sup>  
See the Department's Fee Schedule at \_\_\_\_\_ or call (503) 986-0900.
- Map that includes the following items:
  - Permanent quality and drawn in ink
  - Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
  - North Directional Symbol
  - Township, Range, Section, Quarter/Quarter, Tax Lots
  - Reference corner on map
  - Location of each diversion, by reference to a recognized public land survey corner (distances north/south and east/west)
  - Indicate the area of use by Quarter/Quarter and tax lot identified clearly.
  - Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
  - Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)

Note: In addition to a groundwater application, a standard reservoir application is required to store groundwater in a reservoir. If an applicant proposes to divert water from a reservoir, a surface water application is also required.

## For 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**

All Approx. 13 acres in Sunbow Farm LLC ownership is EFU, stated use is organic produce irrigation & nursery. 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): BCC SS. 105(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
	<b>RECEIVED</b>	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	<b>MAR 02 2020</b>	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	<b>OWRD</b>	<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.

*Handwritten:* "Farm use" is outright permitted, per BCC SS. 105(1).

NAME <i>Kristin Anderson</i>	TITLE: <i>Assoc. Planner</i>
SIGNATURE <i>Kristin Anderson</i>	PHONE: <i>541-766-6298</i>
GOVERNMENT ENTITY <i>Benton County</i>	DATE: <i>1/20/20</i>

**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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# Land Use Information Form



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

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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 groundwater registration modification, and all of the following apply:
  - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
  - b) The application involves a change in place of use only;
  - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; and
  - d) The application involves irrigation water uses only.

## NOTE TO LOCAL GOVERNMENTS

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

6-10924

# Land Use Information Form



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

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**Applicant**

NAME <i>Nathan Johnson</i>		PHONE (HM) <i>541-929-4951</i>
PHONE (WK)	CELL <i>971-409-8009</i>	FAX
ADDRESS <i>6910 SW Plymouth Dr.</i>		
CITY <i>Corvallis</i>	STATE <i>OR</i>	ZIP <i>97333</i> E-MAIL* <i>Sunbowproduce@peak.org</i>

**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:
<i>12S</i>	<i>5W</i>	<i>7</i>	<i>see note</i>	<i>601</i>	<i>EFU</i>	<input checked="" type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	<i>Nursery</i>
<i>12S</i>	<i>5W</i>	<i>18</i>	<i>see note</i>	<i>600</i>	<i>EFU</i>	<input checked="" type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	<i>Nursery</i>
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
					<i>well on</i>	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

*Tax Maps 12-S-17-600 + 601, but TL 601 is in SE ¼ of the SE ¼ of Sect. 7.*  
 List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

*Benton County*

*well on TL 600 is in NE ¼ of the NE ¼ of Sect. 18*

**B. Description of Proposed Use**

Type of application to be filed with the Water Resources Department:

- Permit to Use or Store Water     Water Right Transfer     Permit Amendment or Groundwater Registration Modification  
 Limited Water Use License     Allocation of Conserved Water     Exchange of Water

Source of water:  Reservoir/Pond     Groundwater     Surface Water (name) \_\_\_\_\_

Estimated quantity of water needed: *17* [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 *Nursery*

Briefly describe:

*Water will be used to propagate and irrigate crops grown year-round on an organic farm.*

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

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BENT  
1510

125/5W/1766

(START CARD) # 73133

**STATE OF OREGON**  
**WATER SUPPLY WELL REPORT**  
(as required by ORS 537.765)

Instructions for completing this report are on the last page of this form.

(1) OWNER: Well Number 1111  
Name Harry MacCormack  
Address 6910 S.W. Plymouth Dr  
City Corvallis State OR Zip 97333

(2) TYPE OF WORK  
 New Well  Deepening  Alteration (repair/recondition)  Abandonment

(3) DRILL METHOD:  
 Rotary Air  Rotary Mud  Cable  Auger  
 Other

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

(5) BORE HOLE CONSTRUCTION:  
Special Construction approval  Yes  No Depth of Completed Well 245 ft.  
Explosives used  Yes  No Type \_\_\_\_\_ Amount \_\_\_\_\_

HOLE			SEAL			
Diameter	From	To	Material	From	To	Sacks or pounds
10"	0	78'	Cement	0	78'	19 Sacks
6"	78'	245'				

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"	12'	78'	250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner: None				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) None

(7) PERFORATIONS/SCREENS:

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
None							

(8) WELL TESTS: Minimum testing time is 1 hour

Yield gal/min	Drawdown	Drill stem at	Time
9 GPM			1 hr.

Temperature of water 55° Depth Artesian Flow Found \_\_\_\_\_  
Was a water analysis done?  Yes By whom \_\_\_\_\_  
Did any strata contain water not suitable for intended use?  Too little  
 Salty  Muddy  Odor  Colored  Other \_\_\_\_\_  
Depth of strata: \_\_\_\_\_

(9) LOCATION OF WELL by legal description:  
County Benton Latitude \_\_\_\_\_ Longitude \_\_\_\_\_  
Township 12S N or S Range 5W E or W WM. W  
Section 17 1/4 NW 1/4  
Tax Lot \_\_\_\_\_ Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_  
Street Address of Well (or nearest address) Same

(10) STATIC WATER LEVEL:  
60' ft. below land surface. Date 10/25/94  
Artesian pressure \_\_\_\_\_ lb. per square inch. Date \_\_\_\_\_

(11) WATER BEARING ZONES:  
Depth at which water was first found 120'

From	To	Estimated Flow Rate	SWL
120'	121'	2 GPM	60'
190'	191'	3 GPM	60'
224'	225'	4 GPM	60'

(12) WELL LOG:  
Ground Elevation \_\_\_\_\_

Material	From	To	SWL
Top soil	0	2	0
Brown clay	2	43	0
Cemented Gravel	43	54	0
Brown clay	54	67	0
Weathered Sandstone	67	72	0
Grey S. Stone	72	245	60'

Date started 10/24/94 Completed 10/25/94

(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 water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.  
Signed KT D mts WWC Number 1411  
Date \_\_\_\_\_

(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 water supply well construction standards. This report is true to the best of my knowledge and belief.  
Signed Donald J. Jovine WWC Number 751  
Date 11/3/94

G-10924

After recording return to:  
Smith, Davison & Brasier, PC  
PO Box 830  
Corvallis, OR 97339-0830

Mail tax statements to:  
Sunbow Farm, LLC  
6910 SW Plymouth Drive  
Corvallis, OR 97333

BENTON COUNTY, OREGON **2015-526806**  
DE-WD  
Cnt=1 Stn=46 COUNTER1 **01/08/2015 03:23:00 PM**  
\$10.00 \$11.00 \$22.00 \$10.00 \$20.00 **\$73.00**



I, James V. Morales, County Clerk for Benton County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.

James V. Morales - County Clerk



**WARRANTY DEED**

Effective as of January 1, 2015, Harry MacCormack, Trustee of the Harry MacCormack Living Trust dated February 2, 1999, hereinafter called Grantor, does hereby grant, convey, and warrant unto Sunbow Farm, LLC, hereinafter called Grantee, and unto Grantee's heirs, successors, and assigns, reserving to Harry MacCormack and Cheryl Clark life estates for the lives of Harry MacCormack and Cheryl Clark, all of that certain real property with the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, free of encumbrances except as specifically set forth herein, situated in the County of Benton, State of Oregon, described as follows, to-wit:

**See attached Exhibit "A"**

The street address of this property is: 6910 SW Plymouth Drive, Corvallis, Oregon.

The said property is free from encumbrances except covenants, easements, and restrictions of record. To Have and to Hold the same unto the said Grantee and Grantee's heirs, successors, and assigns forever. This is a transfer to a limited liability company, and there is no consideration for the transfer.

Grantor covenants that Grantor is seized of an indefeasible estate in the real property described above in fee simple, that Grantor has good right to convey the property, that the property is free from encumbrances except as specifically set forth herein, and that Grantor warrants and will defend the title to the property against all persons who may lawfully claim the same by, through, or under the Grantor, provided that the foregoing covenants are limited to the extent of coverage available to Grantor under any applicable standard or extended policies of title insurance, it being the intention of the Grantor to preserve any existing title insurance coverage. In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

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

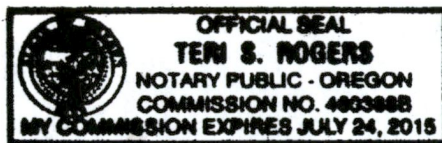
In Witness Whereof, the Grantor has executed this instrument November 4, 2014,

Harry MacCormack, Trustee

STATE OF OREGON, County of Benton ) ss.

This Warranty Deed is acknowledged before me this 4<sup>th</sup> day of November, 2014, by Harry MacCormack, Trustee of the Harry MacCormack Living Trust dated February 2, 1999.

Notary Public for Oregon



RECEIVED

MAR 02 2020

OWRD

6-18924

## EXHIBIT A

Benton County, Oregon Tax Lots: 166094 (~9.42 acres) and 166102 (~4.45 acres)

Beginning at a 1" iron rod on the West claim line 1195.72 feet Southerly from the Northwest corner of the Charles Bales and Eleanor Bales Donation Land Claim No. 53 Notification No. 2396 in Township 12 South, Range 5 West of the Willamette Meridian in Benton County, Oregon; thence Easterly, along the centerline of County road Route No. 1, 613.54 feet (9.296 chains) to a point 30 feet North from a ¾" iron rod; thence from said point, Southerly, parallel with the West line of said Donation Land Claim No. 53, 355.8 feet to a ¾" iron rod; thence Westerly 613.66 feet to a point on the West line of said Donation Land Claim No. 53, 369.55 feet Southerly from said 1" iron rod; thence Northerly, along said Claim Line, 369.55 feet to the place of beginning, containing 5.11 acres of land, more or less, of which 0.66 of an acre lies within County Road Route No. 1. SUBJECT TO easements of record.

ALSO beginning at a point 2½ chains West and 17.63 chains South of the Northeast corner of the Donation Land Claim of Charles Bales and Eleanor Bales, his wife, Claim No. 53, Notification No. 2396 in Township 12 South, Range 5 West of the Willamette Meridian, running thence West 12 chains on a line parallel with the North line of said Claim to the center of the County Road leading from Corvallis to Philomath in Benton County, Oregon; thence South 64' 15" West 0.86 chains; running thence West 42.69 chains along the center of said road to the West line of said Claim, which point is the place of beginning; thence South 16.19 chains along the center of said road; thence East parallel with the North line of said Claim 9.296 chains; thence North parallel with the West line of said Claim 16.19 chains to the center of the Corvallis-Philomath Road; thence West along the center of said road 9.296 chains to the place of beginning.

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MAR 02 2020

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