

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

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SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant

| | | | | |
|---------------------------------|-------------|--------------|------------|-------------|
| NAME PAUL AND SUSAN FOBERT | | | PHONE (HM) | OWRD |
| PHONE (WK) 971-275-6170 | CELL | | FAX | |
| ADDRESS 18899 FOBERT ROAD NE | | | | |
| CITY HUBBARD | STATE OR | ZIP 97032 | E-MAIL* | |

Organization

| | | | | |
|---------|-------|-----|---------|-----|
| NAME | | | 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 Doann Hamilton / Pacific Hydro-Geology, Inc. | | | PHONE (503) 632-5016 | FAX (503) 632-5983 |
| ADDRESS 18487 S. Valley Vista Road | | | CELL (503) 349-6946 | |
| CITY Mulino | STATE OR | ZIP 97042 | E-MAIL* phgdmh@gmail.com | |

Note: Attach multiple copies as needed

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

By my signature below I confirm that I understand:

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

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


Applicant Signature

PAUL FOBERT
Print Name and Title if applicable

2/1/2020
Date


Applicant Signature

Susan K Fobert
Print Name and Title if applicable

2/1/2020
Date

SECTION 2: PROPERTY OWNERSHIP

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

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

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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).*

NA

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 |
| WELL G | PUDDING RIVER | ~ 1400 FEET | ~ 65 FEET |
| WELL H | PUDDING RIVER | ~ 1600 FEET | ~ 65 FEET |
| | | | |
| | | | |
| | | | |

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).*

Well specifications provided in the table below are estimates and subject to change based on actual conditions encountered in the field. The objective will be to construct the well to develop water from the alluvial aquifer.

SECTION 3: WELL DEVELOPMENT, continued

Total maximum rate requested: 0.16 CFS (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below).

REVISED 9-17-20 DH

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

| OWNER'S WELL NAME OR NO. | PROPOSED | EXISTING | WELL ID (WELL TAG) NO.* OR WELL LOG ID** | FLOWING ARTESIAN | CASING DIAMETER | CASING INTERVALS (IN FEET) | PERFORATED OR SCREENED INTERVALS (IN FEET) | SEAL INTERVALS (IN FEET) | MOST RECENT STATIC WATER LEVEL & DATE (IN FEET) | PROPOSED USE | | | |
|--------------------------|-------------------------------------|--------------------------|--|--------------------------|-----------------|----------------------------|--|--------------------------|---|-------------------|------------------|--------------------------|---------------------------|
| | | | | | | | | | | SOURCE AQUIFER*** | TOTAL WELL DEPTH | WELL-SPECIFIC RATE (GPM) | ANNUAL VOLUME (ACRE-FEET) |
| WELL G | <input checked="" type="checkbox"/> | <input type="checkbox"/> | NA | <input type="checkbox"/> | 8 INCH | 0 TO 250 | TBD | 0 TO 50 | NA | ALLUVIUM | 250 FEET | | |
| WELL H | <input checked="" type="checkbox"/> | <input type="checkbox"/> | NA | <input type="checkbox"/> | 8 INCH | 0 TO 250 | TBD | 0 TO 50 | NA | ALLUVIUM | 250 FEET | | |
| | <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"/> | | | | | | | | | |
| | | | | | | | | | | TOTAL: | | 71.8 GPM | 73 AF |

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

For Department Use: App. Number: _____

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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/

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

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

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

Yes No

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

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

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

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

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

Yes No

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

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

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

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

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

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

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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?

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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 | March 1 through October 31 | 73 AF |
| | | |

For irrigation use only:

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

Primary: 29.2 Acres Supplemental: 0 Acres

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

NA

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 73 AF

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

SECTION 6: WATER MANAGEMENT

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A. Diversion and Conveyance

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

- Pump (give horsepower and type): 40 Hp Submersible pump for both wells
- Other means (describe): _____

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. Water will be pumped from the well through buried mainlines to supply drip lines, impact sprinklers, and/or hard hose travelers to irrigate hops and hazelnuts.

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 lines, impact sprinklers, and/or hard hose travelers

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)*.

Water will be applied to crops when needed. The most water efficient method of irrigation will be used for the crop being irrigated.

SECTION 7: PROJECT SCHEDULE

- a) Date construction will begin: Within three years after the permit is issued
- b) Date construction will be completed: Within five years after the permit has been issued
- c) Date beneficial water use will begin: Within five years after the permit has been issued

SECTION 8: RESOURCE PROTECTION

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

- Water quality will be protected by preventing erosion and run-off of waste or chemical products.
Describe: Water will be applied at rate and duration to avoid excess watering
- 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:

There are no streams located near Proposed Well B or any other location requiring ground disturbance; therefore, no banks will need clearing.

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

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 NA | 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*).

If this application is approved, the applicant intends to use groundwater for primary irrigation on this property. Therefore, upon issuance of a permit, the applicant is prepared to diminish to supplemental use the layered portion of existing primary surface water right Certificate 20110.

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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: \$ 2,040
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.

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 PAUL AND SUSAN FOBERT | | | PHONE (HM) | | OWRD |
| PHONE (WK) 971-275-6170 | | CELL | | FAX | |
| ADDRESS 18899 FOBERT ROAD NE | | | | | |
| CITY HUBBARD | | STATE OR | ZIP 97032 | E-MAIL* | |

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: |
|----------|-------|---------|-----|-----------|---|--|--|--|--------------------|
| 4S | 1W | 26 | — | 1500 | EPU | <input checked="" type="checkbox"/> Diverted | <input checked="" type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | IR |
| | | | | | | <input type="checkbox"/> Diverted | <input type="checkbox"/> Conveyed | <input type="checkbox"/> Used | |
| | | | | | | <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:

Marion County

B. Description of Proposed Use

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

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

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

Estimated quantity of water needed: 0.19
 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:

New groundwater permit to irrigate hops and hazelnuts



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.

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Please check the appropriate box below and provide the requested information

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- 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): 17.136
- 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.

| | |
|---|--|
| NAME <u>Austin Barnes</u> | TITLE: <u>Planner</u> |
| SIGNATURE <u>[Signature]</u> | PHONE: <u>503-588-8388</u> DATE: <u>3/3/2020</u> |
| GOVERNMENT ENTITY <u>Marion County Public Works</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: _____

Reel Page
2784 228

After recording, return to
(File No. 28880006)

✓ Theresa M. Wade
P.O. Box 749
Salem, OR 97308-0749

Until a change is requested, all tax statements
shall be sent to the following address:

No change

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STATUTORY BARGAIN AND SALE DEED

(ORS 93.860)

Anita M. Fobert, Grantor, conveys to Anita M. Fobert, Trustee of the Anita M. Fobert Trust dated February 21, 2007, Grantee, Grantor's interest in the following described real property located in Marion County, Oregon:

See attached Exhibit "A" which is incorporated herein by reference.

SUBJECT TO:

All covenants, restrictions, liens and encumbrances of record.

The true consideration for this conveyance is \$0.00 (transfer to Grantor Trust).

LAND USE AND FIRE PROTECTION

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. 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 APPROVED USES, 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 197.352.

DATED this 21st day of February, 2007.

Anita M. Fobert
Anita M. Fobert

STATE OF OREGON)
) ss.
County of Marion)

This instrument was acknowledged before me on February 21, 2007, by Anita M. Fobert.

Clem. Ramsay
NOTARY PUBLIC FOR OREGON
My Commission Expires: 11/27/09



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REEL:2784

PAGE: 228

March 13, 2007, 04:10 pm.

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CONTROL #: 190788

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State of Oregon
County of Marion

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

FEE: \$ 41.00

**BILL BURGESS
COUNTY CLERK**

THIS IS NOT AN INVOICE.

EXHIBIT "A"

(Legal Description)

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PARCEL 1:
 Beginning at the Southeast corner of the Abraham T. Minier Donation Land Claim No. 60 in Township 4 South, Range 1 West of the Willamette Meridian in Marion County, Oregon; thence West along the South line of said claim 56.57 chains to the most Southerly Southwest corner thereof which is marked by a county monument; thence North 0.68 chains to an iron pipe; thence West along the division line dividing William Vandewacker Donation Land Claim No. 63 into North and South halves, 11.92 chains, being also the Southeast corner of land conveyed to Stauffer as recorded in Marion County Deed Volume 555, Page 617; thence North 0°30' East along the East line of said Stauffer land and parallel with the West line of said Vandewacker Claim 42.12 chains to the North line thereof; thence East along the North line of said Vandewacker claim and the South line of tract of land formerly conveyed to B. F. Booney 10.25 chains to an angle; thence South 20°20' East 6.96 chains; thence South 58°35' East 7.20 chains to a point from which a 40" fir tree bears North 45° West 117 links; thence North 6.625 chains to a stone scribed C. S. from which a 14" fir bears South 68° West 32 links, being also an angle in the South line of the B. F. Booney tract; thence East along the South line of said B. F. Booney tract 32.34 chains to the Southeast corner thereof from which a 5" fir bears South 6°30' West 43 1/2 links; thence North 20 chains to an angle on the South line of a tract of land deeded by Abraham T. Minier and wife to William G. Minier; thence East along the South line of said W. G. Minier land 25.50 chains to the East line of Claim No. 60; thence South on said line of Claim No. 60, 9.25 chains to Pudding River; thence following the meanders of said river until it intersects the East boundary line of said Claim No. 60; thence South on said line of Claim No. 60 to Pudding River; thence following the meanderings of said river to the intersection of East line of said Claim No. 60; thence South on said line to said Pudding River; thence along said Pudding River to a point 95 links North of the Southeast corner of Claim No. 60; thence South 95 links to the place of beginning.

SAVE AND EXCEPT that certain parcel of land which is particularly described in Volume 521, Page 645, Deed Records, Marion County, Oregon.

SAVE AND EXCEPT that certain parcel of land which is particularly described in Volume 628, Page 211, Deeds Records, Marion County, Oregon.

SAVE AND EXCEPT: Beginning at an iron pipe which is 1286.80 feet East and 782.45 feet North of the Southerly Southwest corner of the Abraham T. Minier D. L. C. #60, in Section 26, Township 4 South, Range 1 West of the Willamette Meridian, in Marion County, Oregon; running thence North 602.2 feet to an iron pipe in the center of the county road; thence along the centerline of said road 205.26 feet South 79°16' East to an iron pipe; thence along said centerline 564.7 feet South 3° East to an iron pipe; thence 231.37 feet West to the place of beginning.

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PARCEL 11:

Beginning at a point 56.54 chains East of the Northwest corner of the William Vandewacker Donation Land Claim in Township 4 South, Range 1 West of the Willamette Meridian, Marion County, Oregon and running thence South 0 1/2° West parallel to the West boundary of said Donation Land Claim 42.12 chains to the division line dividing said Donation Land Claim into North and South halves; thence East 11.92 chains; thence South 0.68 chains; thence East 6.82 chains; thence North 1° East 32.47 1/2 chains; thence North 58°35' West 7.20 chains; thence North 20°20' West 6.96 chains to the North line of said Donation Land Claim; thence West 10.25 chains to the place of beginning.