

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 AARON C. AND WENDY J. NOFZIGER			PHONE (HM)	RECEIVED JUL 13 2020
PHONE (WK)	CELL (541) 740-7456		FAX	
ADDRESS 28770 S. ELISHA ROAD				
CITY CANBY	STATE OR	ZIP 97013	E-MAIL* AARON@RITEWAYELECTRIC.NET	

OWRD

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

Aaron Nofziger
 Print Name and Title if applicable

4/26/2020
 Date


 Applicant Signature

Wendy Nofziger
 Print Name and Title if applicable

4/26/2020
 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.

RECEIVED

JUL 13 2020

OWRD

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

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

They will be getting permits from Clackamas County to access under the road when the time comes.

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 1	GRIBBLE CREEK	1,440 FEET	~ 10 FEET
WELL 2	CREAMERY CREEK	1,500 FEET	~ 10 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: 0.36 CFS (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below).

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

OWNER'S WELL NAME OR NO.	PROPOSED	EXISTING	WELL ID (WELL TAG) NO.* OR WELL LOG ID**	FLOWING ARTESIAN	CASING DIAMETER	CASING INTERVALS (IN FEET)	PERFORATED OR SCREENED INTERVALS (IN FEET)	SEAL INTERVALS (IN FEET)	MOST RECENT STATIC WATER LEVEL & DATE (IN FEET)	PROPOSED USE			
										SOURCE AQUIFER***	TOTAL WELL DEPTH	WELL-SPECIFIC RATE (GPM)	ANNUAL VOLUME (ACRE-FEET)
WELL 1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	NA	<input type="checkbox"/>	10 INCH	0 TO 400	TBD	0 TO 20	NA	ALLUVIUM	400 FEET		
WELL 2	<input checked="" type="checkbox"/>	<input type="checkbox"/>	NA	<input type="checkbox"/>	10 INCH	0 TO 400	TBD	0 TO 20	NA	ALLUVIUM	400 FEET		
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>						TOTAL:		161 GPM	71.93 AF
	<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.

RECEIVED

JUL 13 2020

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

JUL 13 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:

NA

RECEIVED

JUL 13 2020

Statewide - OAR 690-033-0330 thru -0340

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	March 1 through October 31	71.93 AF

For irrigation use only:

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

Primary: 28.77 Acres Supplemental: NA 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: 71.93 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

A. Diversion and Conveyance

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

- Pump (give horsepower and type): For either well the pump will be a submersible, 10-15 Hp
 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 and conveyed through a buried mainline extending under Elisha Road to the west to the new property to be irrigated. The mainline will continue west along the south side of the property with hydrants to attach impact sprinklers to irrigate either blueberries or hazelnuts.0.36

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)*
impact sprinklers or drip emitters.

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.

RECEIVED

JUL 13 2020

OWRD

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 wells 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*).

None

RECEIVED

JUL 13 2020

OWRD

This page left intentionally blank.

RECEIVED

JUL 13 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.

- | | | |
|-------------------------------------|---|-------------|
| <input checked="" type="checkbox"/> | SECTION 1: Applicant Information and Signature | |
| <input checked="" type="checkbox"/> | SECTION 2: Property Ownership | |
| <input checked="" type="checkbox"/> | SECTION 3: Well Development | |
| <input checked="" type="checkbox"/> | SECTION 4: Sensitive, Threatened or Endangered Fish Species Public Interest Information | RECEIVED |
| <input checked="" type="checkbox"/> | SECTION 5: Water Use | |
| <input checked="" type="checkbox"/> | SECTION 6: Water Management | JUL 13 2020 |
| <input checked="" type="checkbox"/> | SECTION 7: Project Schedule | |
| <input checked="" type="checkbox"/> | SECTION 8: Resource Protection | |
| <input type="checkbox"/> | SECTION 9: Within a District | OWRD |
| <input checked="" type="checkbox"/> | 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: \$ 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

RECEIVED
 JUL 13 2020

OWRD

Applicant

NAME AARON C. AND WENDY J. NOFZIGER			PHONE (HM)		
PHONE (WK)		CELL (541) 740-7456		FAX	
ADDRESS 28770 S. ELISHA ROAD					
CITY CANBY		STATE OR	ZIP 97013	E-MAIL* AARON@RITEWAYELECTRIC.NET	

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/VRR-5)	Water to be:			Proposed Land Use:
4S	1E	25		1300	EFU	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	IR
4S	1E	26		1404	EFU	<input 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	

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

Clackamas 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: 0.36 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 application to irrigate blueberries and/or hops

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

JUL 13 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): ZDO Section 401.
- 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
		<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 Steve Hanschka	TITLE: Sr. Planner, CFM	DATE: 7-6-20
SIGNATURE <i>Steve Hanschka</i>	PHONE: 503-742-4512	
GOVERNMENT ENTITY Clackamas County		

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: _____



After Recording Return To:
Reif and Reif Attorneys
273 N. Grant Street
Canby, Oregon 97013

Mail Future Tax Statements to:
Leland R. Nofziger
28785 S. Elisha Road
Canby, Oregon 97013

SPECIAL WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That Maynard D. Nofziger, the duly appointed, qualified and acting personal representative of the Estate of Aaron R. Nofziger, deceased (Clackamas County Probate No. P92-6-29), hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto Leland R. Nofziger, Aaron C. Nofziger and Adam L. Nofziger, hereinafter called grantee, and unto grantee's heirs, successors and assigns all of that certain real property with the tenements, hereditaments, and appurtenance thereunto belonging or in anywise appertaining, situated in the County of Clackamas, State of Oregon, described as follows, to-wit:

Part of the South half of the Southeast quarter of section 26, T4S, R1E, W.M., Clackamas County, Oregon, described as follows:

Beginning at a point on the North-South centerline of said section 26, which is 808 feet North of the South quarter corner thereof; Thence East, parallel with the south line of section 26, a distance of 2365 feet, more or less, to the West line of that tract conveyed to Leland R. and Victoria E. Nofziger by Deed, recorded Feb. 8, 1978, as recorder's Fee No. 78-5796, Clackamas County records; Thence North, along said West line, and the West line of that tract conveyed to Leland R. Nofziger by Deed, recorded February 24, 1970, as recorder's Fee No. 70-3603, Clackamas County records, a distance of 380.25 feet, more or less, to the Northwest corner of the last mentioned Nofziger tract; Thence East 275 feet to the Northeast corner thereof, on the East line of section 26; thence North along said East line 131.75 feet, to the North line of the South half of the Southeast quarter of section 26; thence West 2640 feet, more or less, along said North line, to the Northwest corner of said South half; thence South 512 feet, more or less, to the point of beginning.

(Assessor's Account #01016288; T4S-R1E-Section 26, Tax Lot 1404)

CORRECTION DEED: This deed corrects an error in the recital of the county of probate of the Estate of Aaron R. Nofziger in that deed recorded as Fee No. 93-63900.

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.


And the grantor hereby covenants to and with the said grantee and grantee's heirs, successors and assigns that said real property is free from encumbrances created or suffered thereon by grantor and that grantor will warrant and defend the same and every part and parcel thereof against the lawful claims and demands of all persons claiming by, through, or under the grantor.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$57,200.00.

THIS INSTRUMENT WILL 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.

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.

IN WITNESS WHEREOF, the grantor has executed this instrument this 28th day of October, 1993.


Maynard D. Nofziger, Personal Representative of the
Estate of Aaron R. Nofziger, deceased - Grantor

STATE OF OREGON)
) ss.
County of Clackamas)

October 28, 1993

RECEIVED

JUL 13 2020

OWRD

County records; Thence North, along said West line, and the West line of that tract conveyed to Leland R. Nofziger by Deed, recorded February 24, 1970, as recorder's Fee No. 70-3603, Clackamas County records, a distance of 380.25 feet, more or less, to the Northwest corner of the last mentioned Nofziger tract; Thence East 275 feet to the Northeast corner thereof, on the East line of section 26; thence North along said East line 131.75 feet, to the North line of the South half of the Southeast quarter of section 26; thence West 2640 feet, more or less, along said North line, to the Northwest corner of said South half; thence South 512 feet, more or less, to the point of beginning.

RECEIVED

JUL 13 2020

OWRD

(Assessor's Account #01016288; T4S-R1E-Section 26, Tax Lot 1404)

CORRECTION DEED: This deed corrects an error in the recital of the county of probate of the Estate of Aaron R. Nofziger in that deed recorded as Fee No. 93-63900.

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.

And the grantor hereby covenants to and with the said grantee and grantee's heirs, successors and assigns that said real property is free from encumbrances created or suffered thereon by grantor and that grantor will warrant and defend the same and every part and parcel thereof against the lawful claims and demands of all persons claiming by, through, or under the grantor.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$57,200.00.

THIS INSTRUMENT WILL 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.

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.

IN WITNESS WHEREOF, the grantor has executed this instrument this 28th day of October, 1993.

Maynard D. Nofziger
 Maynard D. Nofziger, Personal Representative of the
 Estate of Aaron R. Nofziger, deceased - Grantor

STATE OF OREGON)
) ss.
 County of Clackamas)

October 28, 1993

Personally appeared before me Maynard D. Nofziger, Personal Representative of the Estate of Aaron R. Nofziger, and acknowledged the foregoing instrument to be his voluntary act and deed.

Elaine R. Kunze
 Notary Public for Oregon



93 80166

28

Clackamas County Official Records
Sherry Hall, County Clerk

2005-047680

After recording return to:

Andrew K. Kauffman
Attorney at Law
P.O. Box 687
Canby, OR 97013



\$31.00

00837274200500476800020020

05/25/2005 12:07:04 PM

Doc: 00837274
Clt: 00 \$11.00
Srt: 09 DIANNAW
\$10.00

RECEIVED

JUL 13 2020

OWRD

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

Aaron C. Nofziger
6753 Indian Springs Rd.
Scotts Mills, OR 97375

WARRANTY DEED

MILDRED R. NOFZIGER, Grantor, conveys and warrants to AARON C. NOFZIGER and WENDY NOFZIGER, as Husband and Wife, as to an undivided 74% interest, and to LELAND R. NOFZIGER, as to an undivided 26% interest, as Tenants In Common, Grantee, the following described real property free of encumbrances except as specifically set forth herein:

The real property described on the attached Exhibit A

Grantor conveys the property to Grantee subject to the following exceptions to title: existing agricultural lease terms of which have been disclosed to Grantees. Grantor retains right to payments under lease until it expires by its terms.

THIS INSTRUMENT WILL 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 AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

The true consideration for this conveyance is \$250,000.00

Dated: May 24, 2005.

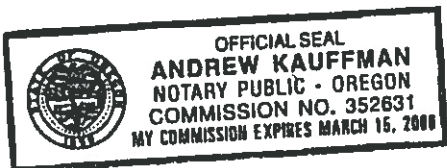
Grantor:

Mildred R. Nofziger
MILDRED R. NOFZIGER

State of Oregon, County of Clackamas) ss.

This instrument was acknowledged before me on May 24, 2005 by MILDRED R. NOFZIGER.

Andrew Kauffman
Notary Public for Oregon
My Commission Expires: 3/15/2006



RECEIVED

JUL 13 2020

EXHIBIT A

OWRD

West one-half of the Southwest one-quarter of the Southwest one-quarter of Section 25,
Township 4 South, Range 1 East of the Willamette Meridian in Clackamas County and State of
Oregon.

EXCEPTING THEREFROM that parcel conveyed by Deed recorded October 21, 1940 in Book
273 page 607, Fee No. 66251, Deed Records, in the County of Clackamas and State of
Oregon. -----