

Application for a Permit to Use Surface Water



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

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Applicant

NAME TERRY E. WYFFELS		PHONE (HM)	
PHONE (WK)	CELL (503) 662-3991		FAX
ADDRESS 8000 NW PIKE RD.			
CITY YAMHILL	STATE OR	ZIP 97148	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 WILL MCGILL SURVEYING LLC		PHONE (503) 510-3026		FAX
ADDRESS 15333 PLETZER RD. SE			CELL	
CITY TURNER	STATE OR	ZIP 97392	E-MAIL * WILLMCGILL.SURVEYING@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 legally use water until the Water Resources Department issues a permit.
- The Department encourages all applicants to wait for a permit to be issued before beginning construction of any proposed diversion. Acceptance of this application does not guarantee a permit will be issued.
- If I begin construction prior to the issuance of a permit, I assume all risks associated with my actions.
- If I receive 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 receive water to which they are entitled.



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

Terry E. Wyffels
Applicant/Signature

TERRY E. WYFFELS, OWNER
Print Name and Title if applicable

7/13/2020
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.

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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).*

Marcel K. Gaibler Trust and Mark S. Gaibler Trust
 PO Box 808
 Carlton, OR 97111

Teresa and Nicholas Conway
 7310 NW Pike Rd.
 Yamhill, OR 97148

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: SOURCE OF WATER

A. Proposed Source of Water

Provide the commonly used name of the water body from which water will be diverted, and the name of the stream or lake it flows into (if unnamed, say so), and the locations of the point of diversion (POD):

Source 1: Wyffels Reservoir	Tributary to: N/A
TRSQQ of POD: T2S, R4W, Section 32, NESE	
Source 2:	Tributary to:
TRSQQ of POD:	

If any source listed above is stored water that is authorized under a water right permit, certificate, or decree, attach a copy of the document or list the document number (for decrees, list the volume, page and/or decree name).

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B. Applications to Use Stored Water

Do you, or will you, own the reservoir(s) described in Section 3A above?

- Yes. No. (Enclose a copy of your written notification to the operator of the reservoir of your **QWRD** to file this application, which should have been mailed or delivered to the operator.)

If *all* sources listed in Section 3A are stored water, the Department will review your application using the expedited process provided in ORS 537.147, unless you check the box below. Please see the instruction booklet for more information.

By checking this box, you are requesting that the Department process your application under the standard process outlined in ORS 537.150 and 537.153, rather than the expedited process provided by ORS 537.147. To file an application under the standard process, you must enclose the following:

- A copy of a signed non-expired contract or other agreement with the owner of the reservoir (if not you) to impound the volume of water you propose to use in this application.
- A copy of your written agreement with the party (if any) delivering the water from the reservoir to you.

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.

To answer the following questions, use the map provided in [Attachment 3](#) or the link below to determine whether the proposed point of diversion (POD) 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 T,R,S,QQ or the Lat/Long of a POD 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 POD is located, please call the customer service desk at (503) 986-0801.

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

Is the POD 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,

- I understand that the proposed use does not involve appropriation of direct streamflow during the time period April 15 to September 30, except as provided in OAR 690-033-0140.

- I understand that I will install, operate and maintain a fish screen and fish passage as listed in ORS 498.301 through 498.346, and 509.580 through 509.910, to the specifications and extent required by Oregon Department of Fish and Wildlife, prior to diversion of water under any permit issued pursuant to this application.
- I understand that the Oregon 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.

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

Is the POD located in an area where the Lower Columbia rules apply?

Yes No

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If yes, you are notified that 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, provide the following information (the information must be provided with the application to be considered complete).

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:

Statewide - OAR 690-033-0330 thru -0340

Is the POD located in an area where the Statewide rules apply?

Yes No

If yes, 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

Provide the amount of water you propose to use from each source, for each use, in cubic feet-per-second (cfs) or gallons-per-minute (gpm). If the proposed use is from storage, provide the amount in acre-feet (af):
 (1 cfs equals 448.8 gpm. 1 acre-foot equals 325,851 gallons or 43,560 cubic feet)

SOURCE	USE	PERIOD OF USE	AMOUNT
Wyffels Reservoir	Irrigation	April 1 - September 30	200 <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input checked="" type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af

Please indicate the number of primary and supplemental acres to be irrigated.

Primary: 337.5 Acres Supplemental: Acres

If supplemental acres are listed, provide 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: 200 af

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- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households:
- If the use is **mining**, describe what is being mined and the method(s) of extraction:

SECTION 6: WATER MANAGEMENT

A. Diversion and Conveyance

What equipment will you use to pump water from your source?

- Pump (give horsepower and type): 40 HP centrifugal
- Other means (describe):

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water.

40 HP centrifugal pump diverts water to be conveyed by 6" buried PVC mainline.

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler)
Drip

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 public uses of affected surface waters.

The amount of water requested is needed for crop irrigation. A high efficiency system will be installed with a water use measuring device.

SECTION 7: RESOURCE PROTECTION

In granting permission to use water from a stream or lake, the state encourages, and in some instances requires, careful control of activities that may affect the 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:

Diversion will be screened per ODFW specifications in ORS 498.301 through 498.346 to prevent uptake of fish and other aquatic life.
Describe planned actions: Approved fish screening will be sized to the system and installed.

Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.
Note: If disturbed area is more than one acre, applicant should contact the Department of Environmental Quality to determine if a 1200C permit is required.
Describe planned actions and additional permits required for project implementation: Minimal to no clearing will be necessary for this project.

Operating equipment in a water body will be managed and timed to prevent damage to aquatic life. Describe planned actions and additional permits required for project implementation: Operation of equipment in the water will be minimal and only on a needed basis.

Water quality will be protected by preventing erosion and run-off of waste or chemical products.
Describe planned actions: Care will be taken to keep equipment in good operating condition to prevent excessive run-off.

List other federal and state permits or contracts to be obtained, if a water right permit is granted.

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SECTION 8: PROJECT SCHEDULE

- a) Date construction will begin: Upon permit issuance.
- b) Date construction will be completed: Request standard 5 year completion time.
- c) Date beneficial water use will begin: Upon completion of construction.

SECTION 9: WITHIN A DISTRICT

Check here if the point of diversion or place of use are located within or are 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).*

Land Use Information Form



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
503-986-0900
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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.

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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

Applicant

NAME TERRY E. WYFFELS			PHONE (HM)		
PHONE (WK)		CELL (503) 662-3991		FAX	
ADDRESS 8000 NW PIKE RD.					
CITY YAMHILL		STATE OR	ZIP 97148	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:
2S	4W	32	NENE SENE SESE	100	EFU	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
2S	4W	32	NESE	100	EFU	<input checked="" type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
2S	4W	33	NWNW SWNW NWSW SWSW	100	EFU	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
2S	4W	32	SWNE SENE	300	EFU	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
2S	4W	33	NWNW SWNW NWSW SWSW	2600	EFU	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
2S	4W	33	NWSE SWSE	3100	EFU	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
2S	4W	33	NESE NWSE SWSE SESE	3200	EFU	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
2S	4W	33	SESW SWSE	2901	EFU	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
3S	4W	4	NWNE	2901	EFU	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
2S	4W	33	SWSW SESW	400	EFU	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
3S	4W	4	NENW NWNW	400	EFU	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
2S	4W	33	SWSW	2700	EFU	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
3S	4W	4	NWNW	2700	EFU	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
2S	4W	32	SESE	1400	EFU	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming

2S	4W	33	SWSW	1400	EFU	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
3S	4W	4	NWNW	1400	EFU	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
3S	4W	5	NENE	1400	EFU	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
2S	4W	32	SESE	1500	EFU	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
3S	4W	5	NENE	1500	EFU	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming

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

Yamhill 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) Rowland Creek

Estimated quantity of water needed: 200 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:

It is proposed to divert 200 af from Rowland Creek for storage in Wyffels Reservoir to use for irrigation on tax lots 100, 300, 400, 1400, 1500, 2600, 2700, 2901, 3100, and 3200.

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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For Local Government Use Only

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

Please check the appropriate box below and provide the requested information

- Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): 402 of the YCZO.
- 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
	RECEIVED	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	JUL 20 2020	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	OWRD	<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 <i>Kenneth P. Eidy</i>	TITLE: <i>P. D.</i>
SIGNATURE <i>[Signature]</i>	PHONE: <i>503 434-7516</i>
GOVERNMENT ENTITY <i>Yamhill County</i>	DATE: <i>5/18/2020</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: _____

R 243303100
R 243303200

1987 SEP 30 PM 3:30

F216P2106

FORM No. 433—WARRANTY DEED (Individual or Corporate)

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That Russell Clyde Bony and Peggy Marie Bony

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by Terry E. Wyffels, hereinafter called the grantee, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Yamhill and State of Oregon, described as follows, to-wit:

See Exhibit "A"

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(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever. And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances

"EXCEPT THOSE OF RECORD"

and that grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 35,000.00. However, the actual consideration consists of or includes other property or value given or promised which is the same consideration (indicate which). (The sentence between the symbols @, if not applicable, should be deleted. See ORS 93.030.)

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 30th day of September, 19 87 if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

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.

Russell Clyde Bony
Peggy Marie Bony

YAMHILL COUNTY TITLE & ESCROW, INC. 123181

STATE OF OREGON, }
County of Yamhill } ss.
September 30, 19 87

STATE OF OREGON, County of _____) ss.
_____, 19 _____

Personally appeared the above named Russell Clyde Bony and Peggy Marie Bony

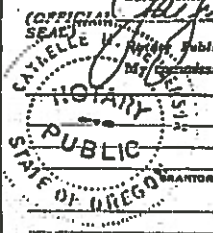
Personally appeared _____ and _____ who, being duly sworn, each for himself and not one for the other, did say that the former is the _____ president and that the latter is the _____ secretary of _____

and acknowledged the foregoing instrument to be their voluntary act and deed.

and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Before me, _____ Notary Public for Oregon
My commission expires: 5-4-89

Before me: _____ Notary Public for Oregon
My commission expires: _____ (If executed by a corporation, this corporate seal)



STATE OF OREGON)
YAMHILL COUNTY CLERK)
County of Yamhill)
I hereby certify that the 08306
within was received and duly
recorded by me in Yamhill
County records.
CHARLES STERN, COUNTY CLERK
witness my hand and seal in
County afield.

GRANTOR'S NAME AND ADDRESS
GRANTEE'S NAME AND ADDRESS

Also recording room for:
OREGON ESCROW SERVICES, INC.
2046 N. Highway 99W
McMinnville, Oregon 97128
NAME, ADDRESS, ZIP

Send a change to requested all tax statements shall be sent to the following address:
Terry E. Wyffels
8000 N.W. Pike Road
Yamhill, Oregon 97148

9:30-87

1987 SEP 30 PM 3:30

F216P2107

EXHIBIT "A"

PARCEL I:

A tract of land in Section 33, Township 2 South, Range 4 West of the Willamette Meridian in Yamhill County, Oregon and part of the Alfred Job Donation Land Claim #51 and #78 described as follows, to-wit:

Beginning at a point in the center of the County Road No. 261, 795 feet West from the Northeast corner of the Alfred Job and wife Donation Land Claim, Notification #1498, Claim #51, and the Northwest corner of property conveyed by Elmer E. Williams and Marjorie G. Williams, by deed recorded September 7, 1960 in Film Volume 12, Page 787, thence South 10.70 chains, more or less, to the South boundary of that certain 34.03 acre tract formerly owned by Mabel C. Williams, now deceased; thence West along said boundary 630 feet; thence North 10.70 chains, more or less, to the center of County Road No. 261; thence East along the center of said County Road to the place of beginning.

PARCEL II:

Part of the Alfred Job Donation Land Claim No. 51 and No. 78 in Township 2 South, Range 4 West of the Willamette Meridian in Yamhill County, State of Oregon, described as follows, to-wit:

Beginning at a point in the center of the County Road 1425 feet West of the Northeast corner of the Alfred Job and wife Donation Land Claim, Notification No. 1498, Claim No. 51, Township 2 South, Range 4 West of the Willamette Meridian, Yamhill County, Oregon; thence South 10.70 chains, more or less to the South boundary of that certain 34.03 acre tract heretofore owned by Mabel C. Williams, now deceased; thence West along the South boundary of said Mabel C. Williams tract to the Southwest corner of said tract, said point also being the Northwest corner of the C.R. Fryer tract as described in Book 83, Page 480, Deed Records, Yamhill County; thence North 10.70 chains, more or less to the Northwest corner of said Mabel C. Williams tract, and the center of the County road hereinabove referred to; thence East along the center of said county road to the place of beginning.

YCT&E 123181
T2433-8

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9:30-87

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GRANTOR:
Terry E. Wyffels

GRANTEE:
Terry E. Wyffels

SEND TAX STATEMENTS TO:
No Change

AFTER RECORDING RETURN TO:
Terry E. Wyffels
8000 NW Pike Rd.
Yamhill, OR 97148

Escrow No: 471814032408-TTMIDWIL36

Yamhill County Official Records	201407649
DMR-DDMR	06/30/2014 12:21:41 PM
Stn=4 MILLSA	
2Pgs \$10.00 \$11.00 \$5.00 \$20.00	\$46.00
I, Brian Van Bergen, County Clerk for Yamhill County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.	
Brian Van Bergen - County Clerk	

T1007H1E 471814032408

BARGAIN AND SALE DEED – STATUTORY FORM
(INDIVIDUAL or CORPORATION)

Terry E. Wyffels, Grantor, conveys to Terry E. Wyffels, Grantee, the following described real property, situated in the County of Yamhill, State of Oregon,

SEE LEGAL DESCRIPTION ATTACHED HERETO

The true consideration for this conveyance is \$0.00. (See ORS 93.030).

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.

Dated: 27 June 2014

Terry E. Wyffels
Terry E. Wyffels

State of OREGON

County of Yamhill

This instrument was acknowledged before me on 27 June, 2014 by Terry E. Wyffels

Leanne M. Cray
Notary Public - State of Oregon
My commission expires: 21 June 2017



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EXHIBIT "A"

Date: 20 June 2014

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WYFFELS - Legal Description of "NEW" TL 2432-1400 (25.5 Acres)

Being part of the T.C. Davis Donation Land Claim, Notification No. 1561, Claim Nos. 38 and 42, in Sections 32 and 33 in Township 2 South, Range 4 West and Sections 4 and 5 in Township 3 South, Range 4 West of the Willamette Meridian and beginning at a point on the north line of said claim that is North 67°22' West 26.482 chains from the northeast corner of said Claim; thence North 67°22' West along the north line of said Claim and center of road, 10.298 chains to the northeast corner of Seaton tract; thence South 00°31' West with Seaton line, 26.078 chains to a stone at the southeast corner of said Seaton tract; thence South 87°18' East, 00.53 chains to a stone at the northeast corner of the Roberts tract; thence South, 2.00 chains to an iron pipe; thence East, 4.80 chains to an iron pipe; thence South, 1.661 chains to an iron pipe; thence East, 4.423 chains to an iron pipe; thence North, 25.80 chains to the point of beginning. (same as Parcel 1 of Film Volume 244 Page 1702)

TOGETHER WITH THE FOLLOWING DESCRIBED tract of land in Sections 4 and 5, Township 3 South, Range 4 West of the Willamette Meridian, Yamhill County, Oregon, being more particularly described as follows: Beginning at the southeast corner of that tract of land described in deed from WAITHEA G. JOHNSON, Trustee of the WALDRON A. JOHNSON and WAITHEA G. JOHNSON Revocable Living Trust to TERRY E. WYFFELS and recorded in Film Volume 244 Page 1702, Parcel 1, Yamhill County Deed Records; thence North 89°58'22" West 291.43 feet along the south line of said WYFFELS tract to an iron pipe; thence North 00°00'06" West 41.54 feet along said south line to the TRUE POINT OF BEGINNING; thence South 89°57'57" West 317.28 feet to the west line of Parcel III of that tract of land described in deed from TRENA MAUREEN PELOQUIN to TRENA M. PELOQUIN, Trustee of the of the TRENA M. PELOQUIN Revocable Living Trust Dated September 5, 1997 and recorded in Instrument No. 199717597; thence North 00°24'00" East 68.62 feet to the northwest corner of said PELOQUIN tract; thence East 316.80 feet along the north line of said tract to an iron pipe; thence South 00°00'06" East 68.43 feet to the POINT OF BEGINNING as shown by CS-13016.

EXCEPTING THE FOLLOWING DESCRIBED tract of land in Section 4, Township 3 South, Range 4 West of the Willamette Meridian, Yamhill County, Oregon, being more particularly described as follows: Beginning at the southeast corner of that tract of land described in deed from WAITHEA G. JOHNSON, Trustee of the WALDRON A. JOHNSON and WAITHEA G. JOHNSON Revocable Living Trust to TERRY E. WYFFELS and recorded in Film Volume 244 Page 1702, Parcel 1, Yamhill County Deed Records; thence North 89°58'22" West 291.43 feet along the south line of said WYFFELS tract to an iron pipe; thence North 00°00'06" West 41.54 feet along said south line; thence North 89°57'57" East 291.43 feet to the east line of said tract; thence South 41.85 feet to the point of beginning as shown by CS-13016.

MacDonald & Assoc.
Land Surveyors
3765 Riverside Drive
McMinnville, OR 97128
Phone: 503-472-7904
Fax: 503-472-0367



New ARB 22 out of 9
See 32 T2 R4

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FILM 107 PAGE 1102
PAGE 1103

KNOW ALL MEN BY THESE PRESENTS, that JEAN M. BLEWETT, herein-
claims and demands of all persons whomsoever, except those claiming
after called the grantor, for the consideration hereinafter stated,
under the above described encumbrances,
to grantor paid by TERRY WYFFELS, hereinafter called the grantee,

does hereby grant, bargain, sell and convey unto the said grantee
and grantee's heirs, successors and assigns, that certain real
property, with the tenements, hereditaments and appurtenances there-
unto belonging or appertaining, situated in the County of Yamhill,
and State of Oregon, described as follows, to-wit:

Being a part of the Jacob Grazier Donation Land Claim #53
in Section 32, Township 2, South, Range 4, West of the 12th
Willamette Meridian in Yamhill County, Oregon, being more
particularly described as follows:

Beginning at the Southeast corner of said Grazier Donation
Land Claim; running thence North on the division line be-
tween said Grazier Donation Land Claim and the Joseph
Gilbreath Donation Land Claim #52, a distance of 52 chains
to a point on the South boundary line of the Alex P. Ankeny
Donation Land Claim; thence West along said South boundary
line, 10 chains to a point; thence South to a point on the
division line between the said Grazier Donation Land Claim
and the Thomas Davis Donation Land Claim #38; thence South-
easterly on said division line to the place of beginning;

EXCEPTING that portion conveyed by R. W. Hanning and T. L.
Hanning to Chas. Petersen by deed recorded April 24, 1911
in Book 60, Page 627, Deed Records, for Oregon

FURTHER EXCEPTING that portion conveyed by David B. Bride,
et ux to Henry E. Yates, et ux by deed recorded September 29,
1947 in Book 145, Page 126, Deed Records;

AND FURTHER EXCEPTING the most Easterly 20 feet of even width
of the above described real premises.

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

And said grantor hereby covenants to and with said grantee and
grantee's heirs, successors and assigns, that grantor is lawfully
seized in fee simple of the above granted premises, free from all en-
cumbrances, excepting taxes and interest which may accrue thereon, if
any, in the event said real premises are disqualified for farm use
zoning and further excepting rights of the public in streets, roads
and highways, and that grantor will warrant and forever defend the
said premises and every part and parcel thereof against the lawful

Page 1. WARRANTY DEED - Jean M. Blewett
to TERRY WYFFELS
Page 2. WARRANTY DEED - Jean M. Blewett
to Terry Wyffels



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FILM 107 PAGE 1103

claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is NONE.

This deed is given to correct an erroneous description in that certain deed from Jean M. Blewett to Terry Wyffels dated July 7, 1975, and recorded July 9, 1975, in Film Volume 106 at Page 1656, Deed and Mortgage Records for Yamhill County, State of Oregon.

IN WITNESS WHEREOF, the grantor has executed this instrument this 13th day of August, 1975.

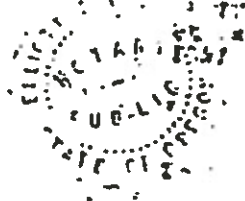
STATE OF OREGON
County of Yamhill

Jean M. Blewett

Notary Public for Oregon
My Commission Expires May 17, 1978

Personally appeared the above named JEAN M. BLEWETT and acknowledged the foregoing instrument to be her voluntary act and deed.

Before me: *[Signature]*
Notary Public for Oregon
My Commission Expires May 17, 1978
at us by deed recorded in Deed Records, Vol. 126, Deed Records.



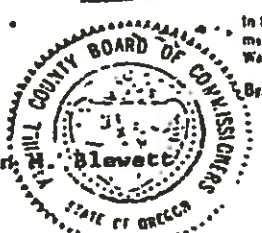
EXCISE THE MOST EXACTLY TO THE DESCRIBED REAL PREMISES.

and to hold the same under the said deed and assignment terms.

The said grantor hereby covenants, conditions and warranties that she is the lawful owner of the above described premises and that she has the right to convey the same.

STATE OF OREGON }
County of YAMHILL } 37432

I, Wanda Carr, County Clerk in and for said County and State, do hereby certify that the within instrument of writing was received and has been by me duly recorded on Page 103 of Film Vol. 107 of the Records of Deeds for said County, on the 14 day of Aug AD 1975.



In testimony whereof, I have hereto subscribed my name and affixed my Official Seal.
Wanda Carr, County Clerk
By *[Signature]*
Deputy



After recording return to:
Marcel K. Gaibler Trust and Mark S.
Gaibler Trust
PO BOX 808
Carlton, OR 97111

Until a change is requested all tax
statements shall be sent to the
following address:
Marcel K. Gaibler Trust and Mark S.
Gaibler Trust
PO BOX 808
Carlton, OR 97111

File No.: 1031-3340595 (MWG)
Date: November 01, 2019

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THIS SPACE RESERVED FOR RECORDER'S USE

Yamhill County Official Records	201916680
DMR-DDMR	11/15/2019 11:32:00 AM
SIn=3 SUTTONS	
3Pgs \$15.00 \$11.00 \$5.00 \$60.00	\$91.00
I, Brian Van Bergen, County Clerk for Yamhill County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.	
Brian Van Bergen - County Clerk	

FIRST AMERICAN TITLE 3340595

STATUTORY WARRANTY DEED

Tyler J. Amerson and Aimee N. Amerson, as tenants by the entirety, Grantor, conveys and warrants to Marcel K. Gaibler, Trustee of the Marcel K. Gaibler Trust U/T/A dated 04/26/00 and Mark S. Gaibler, Trustee of the Mark S. Gaibler Trust U/T/A 04/26/00, each as to an undivided one-half interest, as tenants in common, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

See Legal Description attached hereto as Exhibit A and by this reference incorporated herein.

Subject to:

1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.
2. The assessment roll and the tax roll disclose that the within described premises were specially zoned or classified for Farm use. If the land has become or becomes disqualified for such use under the statute, an additional tax or penalty may be imposed.

The true consideration for this conveyance is **\$300,000.00**. (Here comply with requirements of ORS 93.030)

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JUL 20 2020

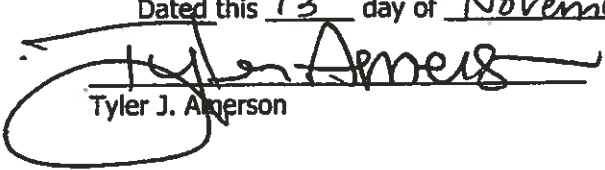
APN: 14807

Statutory Warranty Deed
- continued

OWPD
File No: 2031-3340595 (MWG)

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.

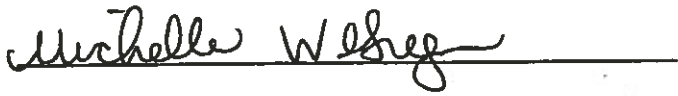
Dated this 13 day of November, 2019.

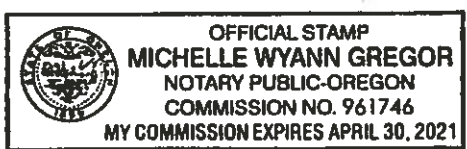

Tyler J. Amerson


Aimee N. Amerson

STATE OF Oregon)
County of Yamhill)ss.
)

This instrument was acknowledged before me on this 13 day of November, 2019 by **Tyler J. Amerson and Aimee N. Amerson.**





Notary Public for Oregon
My commission expires: 4/30/21

EXHIBIT A

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

Being part of the Donation Land Claim of Thomas C. Davis and Nancy A. Davis, his wife, Notification No. 1561, Claim No. 38 in T. 2 S. R. 4W. and Claim No. 42 in T. 3 S. R. 4 W. of the Willamette Meridian, in Yamhill County, Oregon, and said part bounded as follows, to-wit:

Beginning at a point on the north boundary line of said Donation Land Claim, 51.80 chains North 68° 15' West of the Northeast corner of said Donation Land Claim, and said point or place of beginning being the Northwest corner of the East half of said Donation Land Claim above named; thence running South along the West line of said East half of said Donation Land Claim 31.80 chains to the corner of Fifty acre tract of land known as the "Nancy A. Davis" tract; thence running east 13.80 chains to a stone; thence running North 26.28 chains to the North boundary line of said Donation Land Claim; thence running North 68° 15' West 14.95 chains to the place of beginning.

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GRANTOR:
Terry E. Wyffels

GRANTEE:
Terry E. Wyffels

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SEND TAX STATEMENTS TO:
No Change

AFTER RECORDING RETURN TO:
Terry E. Wyffels
8000 NW Pike Rd.
Yamhill, OR 97148

Escrow No: 471814032408-TTMIDWIL36

Yamhill County Official Records	201407651
DMR-DDMR	06/30/2014 12:21:41 PM
Str=4 MILLSA	2Pgs \$10.00 \$11.00 \$5.00 \$20.00
	\$46.00
I, Brian Van Bergen, County Clerk for Yamhill County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.	
Brian Van Bergen - County Clerk	

471814032408
TITOR TITLE

BARGAIN AND SALE DEED - STATUTORY FORM
(INDIVIDUAL or CORPORATION)

Terry E. Wyffels, Grantor, conveys to Terry E. Wyffels, Grantee, the following described real property, situated in the County of Yamhill, State of Oregon,

SEE LEGAL DESCRIPTION ATTACHED HERETO

The true consideration for this conveyance is \$0.00. (See ORS 93.030).

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.

Dated: 27 June 2014

Terry E. Wyffels
Terry E. Wyffels

State of OREGON

County of Yamhill

This instrument was acknowledged before me on 27 JUNE 2014 by Terry E. Wyffels

LeAnne M. Cray
Notary Public - State of Oregon
My commission expires: 21 June 2017



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EXHIBIT "A"

Date: 20 June 2014

WYFFELS - Legal Description of new TL 2433-2700 (26.1 Ac.)

A tract of land in Section 4, Township 3 South, Range 4 West and Section 33 of Township 2 South, Range 4 West of the Willamette Meridian, Yamhill County, Oregon, being a portion of that tract of land described in deed from WAITHEA G. JOHNSON, Trustee of the WALDRON A. JOHNSON and WAITHEA G. JOHNSON Revocable Living Trust to TERRY E. WYFFELS and recorded in Film Volume 244 Page 1702, Parcel 2, and a portion of that tract of land described in deed from PHYLLIS V. HAWK, Trustee of the Hawk Joint Trust, dated January 25, 1990 to TERRY WYFFELS and recorded in Instrument No. 2012-03681, Yamhill County Deed Records, and being more particularly described as follows:

Beginning on the north line of the T.C. Davis Donation land Claim No. 38 and 42 at a point that is North 67°22'00" West 994.63 feet from the northeast corner of said Davis DLC; thence continuing North 67°22'00" West 753.29 feet along the north line of said Davis DLC to the northwest corner of said WYFFELS tract; thence South 1660.64 feet along the west line of said tract; thence North 89°57'57" East 439.69 feet; thence continuing North 89°57'57" East 425.91 feet to an iron rod; thence continuing North 89°57'57" East 30.89 feet to the center of an existing ditch; thence North 11°44'40" West 36.85 feet along said existing ditch; thence continuing North 11°44'40" West 19.96 feet along said existing ditch; thence continuing North 11°44'40" West 574.08 feet along the center of said existing ditch; thence North 06°16'45" West 136.55 feet; thence North 08°36'50" West 219.51 feet; thence North 05°36'46" West 314.65 feet; thence North 03°49'12" East 86.81 feet more or less to the point of beginning as shown by CS-13016.

MacDonald & Assoc.
Land Surveyors
3765 Riverside Drive
McMinnville, OR 97128
Phone: 503-472-7904
Fax: 503-472-0367

REGISTERED
PROFESSIONAL
LAND SURVEYOR



OREGON
JANUARY 18, 2002
Leland A. MacDonald
53226

WARRANTY DEED (CORPORATION)

ARCHDIOCESE OF PORTLAND IN OREGON

Oregon corporation, hereinafter called grantor, conveys to

(State of Incorporation)

TERRY E. WYFFELS

all that real property situated in Yamhill County, State of Oregon, described as:

SEE ATTACHED EXHIBIT "A"

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JUL 20 2020

and covenant(s) that grantor is owner of the above described property free of all encumbrances except

those of record

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and will warrant and defend the same against all persons who may lawfully claim the same, except as shown above.

The true and actual consideration for this transfer is \$ 54,900.00

Signed by authority of the Board of Directors, with the seal of said corporation affixed, this 29th day of November, 1989.

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.

William J. Levada President

STATE OF OREGON, County of Multnomah ss.

November 29, 1989.

Personally appeared William J. Levada who, being duly sworn, did say that he is the President of Archdiocese of Portland in Oregon and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors; and he acknowledged said instrument to be his voluntary act and deed.

Before me: Kathleen A. Cleary Notary Public for Oregon My commission expires: 4/1/91

The dollar amount should include cash plus all encumbrances existing against the property to which the property remains subject or which the purchaser agrees to pay or assume. If consideration includes other property or value, add the following: "However, the actual consideration consists of or includes other property or value given or promised which is part of the/the whole consideration." (Indicate which)

WARRANTY DEED (CORPORATION) 10500 OF OREGON,)

County of) ss.

STATE OF OREGON) certify that the within instrument was received for record)

COUNTY OF YAMHILL) on the day of 19)

at o'clock M. and recorded in book)

page) Records of Deeds of said County.)

I hereby certify that the instrument) was received and duly recorded)

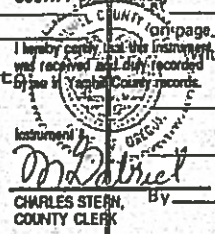
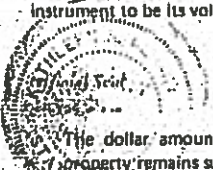
at the Yamhill County records) instrument)

By) Title)

CHARLES STERN,) Deputy)

COUNTY CLERK)

YAMHILL COUNTY TITLE & ESCROW, INC. 125149



After Recording Return to: Send tax statements to Terry E. Wyffels 8000 NW Pike Rd. Yamhill, Or. 97148

12-4-89 68-1-81

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JUL 20 2020

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1989 DEC -4 PM 3:07

F238P1663

EXHIBIT "A"

All that portion of the following described tract lying North of State Highway No. 47.

A tract of land situated in the County of Yamhill, State of Oregon, described as follows, to-wit:

Being a part of the Donation Land Claim of Alfred Job, Notification No. 1498, Claim No. 51, in Township 2 South, Range 4 West of the Willamette Meridian, and Claim No. 78, in Township 3 South, Range 4 West of the Willamette Meridian, in Yamhill County, Oregon, said part thereof being more particularly described as follows, to-wit:

Beginning at a point 11.45 chains South of the Northwest corner of the Alfred Job Donation Land Claim; thence East 20.00 chains; thence South 19.25 chains; thence West 20.00 chains; thence North 19.25 chains to the place of beginning; also beginning at the Southwest corner of the land above described; thence South 60 feet; thence East 732 feet; thence North 60 feet; thence West 732 feet to the place of beginning.

EXCEPTING THEREFROM that part conveyed to the Church of Jesus Christ of the Latterday Saints, by Warranty Deed recorded November 9, 1972 in Film Volume 91, Page 2186, Deed Records.

ALSO EXCEPTING THEREFROM a tract of land in Section 33 of Township 2 South, Range 4 West and Section 4 of Township 3 South, Range 4 West, Yamhill County, Oregon, being part of that tract of land conveyed from Eidsmoe to the Archdiocese of Portland in Oregon by deed recorded in Film Volume 126, Page 469, Deed Records, and being more particularly described as follows:

Beginning at the Northeast corner of the Thomas Davis Donation Land Claim; thence North 00° 00' East 45.50 feet along the West line of the Alfred Job Donation Land Claim; thence East 298.94 feet to an iron rod on the East line of that tract of land conveyed from Eidsmoe to the Corporation of the Presiding Bishop of the Church of Latter-Day Saints by deed recorded in Film Volume 91, Page 2186 and the TRUE POINT OF BEGINNING; thence East 397.84 feet to an iron rod; thence South 290.54 feet to an iron rod on the Northerly margin of State Highway 47; thence South 82° 20' West 117.84 feet along said margin; thence South 82° 20' West 115.42 feet along said margin to the beginning of a curve concave to the Southeast having a radius of 132.31 feet; thence Southwesterly 88.44 feet along said Northerly margin (chord = South 63° 07' West 86.80 feet) to the South line of said Archdiocese of Portland in Oregon tract; thence North 89° 52' West 35.67 feet along said South line to the Southeast corner of that tract of land conveyed from Eidsmoe to Yamhill County by deed recorded in Film Volume 01, Page 09; thence North 00° 08' East 18.2 feet along the East line of said Yamhill County tract; thence North 89° 52' West 18.4 feet along the Northerly line of said Yamhill County tract; thence North 81° 55' West 45.46 feet along said Northerly line to an iron pipe at the Southeast corner of said Latter-Day Saints tract; thence North 01° 40' East 336.32 feet to the TRUE POINT OF BEGINNING.

YCT&E 125149
T2433-6-1

68-4-21

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JUL 20 2020

GRANTOR:
Terry E. Wyffels

GRANTEE:
Terry E. Wyffels

OWRD

SEND TAX STATEMENTS TO:
No Change

AFTER RECORDING RETURN TO:
Terry E. Wyffels
8000 NW Pike Rd.
Yamhill, OR 97148

Escrow No: 471814032408-TTMIDWIL36

Yamhill County Official Records	201407650
DMR-DDMR	06/30/2014 12:21:41 PM
Str#4 MILLSA	
2Pgs \$10.00 \$11.00 \$5.00 \$20.00	\$46.00

I, Brian Van Bergen, County Clerk for Yamhill County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.
Brian Van Bergen - County Clerk

Title 471814032408

BARGAIN AND SALE DEED - STATUTORY FORM
(INDIVIDUAL or CORPORATION)

Terry E. Wyffels, Grantor, conveys to Terry E. Wyffels, Grantee, the following described real property, situated in the County of Yamhill, State of Oregon,

SEE LEGAL DESCRIPTION ATTACHED HERETO

The true consideration for this conveyance is \$0.00. (See ORS 93.030).

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 195.338 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.

Dated: 27 June 2014

Terry E. Wyffels
Terry E. Wyffels

State of OREGON

County of Yamhill

This instrument was acknowledged before me on 27 June 2014 by Terry E. Wyffels

Adrianna
Notary Public - State of Oregon
My commission expires: 21 June 2017



EXHIBIT "A"

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JUL 20 2020

Date: 20 June 2014

OWRD

WYFFELS - Legal Description of new TL 3404-400 (20.2 Ac.)

A tract of land in Section 4, Township 3 South, Range 4 West and Section 33 of Township 2 South, Range 4 West of the Willamette Meridian, Yamhill County, Oregon, being a portion of that tract of land described in deed from WAITHEA G. JOHNSON, Trustee of the WALDRON A. JOHNSON and WAITHEA G. JOHNSON Revocable Living Trust to TERRY E. WYFFELS and recorded in Film Volume 244 Page 1702, Parcel 2, and a portion of that tract of land described in deed from PHYLLIS V. HAWK, Trustee of the Hawk Joint Trust, dated January 25, 1990 to TERRY WYFFELS and recorded in Instrument No. 2012-03681, Yamhill County Deed Records, and being more particularly described as follows:

Beginning at the northeast corner of the T.C. Davis Donation land Claim No. 38 and 42; thence South 00°00'49" East 931.82 feet to the southeast corner of said WYFFELS tract; thence West 330.22 feet along the south line of said tract to an iron rod (previous deed calls to an iron pipe); thence continuing West 378.97 feet to an iron rod; thence continuing West 19.41 feet to the center of an existing ditch; thence North 11°44'40" West 574.08 feet along the center of said existing ditch; thence North 06°16'45" West 136.55 feet; thence North 08°36'50" West 219.51 feet; thence North 05°36'46" West 314.65 feet; thence North 03°49'12" East 86.81 feet more or less to the north line of said Davis DLC; thence South 67°22'00" East 994.63 feet to the point of beginning as shown by CS-13016.

MacDonald & Assoc.
Land Surveyors
3765 Riverside Drive
McMinnville, OR 97128
Phone: 503-472-7904
Fax: 503-472-0367



R 243200100
R 2433 02600

Recorded in Official Yamhill County Records
CHARLES STERN, COUNTY CLERK

Escrow No.: 144234N



199815609 2:45pm 08/10/98

001 873684 10 04 000203
1 0 D08 2 10.00 10.00 20.00 0.00 0.00 0.00

GRANTOR

Terry E. Wyffels

GRANTEE

Send Recorded Deed and Tax Statements To:

Terry E. Wyffels

7750 & 8000 NW Pike Road
Yamhill, OR 97148

Names, Address, Zip

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JUL 20 2020

OWRD

WARRANTY DEED

Juliana M. Kollas and Marjorie J. Hesley and Joseph M. Wyffels and Janice K. Williams and Gloria B. Wyffels
Karen Louise Miller, Michael E. Wyffels conveys and warrants to Terry E. Wyffels,
Grantee, the following described real property free of encumbrances, except as specifically set forth herein
situated in YAMHILL COUNTY, OREGON, to wit:

SEE ATTACHED EXHIBIT "A"

This property is free from encumbrances, EXCEPT: those of record and that grantor will warrant and forever
defend the same against the lawful claims and demands of all persons whomsoever, except those claiming under
the above described encumbrances.

The property described herein has been assessed under farm and/or forest tax
deferral. Disqualification may result in additional taxes and interest being
levied.

THE TRUE CONSIDERATION FOR THIS CONVEYANCE IS \$291,346.86 (Here comply with the
requirements of ORS 93.030)

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.

Dated this 30th day of July, 1998.

Joseph M. Wyffels

Juliana M. Kollas

Marjorie J. Hesley

Gloria B. Wyffels

Karen Louise Miller

Michael E. Wyffels

Janice K. Williams

YAMHILL COUNTY TITLE & ESCROW, INC. 144234

8-10-98

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JUL 20 2020

EXHIBIT "A"

Legal Description:

PARCEL 1

BEGINNING at the Northwest corner of the Joseph Gilbreath Donation Land Claim, Notification No. 1942, Claim No. 52, Township Two (2) South, Range Four (4) West of the Willamette Meridian in Yamhill County, Oregon; running thence East along the North line of said Claim 15.04 chains; thence South 1° 20' West along fence now there 68.98 chains to South line of said Claim in the center of the County Road; thence North 66° 38' West along center of County Road 16.25 chains; thence North 33° East 52.49 chains to the PLACE OF BEGINNING, containing 86.70 acres, more or less

PARCEL 2

Part of the Joseph Gilbreath Donation Land Claim No. 52, in Township 2 South, Range 4 West of the Willamette Meridian in Yamhill County, Oregon, described as follows:

BEGINNING at a point in the center of the County Road 738 feet North 67° 14' West from the most Southerly Southeast corner of said Claim; thence North 67° 14' West along the center of said County Road on the South line of said Claim 1060 feet to the Southeast corner of tract conveyed to Emil Wyffels Jr. and Helen Wyffels by deed recorded April 15, 1944, in Book 124, Page 167, Deed Records; thence North 42° East along the East line of said Wyffels tract to the South line of the Alex P. Ankeny Claim No. 1501 in Section 33, said Township and Range; thence South 89° 28' East along the South line of said Ankeny Claim to a point that is North 89° 28' West 683.2 feet from the Southeast corner of said Ankeny Claim and on the West line of Goodrich Orchard Tracts; thence South 19° East along the West line of said Goodrich Orchard Tracts to the PLACE OF BEGINNING.

EXCEPT that certain part of said premises as follows, to-wit: BEGINNING at a point in the center of the County Road 114 feet South 67° 14' East from the Southwest corner of the above described premises; thence Northeasterly, at right angles to the center line of said County Road 235 feet; thence Southeasterly, parallel with the Center line of said County Road 275 feet; thence Southwesterly at right angles to the center line of said County Road and parallel with the West boundary of said excepted tract, 235 feet to the center of the said County Road; thence North 67° 14' West along the center of said County Road, 275 feet to the POINT OF BEGINNING.

STATE OF OREGON,

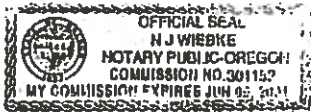
County of Yamhill

FORM No. 33—ACKNOWLEDGMENT, Seventh-Hest Law Publishing Co., Portland, OR 97204 © 1972

BE IT REMEMBERED, That on this 30th day of July, 1998, before me, the undersigned, a Notary Public in and for the State of Oregon, personally appeared the within named Julianna M. Kollas, Marjorie J. Hensley, Joseph M. Wyffels, Janice Williams, Gloria B. Wyffels, Karen Louise Miller

known to me to be the identical individual... described in and who executed the within instrument and acknowledged to me that they executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.



[Signature] Notary Public for Oregon My commission expires 6-9-01

8-10-98

This certificate is attached to a Warranty Deed - Julianna M. Kollas and Marjorie J. Hensley and Joseph M. Wyffels and Janice Williams and Gloria B. Wyffels and Karen Louise Miller, STATE OF OREGON, Grantor to Terry E. Wyffels, Grantee

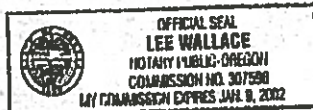
County of Wallowa

FORM No. 33—ACKNOWLEDGMENT, Seventh-Hest Law Publishing Co., Portland, OR 97204 © 1972

BE IT REMEMBERED, That on this 4th day of August, 1998, before me, the undersigned, a Notary Public in and for the State of Oregon, personally appeared the within named MICHAEL E. WYFFELS

known to me to be the identical individual... described in and who executed the within instrument and acknowledged to me that he executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.



[Signature] Notary Public for Oregon My commission expires 1-9-2002

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JUL 20 2020

OWRD

TICOR TITLE 471817064340

GRANTOR'S NAME:
Robert S. Buxton & Carolyn S. Buxton Revocable Living Trust

GRANTEE'S NAME:
Teresa Conway and Nicholas Conway

AFTER RECORDING RETURN TO:
Order No.: 471817064340-NM
Teresa Conway and Nicholas Conway
7310 NW Pike Road
Yamhill, OR 97148

SEND TAX STATEMENTS TO:
Teresa Conway and Nicholas Conway
7310 NW Pike Road
Yamhill, OR 97148

APN: 15389
Map: R2433 02500
7310 NW Pike Road, Yamhill, OR 97148

Yamhill County Official Records	201713431
DMR-DDMR	08/18/2017 09:12:00 AM
Stn=0 MILLSA	2Pgs \$10.00 \$11.00 \$5.00 \$20.00
	\$46.00
I, Brian Van Bergen, County Clerk for Yamhill County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.	
Brian Van Bergen - County Clerk	

STATUTORY WARRANTY DEED

Robert S. Buxton and Carolyn S. Buxton, Trustees of the Robert S. Buxton & Carolyn S. Buxton Revocable Living Trust dated May 6, 2011, Grantor, conveys and warrants to Teresa Conway and Nicholas Conway, as tenants by the entirety, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Yamhill, State of Oregon:

Being a portion of the Joseph Galbraith Donation Land Claim, Notification No. 1942, Claim No. 52 in Section 33, Township 2 South, Range 4 West of the Willamette Meridian, in Yamhill County, Oregon, more particularly described as follows:

Beginning at the Southeast corner of said Donation Land Claim, and running thence North 9.68 chains to a stake; thence North 67°20' West 11.18 chains to stake; thence South 9.68 chains to center of County Road; thence South 67°20' East 11.18 chains to the Point of Beginning.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS ONE HUNDRED EIGHTY-SEVEN THOUSAND FIVE HUNDRED AND NO/100 DOLLARS (\$187,500.00). (See ORS 93.030).

Subject to:

Property taxes, which are a lien not yet due and payable, including any assessments collected with taxes to be levied for the fiscal year 2017-2018.

Tax Identification No.: 15389

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

Rights of the public to any portion of the Land lying within the area commonly known as NW Pike Road.

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.

STATUTORY WARRANTY DEED
(continued)

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

Dated: 8-17-2017

Robert S. Buxton & Carolyn S. Buxton Revocable Living Trust

BY: [Signature]
Robert S. Buxton, Trustee

BY: [Signature]
Carolyn S. Buxton, Trustee

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State of OREGON
County of WASH HILL

This instrument was acknowledged before me on 8/17/17 by Carolyn S. Buxton, Trustee, as for Robert S. Buxton & Carolyn S. Buxton Revocable Living Trust and Robert S. Buxton, Trustee, as for Robert S. Buxton & Carolyn S. Buxton Revocable Living Trust.

[Signature]
Notary Public - State of Oregon

My Commission Expires: 02/21/20



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: Source of Water
- SECTION 4: Sensitive, Threatened or Endangered Fish Species Public Interest Information
- SECTION 5: Water Use
- SECTION 6: Water Management
- SECTION 7: Resource Protection
- SECTION 8: Project Schedule
- 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: \$ 1,956
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)

Water-Use Permit Application Processing

1. Completeness Determination

The Department evaluates whether the application and accompanying map contain all of the information required under OAR 690-310-0040 and OAR 690-310-0050. The Department also determines whether the proposed use is prohibited by statute. If the Department determines that the application is incomplete, all fees have not been paid, or the use is prohibited by statute, the application and all fees submitted are returned to the applicant.

2. Initial Review

The Department reviews the application to determine whether water is available during the period requested, whether the proposed use is restricted or limited by rule or statute, and whether other issues may preclude approval of or restrict the proposed use. An Initial Review (IR) containing preliminary determinations is mailed to the applicant. The applicant has 14 days from the mailing date to withdraw the application from further processing and receive a refund of all fees paid minus \$260. The applicant may put the application on hold for up to 180 days and may request additional time if necessary.

3. Public Notice

Within 7 days of the mailing of the initial review, the Department gives [public notice](#) of the application in the weekly notice published by the Department at www.oregon.gov/owrd. The public comment period is 30 days from publication in the weekly notice.

4. Proposed Final Order Issued

The Department reviews any comments received, including comments from other state agencies related to the protection of sensitive, threatened or endangered fish species. Within 60 days of completion of the IR, the Department issues a Proposed Final Order (PFO) explaining the proposed decision to deny or approve the application. A PFO proposing approval of an application will include a draft permit, and may request additional information or outstanding fees required prior to permit issuance.

5. Public Notice

Within 7 days of issuing the PFO, the Department gives public notice in the weekly notice. Notice includes information about the application and the PFO. Protest must be received by the Department within 45 days after publication of the PFO in the weekly notice. Anyone may file a protest. The protest filing fee is \$410.00 for the applicant and \$810.00 for non-applicants. Protests are filed on approximately 10 percent of Proposed Final Orders. If a protest is filed the Department will attempt to settle the protest but will schedule a contested case hearing if necessary.

6. Final Order Issued

If no protests are filed, the Department can issue a Final Order within 60 days of the close of the period for receiving protest. If the application is approved, a permit is issued. The permit specifies the details of the authorized use and any terms, limitations or conditions that the Department deems appropriate

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OWRD

Surface Water — Page 8

Rev. 06-18

For Department Use: App. Number: _____