

Application for a Permit to Use **E-RECEIVED**
Groundwater

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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 L3 FARMS, INC.			PHONE (HIM)
PHONE (WK)	CELL (541) 990-2033	FAX	
ADDRESS 33760 LINN WEST DR.			
CITY SHIEDD	STATE OR	ZIP 97377	E-MAIL* MARCCKEE2000@GMAIL.COM

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.

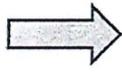
AGENT / BUSINESS NAME WILL MCGILL SURVEYING LLC			PHONE (503) 510-3026	FAX
ADDRESS 15333 PLETZER RD. SE				CELL (503) 931-0210
CITY TURNER	STATE OR	ZIP 97392	E-MAIL* WILLMCGILL.SURVEYING@GMAIL.COM	

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 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.

[Signature]
 Applicant Signature

[Signature]
 Applicant Signature

Gray P. Lewis / Partner *1/25/2021*
 Print Name and Title if applicable Date

Rip J Lewis Partner *1/25/2021*
 Print Name and Title if applicable Date

For Department Use: App. Number: _____

SECTION 2: PROPERTY OWNERSHIP

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

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

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

Legal Description: You must provide the legal description of: 1. The property from which the water is to be diverted, 2. Any property crossed by the proposed ditch, canal or other work, and 3. Any property on which the water is to be used as depicted on the map.

SECTION 3: WELL DEVELOPMENT

WELL NO.	NAME OF NEAREST SURFACE WATER	IF LESS THAN 1 MILE:	
		DISTANCE TO NEAREST SURFACE WATER	ELEVATION CHANGE BETWEEN NEAREST SURFACE WATER AND WELL HEAD
WELL 1	CALAPOOIA RIVER	3320'	6'

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).*

SECTION 3: WELL DEVELOPMENT, continued

Total maximum rate requested: 0.20 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"/>		<input type="checkbox"/>	12"			MIN. 18'		SAND AND GRAVEL	100' +/-		
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<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.

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:
The amount of water requested is standard for irrigation. Equipment will be kept in good operating condition and water use measurement devices will be installed.

Statewide - OAR 690-033-0330 thru -0340

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

Yes No

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

SECTION 5: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Irrigation	May 1 – September 30	202.75

For irrigation use only:

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

Primary: 81.1 Acres Supplemental: Acres

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

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 202.75 AF

- If the use is **municipal or quasi-municipal**, attach **Form M**

- If the use is **domestic**, indicate the number of households: ____ (Exempt Uses: Please note that 15,000 gallons per day for single or group **domestic** purposes and 5,000 gallons per day for a single **industrial or commercial** purpose are exempt from permitting requirements.)
- If the use is **mining**, describe what is being mined and the method(s) of extraction (*attach additional sheets if necessary*): _____

SECTION 6: WATER MANAGEMENT

A. Diversion and Conveyance

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

- Pump (give horsepower and type): 30 HP Submersible
 Other means (describe): _____

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Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. 30 HP submersible pump will convey water through buried mainline to the field.

B. Application Method

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

Drip or big gun

C. Conservation

Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; prevent damage to aquatic life and riparian habitat; prevent the discharge of contaminated water to a surface stream; prevent adverse impact to public uses of affected surface waters (*attach additional sheets if necessary*).

The amount of water requested is standard for irrigation. An efficient new system will be installed with water use measuring. It will be kept in good operating condition.

SECTION 7: PROJECT SCHEDULE

- Date construction will begin: Upon permit issuance
- Date construction will be completed: Request standard 5-year completion time
- Date beneficial water use will begin: 2022 irrigation season if 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: Equipment will be carefully monitored and kept in good operating condition to prevent waste and run-off.
- Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.
Note: If disturbed area is greater than one acre, applicant should contact the Oregon Department of Environmental Quality to determine if a 1200C permit is required.
 Describe planned actions and additional permits required for project implementation: No clearing necessary for this project.

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

SECTION 9: WITHIN A DISTRICT

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

Irrigation District Name	Address	
City	State	Zip

SECTION 10: REMARKS

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

Upon approval of this permit, any layered portions of other water rights will be diminished to supplemental. For efficiency, the primary source desired for the entire farm is the proposed Well 1 and Well 2 (which will be authorized by a different application).

<p style="text-align: center;">E-RECEIVED November 17, 2021 OWRD</p>
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Minimum Requirements Checklist

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

Include this checklist with the application

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

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

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

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Include the following additional items:

- Land Use Information Form with approval and signature of local planning department (*must be an original*) or signed receipt.
- Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.
- Fees - Amount enclosed: \$2,910
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)

For Department Use: App. Number: _____

Land Use Information Form



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

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NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

This form is NOT required if:

- 1) Water is to be diverted, conveyed, and/or used only on federal lands; **OR**
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or groundwater registration modification, and all of the following apply:
 - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
 - b) The application involves a change in place of use only;
 - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; and
 - d) The application involves irrigation water uses only.

NOTE TO LOCAL GOVERNMENTS

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

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 L3 FARMS, INC.			PHONE (HM)		
PHONE (WK)		CELL (541) 990-2033		FAX	
ADDRESS 33760 LINN WEST DR.					
CITY SHEDD		STATE OR	ZIP 97377	E-MAIL* MARCMCKEE2000@GMAIL.COM	

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
13S	3W	35	SESE	100	EFU	<input checked="" type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
13S	3W	35	SENE NESE SESE	1400	EFU	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
13S	3W	36	SWNW SENW NESW NWSW SWSW	1400	EFU	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
13S	3W	36	SESW	1400	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:

Linn 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: 379.25 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 irrigate crops in TL 100 and 1400 with proposed Wells 1 and 2.



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.

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): LCC 928.31D(B).
- Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below. (Please attach documentation of applicable land use approvals which have already been obtained. Record of Action/land use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

Type of Land Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

Local governments are invited to express special land use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

NAME: <u>Alyssa Boles</u>	TITLE: <u>Senior Planner</u>
SIGNATURE: <u>Alyssa Boles</u>	PHONE: <u>511-967-3816</u>
GOVERNMENT ENTITY: <u>Linn County</u>	DATE: <u>1/22/21</u>

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____





WILL MCGILL SURVEYING, LLC

15333 Pletzer Rd. SE, Turner, OR 97392
(503) 510-3026, willmcgill.surveying@gmail.com

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The applicant, L3 Farms Inc., requests that the affidavit for the voluntary diminution of a portion of water right certificates 21114 and 36655 only be completed contingent upon the approval of the groundwater application submitted February 5, 2021.

William E. McGill

William E. McGill, CWRE

**AFFIDAVIT FOR THE VOLUNTARY PARTIAL DIMINUTION OF
A WATER RIGHT CERTIFICATE**

State of Oregon)
) ss)
 County of Linn)



I/We (or authorized agent), Monte J. Lewis,
 residing at 1022 W Placita Inocente, Green Valley, AZ 85614,
 telephone number (541) 990-1743, being first duly sworn depose and say:

1. I/We are the legal owner(s) of the property described as tax lot number 1400, within the NESW/NWSW, Section 36, Township 13S, Range 3W, of the Willamette Meridian, in Linn County, Oregon, as shown on the attached map and described in the attached deed and legal description and made part of this affidavit;
2. All or a portion of water right certificate number 21114 issued to Glenn F. and Elizabeth M. Isom, with a date of priority of May 28, 1951 for use of 0.374 cubic foot per second of water from Calapooya River (sources) for the purpose of irrigation (uses) is appurtenant to my/our property;
3. The appurtenant water right is/is not located within the boundaries of an irrigation, drainage, water improvement, or water control district, or federal reclamation project (if the right is located within a district or reclamation project, name it here:
 _____);
4. If the water right is issued in the name of an irrigation district, then the affiant must have the concurrence of the district to the diminishment of the portion of the water right. (Signature of district manager on the line below documents concurrence of the district.)

 Signature of district manager Printed Name Date

5. I/We are requesting partial diminution of water right certificate number 21114 in the amount of 0.125 cubic foot per second of water from Calapooya River (sources) for the irrigation of 10.0 acres at the following locations as listed on the certificate (attach a table if needed):

<u>NE</u> ¼ <u>SW</u> ¼	<u>7.2</u> Acres
<u>NW</u> ¼ <u>SW</u> ¼	<u>2.8</u> Acres
_____ ¼ _____ ¼	_____ Acres
Section <u>36</u>	
Township <u>13S</u> , Range <u>3W</u> , WM;	

6. I/we have found a more dependable source of primary water, and therefore request the water right be diminished from a right for primary irrigation to a right for supplemental irrigation on the lands described above in item #5;

**AFFIDAVIT FOR THE PARTIAL DIMINUTION OF A
WATER RIGHT CERTIFICATE
(CONTINUED)**

7. I/We agree that if this change is approved, it is permanent and the right to the use of water from a well (source) cannot be changed back to the primary source unless otherwise provided by law. I/We also agree that so long as there is sufficient water available from the new primary source, I am/we are not entitled to use any water from this well (source) for primary irrigation of these lands.

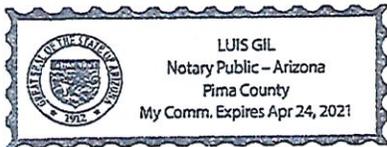
Mont Lewis
Signature of legal owner as listed on deed, or authorized agent

1/29/21
Date

Signature of legal co-owner as listed on deed
(if applicable)

Date

Subscribed and Sworn to Before Me this 29th day of January, ~~200~~²⁰²¹.



Luis Gil
Notary Public for ~~Oregon~~ ^{Arizona}
My Commission Expires April 24, 2021



PLEASE ATTACH A LEGIBLE COPY OF :

- 1) A DEED WHICH LISTS LAND OWNERS AND INCLUDES A LEGAL DESCRIPTION OF AFFECTED LANDS, AND
- 2) AN ADJUDICATION MAP, WATER RIGHT FINAL PROOF MAP, OR A TAX LOT MAP WITH THE PORTION OF THE WATER RIGHT AND/OR LANDS TO BE DIMINISHED CLEARLY DRAWN AND IDENTIFIED.
- 3) IF ACTING AS AN AUTHORIZED AGENT, INCLUDE COPY OF POWER OF ATTORNEY OR OTHER DOCUMENTS GRANTING AUTHORITY TO ACT ON BEHALF OF LEGAL OWNER(S) AS LISTED ON THE DEED.

**AFFIDAVIT FOR THE VOLUNTARY PARTIAL DIMINUTION OF
A WATER RIGHT CERTIFICATE**



State of Oregon)
) ss
 County of Linn)

I/We (or authorized agent), Monte J. Lewis,
 residing at 1022 W Placita Inocente, Green Valley, AZ 85614,
 telephone number (541) 990-1743, being first duly sworn depose and say:

1. I/We are the legal owner(s) of the property described as tax lot number 1400,
 within the NESE & SESE / NWSW & SWSW, Section 35 / 36, Township 13S, Range 3W, of the
 Willamette Meridian, in Linn County, Oregon, as shown on the attached map and described in the
 attached deed and legal description and made part of this affidavit;

2. All or a portion of water right certificate number 36655 issued to Clark Chastain, with a date of
 priority of July 31, 1962 for use of 0.29 cubic foot per second of water from a well (sources) for the
 purpose of irrigation (uses) is appurtenant to my/our property;

3. The appurtenant water right is/is not located within the boundaries of an irrigation, drainage, water
 improvement, or water control district, or federal reclamation project (if the right is located within a district
 or reclamation project, name it here:
 _____);

4. If the water right is issued in the name of an irrigation district, then the affiant must have the
 concurrence of the district to the diminishment of the portion of the water right. (Signature of district
 manager on the line below documents concurrence of the district.)

 Signature of district manager Printed Name Date

5. I/We are requesting partial diminution of water right certificate number 36655 in the amount of
0.14 cubic foot per second of water from a well (sources) for the irrigation of 13.0 acres at the following
 locations as listed on the certificate (attach a table if needed):

<u>NE</u> ¼ <u>SE</u> ¼	<u>7.0</u>	<u>Acres</u>
<u>SE</u> ¼ <u>SE</u> ¼	<u>4.1</u>	<u>Acres</u>
<u>Section 35</u>		
<u>NW</u> ¼ <u>SW</u> ¼	<u>1.2</u>	<u>Acres</u>
<u>SW</u> ¼ <u>SW</u> ¼	<u>0.7</u>	<u>Acres</u>
<u>Section 36</u>		
Township <u>13S</u> , Range <u>3W</u> , WM;		

6. I/we have found a more dependable source of primary water, and therefore request the
 water right be diminished from a right for primary irrigation to a right for supplemental irrigation
 on the lands described above in item #5;

**AFFIDAVIT FOR THE PARTIAL DIMINUTION OF A
WATER RIGHT CERTIFICATE
(CONTINUED)**

7. I/We agree that if this change is approved, it is permanent and the right to the use of water from Calapooya River (source) cannot be changed back to the primary source unless otherwise provided by law. I/We also agree that so long as there is sufficient water available from the new primary source, I am/we are not entitled to use any water from Calapooya River (source) for primary irrigation of these lands.

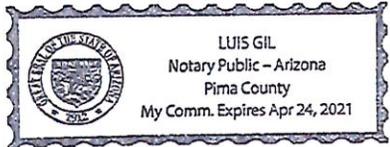
Monto Lewis
Signature of legal owner as listed on deed, or authorized agent

1/29/21
Date

Signature of legal co-owner as listed on deed
(if applicable)

Date

Subscribed and Sworn to Before Me this 29th day of January, 2021.



Luis Gil
Notary Public for ~~Oregon~~ Arizona

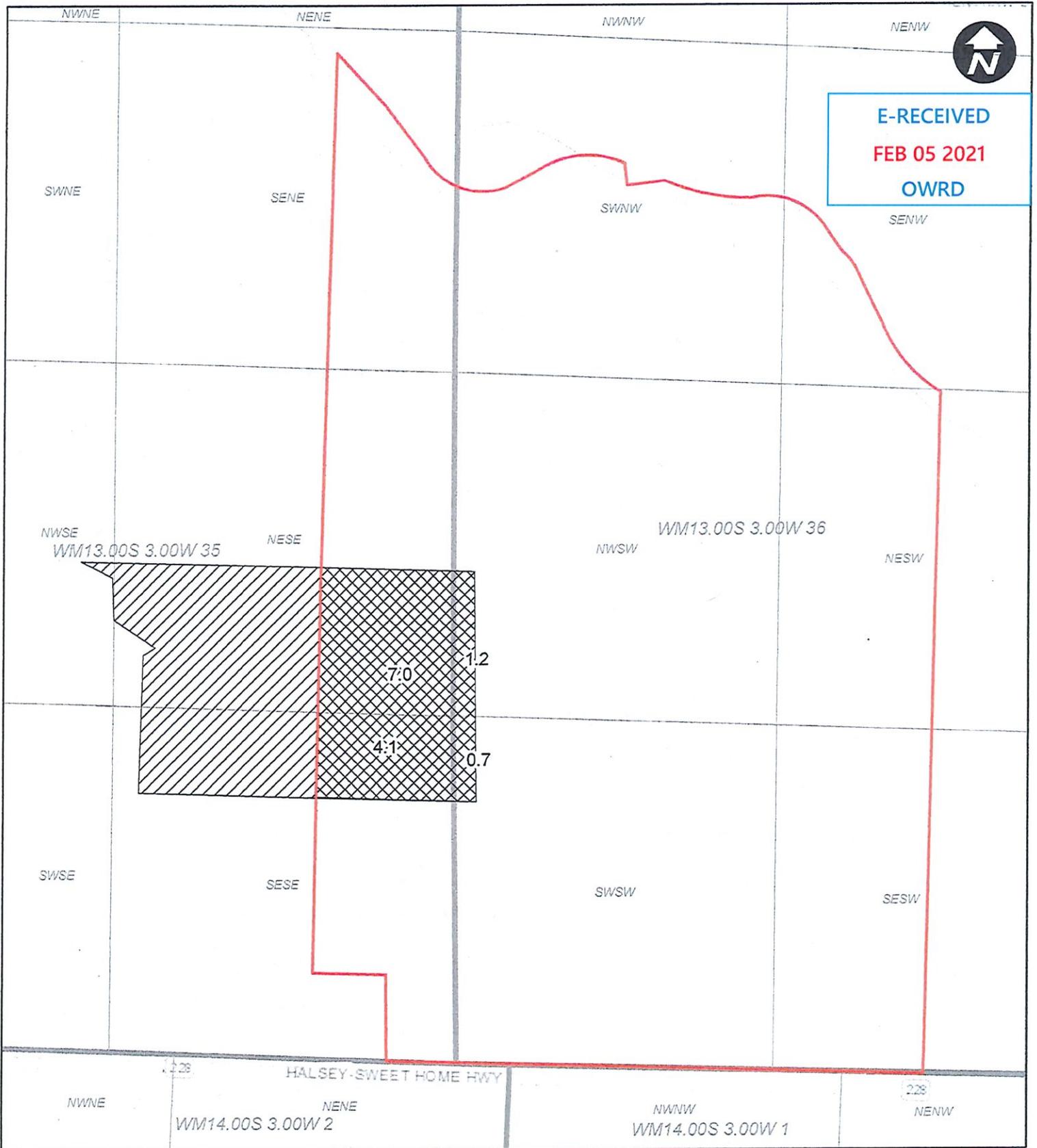
My Commission Expires _____



PLEASE ATTACH A LEGIBLE COPY OF :

- 1) A DEED WHICH LISTS LAND OWNERS AND INCLUDES A LEGAL DESCRIPTION OF AFFECTED LANDS, AND
- 2) AN ADJUDICATION MAP, WATER RIGHT FINAL PROOF MAP, OR A TAX LOT MAP WITH THE PORTION OF THE WATER RIGHT AND/OR LANDS TO BE DIMINISHED CLEARLY DRAWN AND IDENTIFIED.
- 3) IF ACTING AS AN AUTHORIZED AGENT, INCLUDE COPY OF POWER OF ATTORNEY OR OTHER DOCUMENTS GRANTING AUTHORITY TO ACT ON BEHALF OF LEGAL OWNER(S) AS LISTED ON THE DEED.

Partial Diminution of Certificate 36655 - L3 Farms, Inc.



Legend

- Cert. 36655 Diminish
- Cert. 36655 No Change
- Taxlot 1400

0 250 500 1,000 Feet

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✓ AFTER RECORDING, RETURN TO:

Clark B. Williams
Heltzel, Upjohn, Williams, Yandell,
Roth, Smith & Petersen, P.C.
PO Box 1048
Salem, OR 97308-1048

Consideration: None

Send Tax Statements to:

M & B Lewis, LLC
33890 Powell Hills Loop
Shedd, OR 97377

DEED

MONTE J. LEWIS and BARBARA J. LEWIS, as Grantors,

convey to

M & B LEWIS, LLC, an Oregon limited liability company, as Grantee,

the real property described on Exhibit A attached hereto and incorporated herein by this reference, located in Linn County, Oregon:

Grantors covenant that they are seized of an indefeasible estate in the real property described above in fee simple, that Grantors have the right to convey the property, that the property is free from encumbrances except those which are a matter of public record as of the date of this deed, and that Grantors warrant and will defend the title to the property against all persons who may lawfully claim the same by, through, or under Grantors, provided that the foregoing covenants are limited to the extent of coverage available to Grantors under any applicable standard or extended policies of title insurance, it being the intention of the Grantors to preserve any existing title insurance coverage.

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.

Duly executed 11/16/04, 2004.


Monte J. Lewis


Barbara J. Lewis

GRANTORS

DEED - 1

et:\LE12135.001\@PFDDesktop\ODM\GRPWIS\HELTZEL.SALEM.Clients\75612.1

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Marion County, Oregon - ss.

On this 16th day of November, 2004, personally appeared MONTE J. LEWIS and BARBARA J. LEWIS, and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:

Ann Thomas

Notary Public for Oregon



My Commission Expires: 1/23/2005

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Parcel 1:

Tract I: Beginning at a point 8 chains North of the Southeast corner of the West half of the Donation Land Claim of James H. Griffin Not. No. 1594, Claim No. 68 in Section 28, Township 10 South, Range 2 West of the Willamette Meridian, Linn County, Oregon; thence West 14.873 chains; thence North 17.00 chains to a point 15 chains South of the North line of said D.L.C. No. 68; thence West parallel to the North line of said D.L.C. No. 68 a distance of 625.26 feet to a point East 1663.32 feet, South 34°00' West 1194.15 feet, and East 48.25 feet from the Northwest corner of the said Griffin D.L.C. No. 68, the said point also being the Northwest corner of that tract conveyed by deed from Bishedru, Inc. to Robert McNown, et ux, recorded March 1, 1971 in Volume 10, page 559, Microfilm Records, Linn County, Oregon; thence along the said West line of the McNown tract as follows: South 34°00' West 308.63 feet, Southwesterly along a 5740 foot radius curve to the left (the long chord of which bears South 31°10.9' West 563.78 feet) a distance of 564.65 feet to a point North 71°06.3' West 40.55 feet from the Northwest corner of that tract conveyed by deed from Robert McNown, et ux, to Cliff Bishop, JR., et ux, recorded September 13, 1966 in Book 319, page 205, Deed Records, Linn County, Oregon; thence South 71°06.3' East 184.52 feet; thence South 219.56 feet; thence North 71°06.3' West 31.43 feet; thence South 24°22' West to the center of Crabtree Creek; thence Easterly along the center of said Crabtree Creek to a point South of the point of beginning; thence North 9 chains, more or less, to the point of beginning. AND EXCEPTING OUT the following described part of Section 28, Township 10 South, Range 2 West of the Willamette Meridian, Linn County, Oregon, and described as follows: Commencing at the Northwest corner of the John H. Griffin Donation Land Claim No. 68 in Section 21, Township 10 South, Range 2 West of the Willamette Meridian, Linn County, Oregon; thence East 1663.32 feet along the North line of said D.L.C. No. 68; thence South 34°00' West 1194.15 feet; thence East 48.25 feet to the true point of beginning, said point being the Northwest corner of that tract conveyed by deed from Bishedru, Inc., to Robert McNown, et ux, recorded March 1, 1971 in Volume 10, page 559, Microfilm Records, Linn County, Oregon; thence along the west line of said McNown tract South 34°00' West 308.63 feet; thence continuing along said West line of a 5740 foot radius curve to the left (the long chord of which bears South 31°10.9' West 297.10 feet) a distance of 297.10 feet to a 1/2" x 30" iron rod; thence Southwesterly along said West line extended Southwesterly to a point where the long chord of which bears South 31°10.9' West 17.04 feet from the Southwest corner of said McNown tract; thence South 87°22' East 943.28 feet to the West line of that tract conveyed by deed from Iva M. Keller, et vir, to June Ilene Dolby, recorded March 7, 1966 in Book 315, page 480, Deed Records, Linn County, Oregon; thence North 0°47' West parallel to the East line of the West half of the said Griffin D.L.C. No. 68 a distance of 566.08 feet to a point East of the true point of beginning; thence West parallel with the North line of said D.L.C. No. 68 a distance of 625.26 feet to the true point of beginning.

(Map 10-2W-28, Tax Lot 404, Account No. 383618)
(Map 10-2W-28, Tax Lot 503, Account No. 038204)
(Map 10-2W-28, Tax Lot 602, Account No. 383626)

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Parcel 1 continued:

Tract II: All of the following described tract lying North of the center line of Crabtree Creek, described as follows: Beginning at the Northeast corner of the Donation Land Claim of James Griffin Not. No. 1594, Claim No. 68 in Section 21, Township 10 South, Range 2 West of the Willamette Meridian, Linn County, Oregon; running thence West on the North boundary line of said Claim 26.68 chains; thence South 50 chains to the South boundary line of the North half of Section 28 in said Township and Range; thence East 26.68 chains to the East boundary line of said Section 28; thence North 50 chains to the place of beginning. AND EXCEPTING a tract conveyed to Ernest Smith as recorded in Book 96, page 597, Deed Records, described as follows: Beginning at the Northeast corner of the Donation Land Claim of James H. Griffin, Not. No. 1594, Claim No. 68 in Section 21, Township 10 South, Range 2 West of the Willamette Meridian, Linn County, Oregon; thence West 26.68 chains along the North boundary of said Claim; thence South 4.55 chains thence East 26.68 chains chains; thence North 4.55 chains to the place of beginning. ALSO EXCEPTING: Beginning at a 3/4" iron bolt on the East line of the James Griffin Donation Land Claim No. 68 in Township 10 South, Range 2 West of the Willamette Meridian, Linn County, Oregon, and South 0°05' East 30 feet from the Northeast corner of the Section 28, said 3/4" iron bolt being also the south right of way line of the County Road; and thence North 89°09' West along said right of way 91.75 feet to a 1/4" iron rod; thence on a 388.1 foot radius curve to the right (the chord of which bears North 73°00'41" West 215.77 feet) a distance of 218.68 feet to a 1/4" iron rod; thence North 89°09' West 381.97 feet to a 1/2" iron rod; thence South 7°33' West 1050 feet, more or less, to the center of Crabtree Creek; thence Southeasterly up the center of said Crabtree Creek to the East line of the aforementioned James Griffin D.L.C. No. 68; thence North along said East line to the place of beginning. ALSO EXCEPTING that tract conveyed to Bishedru, Inc., recorded in Book 340, page 785, Deed Records, described as follows: Beginning at a point on the East line of and South 0°05' East 300.30 feet from the Northeast corner of the James H. Griffin Donation Land Claim No. 68 in Section 21, Township 10 South, Range 2 West of the Willamette Meridian, Linn County, Oregon; thence along the East line of said D.L.C. No. 68, South 0°05' East 332.45 feet to the Northerly line of Linn County Road No. 622; thence along the Northerly line of said Road, North 89°09' West 90.77 feet; thence along a 328.12 foot radius curve to the right on the Northerly line of said Road, the long chord of which bears North 49°41'30" West 417.05 feet; thence along the Northeasterly line of said Road North 10°14' West 58.85 feet; thence North 89°32' East 418.78 feet to the place of beginning. ALSO EXCEPTING that portion conveyed to Linn County for road purposes as set forth in Book 146, page 100, Deed Records, Linn County, Oregon.

(Map 10-2W-28, Tax Lot 100, Account No. 038089)

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Parcel 1 continued:

Tract III: All of the following described tract lying North of the center line of Crabtree Creek described as follows: Beginning at a point on the North boundary line of and West 26.68 chains distant from the Northeast corner of the Donation Land Claim of James H. Griffin, Not. No. 1594, Claim No. 68 in Section 21, Township 10 South, Range 2 West of the Willamette Meridian, Linn County, Oregon; thence running West 13.45 chains along the North line of said Claim to the Northwest corner of the East half of said Claim; thence South 50 chains to the East and West center line of said Section 28, being the center of said Section in said Township and Range; thence East 13.45 chains; thence North 50 chains to the place of beginning. AND EXCEPTING that tract conveyed to David C. Sprague, et ux, recorded in Book 163, page 604, Deed Records, described as follows: Beginning at point on the Northern boundary line of the Donation Land Claim of James H. Griffin and wife, Not. No. 1694, Claim No. 68 in Section 21, Township 10 South, Range 2 West of the Willamette Meridian, Linn County, Oregon, which point is West 26.68 chains distant from the Northeast corner of said D.L.C. and from said point of beginning running West along Northern boundary line of said Claim along Northern boundary line of said Claim 13.45 chains to the Northwest corner of the East half of said Claim; thence South 15.02 chains; thence East 13.45 chains; thence North 15.02 chains to the place of beginning.
(Map 10-2W-28, Tax Lot 200, Account No. 038121)

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Parcel 2:

A tract of land in Sections 5 and 8, in Township 11 South, Range 1 West, Willamette Meridian, Linn County, Oregon, more particularly described as follows:

Beginning at a point on the South line of County Road No. 648, that is North 89° 59' 45" West 700 feet from the East line of said Section 5 in said Township and Range; thence South 0° 50' East 1685.00 feet; thence South 89° 59' 45" East parallel with the South line of said County Road 690.70 feet, more or less, to the East line of said Section 8; thence North along the East lines of Sections 8 and 5 to the South line of said County Road; thence North 89° 59' 45" West along the South line of said County Road 700 feet to the point of beginning. (Map 11-1W-8, Tax Lot 100, Account No. 055695)

Parcel 3:

Beginning at a point on the Section line and 797.75 feet South 0° 10' East of the Northeast corner of Section 8, Township 11 South, Range 1 West of the Willamette base and Meridian, Linn County, Oregon; thence South 0° 10' East 1202.25 feet to the Northeast corner of Lot 56, Santiam Fruit Colony, Linn County, Oregon; thence West 768.6 feet to the Northwest corner of Lot 57, said Subdivision; thence North 0° 32' East 20 feet to the Southwest corner of Lot 46, said Subdivision; thence West 872.0 feet; thence North 0° 32' East 2867.31 feet to South line of the County Road; thence South 89° 59' 45" East along the County Road 895.06 feet to a point which is 700.00 feet North 89° 59' 45" West of the West line of Section 4, said Township and Range; thence South 0° 50' East 1685.00 feet; thence South 89° 59' 45" East parallel to the South line of the County Road 690.72 feet to the point of beginning. SAVE AND EXCEPT that portion of the above described tract of land lying within the boundaries of public roads and highways.

(Map 11-1W-8, Tax Lot 101, Account No. 427837)

Parcel 4:

Beginning at the Southwest corner of the Thomas J. Richardson Donation Land Claim No. 51 in Section 8, Township 11 South, Range 1 West of the Willamette Meridian, in Linn County, Oregon; thence North 62° 40' 30" East 1,053.0 feet to the most Northerly corner of the W.M. Prine Donation Land Claim No. 43; thence South 37° 51' East 636.2 feet to 5/8" iron rod; thence North 89° 29' 30" East 328.7 feet to a 5/8" iron rod; thence North 0° 29' West 2,855.5 feet to a 5/8" iron rod on the South line of County Road No. 648; thence South 89° 57' West along said South line 60.0 feet; thence South 0° 29' East 1,620.25 feet to a 5/8" iron rod; thence North 58° 29' West 1,187.53 feet to a 5/8" iron rod; thence North 88° 01' West 568.95 feet to the West line of aforementioned Donation Land Claim No. 51; thence South 0° 01' 30" West along said West line 1,858.55 feet to the place of beginning. SAVE AND EXCEPT that portion of the above described tract of land lying within the boundaries of public roads and highways.

(Map 11-1W-8, Tax Lot 202, Account No. 408217)

Parcel 5:

Lots 72 and 73, Santiam Fruit Colony, Linn County, Oregon.

SAVE AND EXCEPT: Beginning at the Southeast corner of Lot 72, Santiam Fruit Colony, as platted in Book 6, Page 15, Plat Records of Linn County, Oregon; thence Northwesterly along the Southwesterly line of said Lot to the Southeast corner of Lot 11, Block 1, Ideal Fruit Colony; thence Northeasterly along the South line of said Lot 11, if extended Northeasterly, to the East line of said Lot 72; thence Southerly along the East line of said Lot 72 to the point.

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Exhibit 'A' continued

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Parcel 6:

Tract Nos. 56, 57, 58, 59, 60, 61, 62, and 63 of the Santiam Fruit Colony in Section 8, Township 11 South, Range 1 West of the Willamette Meridian, Linn County, Oregon.

SAVE AND EXCEPT any portion of Lots 60, 59, 58, 57 or 56 lying North of the South 53 acres as set out in that deed recorded August 24, 1944 in Book 165, Page 130, Deed Records.

ALSO SAVE AND EXCEPT that portion lying within the roadways as dedicated in the plat of Santiam Fruit Colony, Linn County, Oregon, recorded June 12, 1913 in Book 6, Page 15, Plat Records.

(Map 11-1W-8, Tax Lot 700, Account No. 055752)

(Map 11-1W-8, Tax Lot 800, Account No. 055760)

(Map 11-1W-8, Tax Lot 802, Account No. 392346)

Parcel 7:

Tract I: Lot 6, Block 1, Ideal Fruit Colony, Linn County, Oregon.
(Map 11-1W-8, Tax Lot 801, Account No. 055778)

Tract II: The Westerly 390 feet of even width of Lot 3, Block 2, Ideal Fruit Colony, Linn County, Oregon.
(Map 11-1W-8, Tax Lot 500, Account No. 055737)

Tract III: The Easterly 130 feet of even width of Lot 3, Block 2, Ideal Fruit Colony, Linn County, Oregon.
(Map 11-1W-8, Tax Lot 300, Account No. 055711- Portion)

Tract IV: Lot 8, Block 1, Ideal Fruit Colony, Linn County, Oregon.
(Map 11-1W-8, Tax Lot 600, Account No. 055745)

Tract V: Beginning at a point on the East line of the B. W. Hamilton Donation Land Claim No. 42 in Section 7, Township 11 South, Range 1 West of the Willamette Meridian, Linn County, Oregon, said point being South 62°30' West of the Northwest corner of the W. N. Prine Donation Land Claim No. 43 in said Section 7; thence South along the East line of the B. W. Hamilton D.L.C. to the North line of the Preston Morris Donation Land Claim No. 49 in said Section 7; thence East along the North line of the Preston Morris D.L.C. to the Northeast corner of the said Morris D.L.C.; thence South along the East line of the said Morris D.L.C. to the Northwest corner of the A. B. Grigg Donation Land Claim No. 44; thence East along the North line of the said Grigg D.L.C. to the Northeast corner of the said Grigg D.L.C.; thence South along the East line of said Grigg D.L.C. to the most Southerly corner of the W. N. Prine D.L.C.; thence North 66°45' East along the South line of the said Prine D.L.C. 1,000 feet; thence North parallel to the East line of the said Grigg D.L.C. to the North line of Lot 29, Block 3, of the Ideal Fruit Colony; thence North 62°30' East to the East line of the said W. N. Prine D.L.C., said point also being the Southeast corner of Lot 11, Block 1, of the Ideal Fruit Colony in Linn County, Oregon; thence North 38°15' West along the East line of the W. N. Prine D.L.C. to the Northeast corner of the said W. N. Prine D.L.C.; thence South 62°30' West along the North line extended of the said Prine D.L.C. to the point of beginning AND EXCEPTING out the following: Lots 6 and 8, Block 1, of the Ideal Fruit Colony, and Lot 3, Block 2, of the Ideal Fruit Colony; including irrigation rights.
(Map 11-1W-7, Tax Lot 700, Account No. 055687)
(Map 11-1W-8, Tax Lot 300, Account No. 055711- Remainder)
(Map 11-1W-17, Tax Lot 101, Account No. 376012)

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Exhibit 'A' continued

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Parcel 7 continued:

Tract VI: Beginning South 62°30' West 130 feet from the Northeast corner of Lot 3, Block 2, Ideal Fruit Colony; thence South 38°15' East 335.95 feet; thence South 62°30' West 130 feet; thence North 38°15' West 335.95 feet; thence North 62°30' East 130 feet to the point of beginning.
(Map 11-1W-8, Tax Lot 400, Account No. 055729)

Parcel 8:

A Part of the Thomas J. Richardson Donation Land Claim No. 51 and of Sections 4 and 9 in Township 11 South, Range 1 West of the Willamette Meridian, Linn County, Oregon, described as follows:

Beginning at a point .398 chains South and 8.484 chains West of the Northeast corner of Government Lot 5 in said Section 4; thence North 3.788 chains to the South line of the Robert M. Moore Donation Land Claim No. 39; thence West 31.516 chains along the South line of said Claim No. 39 to the West line of said Section 4; thence South 33.39 chains to the Southwest corner of the North half of the Northwest quarter of said Section 9; thence East 19.544 chains along the South line of the North half of the Northwest quarter of said Section 9 to the southwest corner of that 63.775 acre tract conveyed to Carey A. Pickering and wife by Deed Recorded September 11, 1934 in Book 142, Page 99, Deed Records; thence North 29.602 chains to the most Westerly Northwest corner of said Pickering tract; thence East 11.99 chains to the place of beginning.

(Map 11-1W-9, Tax Lot 500, Account No. 055810)

Parcel 9:

Tract I: Beginning 3.97 chains West of the Northeast corner of the Southwest quarter of the Southeast quarter of Section 2, Township 11 South, Range 2 West of the Willamette Meridian, Linn County, Oregon; thence North 12 3/4° East 11.70 chains; thence North 17 1/2° West 9 chains to the North line of the Northwest quarter of the Southeast quarter of said Section 2; thence West 36.80 chains to the East line of the right of way of Oregon and California Railroad; thence Southerly along the East line of said right of way 20.68 chains, more or less, to the South line of the Northeast quarter of the Southwest quarter of said Section; thence East 31.33 chains to the point of beginning.

(Map 11-2W-2, Tax Lot 1000, Account No. 061263)

Tract II: Beginning at a point on the South boundary line of Section 12 in Township 11 South, Range 2 West of the Willamette Meridian, Linn County, Oregon, which is 5 chains East of the Quarter Section corner between Sections 12 and 13 in said Township and Range; thence North 19.93 chains; thence West 25.14 chains; thence South 19.93 chains to the South boundary line of said Section 12; thence East 25.14 chains to the point of beginning.

(Map 11-2W-12, Tax Lot 800, Account No. 064507)

Parcel 10:

Beginning at a point 29 and 1/3 rods North of the Southeast corner of the West half of the Southeast quarter of Section 12, Township 11 South, Range 2 West of the Willamette Meridian, Linn County, Oregon; and running thence West 15 chains; thence North 50 and 2/3 rods, more or less, to the center of a county road; thence East 15 chains; and thence South 50 and 2/3 rods, more or less, to the place of beginning.

(Map 11-2W-12, Tax Lot 900, Account No. 064515)

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Parcel II:

Parcel I: Beginning on the South line of and East 1100.0 feet from the Southwest corner of the William C. Gallaher Donation Land Claim No. 73 in Township 12 South, Range 2 West of the Willamette Meridian, Linn County, Oregon; and running thence East, along said South line 550.0 feet; thence North, parallel to the West line of said DLC No. 73, a distance of 48.55 chains to the North line of said Claim; thence West, along said North line, 550.0 feet; thence South parallel to the West line of said Claim, 48.55 chains to the point of beginning.

(Map 12-2W-31, Tax Lot 101, Account No. 674578)

Parcel II: Beginning on the South line of and East 550.0 feet from the Southwest corner of the William C. Gallaher Donation Land Claim No. 73 in Township 12 South, Range 2 West of the Willamette Meridian, Linn County, Oregon; thence North, parallel with the West line of said Claim, 48.55 chains to the North line of said Claim; thence West, along the North line of said Claim 550.0 feet, more or less, to the Northwest corner thereof; thence South along the West line of said Claim, 48.55 chains more or less to the Southwest corner thereof; thence East 550 feet along the South line of said Claim to the point of beginning. EXCEPTING therefrom that portion lying in public roads.

(Map 12-2W-31, Tax Lot 103, Account No. 675633)

Parcel III: Beginning on the South line of and East 550.0 feet from the Southwest corner of the William C. Gallaher Donation Land Claim No. 73 in Township 12 South, Range 2 West of the Willamette Meridian, Linn County, Oregon; and running thence East, along said South line, 550.0 feet; thence North, parallel to the West line of said DLC No. 73, a distance of 48.55 chains to the North line of said Claim; thence West, along said North line, 550.0 feet; thence South, parallel to the West line of said Claim, 48.55 chains to the point of beginning.

(Map 12-2W-31, Tax Lot 102, Account No. 674586)

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Parcel 12

The Northwest quarter; the West 1/2 of the Northeast quarter, the Southeast quarter of the Northeast quarter; the North 1/2 of the Northwest quarter of the Southwest quarter; the East 1/2 of the Southwest quarter; and the West 1/2 of the Southeast quarter, all in Section 22, Township 13 South, Range 3 West of the Willamette Meridian, Linn County, Oregon; EXCEPTING THEREFROM that strip of land conveyed by Roscoe G. McReynolds, unmarried, to Henry Garnjobst et ux, by deed recorded April 11, 1958, in Book 258, Page 828, Deed Records.

(Map 13-3W-22, Tax Lot 200, Account No. 288148)

Parcel 13:

Tract I: Beginning at a 1/2 inch iron rod which is East 35.03 chains distant and North 16.01 chains distant from the Southwest corner of the Donation Land Claim of Elias L. Walter and wife, Notification No. 2134 and Claim No. 38 in Township 13 South, Range 3 West and Claim No. 51 in Township 14 South, Range 3 West of the Willamette Meridian, Linn County, Oregon, from said point running thence North 48.59 chains, more or less, to the center of the Calapooia River; thence up said Calapooia River the following distances and courses, to-wit: South 73 3/4° East 1.45 chains; South 48° East 2.87 chains; South 45 3/4° East 3.07 chains; South 41 1/4° East 4.45 chains; South 56 3/4° East 3.50 chains; South 71 1/2° East 4.09 chains; North 75 1/4° East 49 links to the point of intersection of said last course with a line projected North from a point 50.98 chains East from said Southwest corner of said Donation Land Claim; thence South 37.67 chains, more or less, to a point 15.95 chains East of the point of beginning; thence West 15.95 chains to the point of beginning.

Tract II:

Beginning at a stone 3 x 6 x 12 inches marked CS which is East 24.75 chains distant and North 16.01 chains distant from the Southwest corner of the Donation Land Claim of Elias L. Walter and wife, Notification No. 2134 and Claim No. 38 in Township 13 South, Range 3 West and Claim No. 51 in Township 14 South, Range 3 West of the Willamette Meridian, Linn County, Oregon; from said point running thence North 24.49 chains; thence West 4.27 chains; thence North 30.76 chains, more or less to the Calapooia River; thence up the center of said Calapooia River the following courses and distances, to-wit; North 71 1/2° East 3.86 chains; North 27 3/4° East 2.17 chains; North 23° East 2.83 chains; North 62 1/2° East 3.80 chains; South 39 1/2° East 5.08 chains; thence South 28° West 1.85 chains; South 57 1/4° West 1.77 chains; South 38 1/4° West 2.02 chains; South 28° West 2.69 chains; South 65° West 2.31 chains; South 20 1/4° West 2.28 chains; South 39 1/2° East 2.36 chains; North 86 1/2° East 5.12 chains; North 63 1/2° East 2.71 chains; South 73 3/4° East 93 links to the point of intersection of a line projected North from a point which is 35.03 chains East of the Southwest corner of said Donation Land Claim; thence South 48.59 chains, more or less, to a point 10.28 chains East of the point of beginning; thence West 10.28 chains to the place of beginning, all lying and being in Linn County, State of Oregon. EXCEPT any portion lying Northerly of the present channel of the Calapooia River.

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Parcel 13 continued:

Tract III: Beginning at a point on the North line of the County Road which is East 50.98 chains distant and North 10.72 chains distant from the Southwest corner of the Donation Land Claim of Elias L. Walter and wife, Notification No. 2134 and Claim No. 38 in Township 13 South, Range 3 West and Claim No. 51 in Township 14 South, Range 3 West of the Willamette Meridian, Linn County, Oregon; thence North 5.29 chains; thence West 26.23 chains; thence South 5.29 chains, more or less, to the North line of the Right of Way of the County Road as described in that deed recorded in Deed Records Vol. 138, Page 92; thence South 89° 45' East along the North line of said County Road 26.23 chains, more or less, to the point of beginning, lying and being located in Linn County, Oregon.

Tract IV: Commencing at a point on the South boundary line of and 25.75 chains West of the Southeast corner of the Donation Land Claim of Elias L. Walter and wife, Not. No. 2134 and Claim No. 51 in Township 14 South, Range 3 West of the Willamette Meridian, Oregon; thence East 5.50 chains more or less to the Western line of the right of way of the Oregonian Railroad; thence North 33° 30' East along said right of way 12.00 chains, more or less, to a point which is 13.50 chains West and 9.37 chains North of the Southeast corner of said Claim 51; thence North 44.63 chains to the center of Calapooia Creek; thence in a Northwesterly direction following the center of the main channel of said Creek down stream 15 chains, more or less, to a point due North of the place of beginning; and thence South 66.00 chains to the place of beginning, all lying and being in Linn County, Oregon. SAVE AND EXCEPT that part deeded to Linn County, Oregon by deed recorded February 21, 1927, Page 460 of Vol. 132 of the Deed Records of Linn County, Oregon. ALSO EXCEPT that portion of this Tract IV which lies South of State Highway 228. ALSO EXCEPT any portion lying Northerly of the present channel of the Calapooia River.
(Map 13-3W-36, Tax Lot 1400, Account No. 289856)

Tract V: Part of Elias L. Walter Donation Land Claim, Not. No. 2134, designated as Donation Land Claim No. 38, Township 13 South, Range 3 West of the Willamette Meridian and Donation Land Claim No. 51, Township 14 South, Range 3 West of the Willamette Meridian, and more particularly described as beginning at the Southwest corner of said Donation Land Claim; thence East along the South line thereof 24.75 chains; thence North parallel with the West line of said Donation Land Claim 16.1616 chains; thence West parallel with the South line of said Donation Land Claim 24.75 chains to the West line thereof; thence South 16.1616 chains to the point of beginning; EXCEPTING THEREFROM 2.62 acres conveyed to Linn County for roadway by deed recorded June 21, 1929, in Book 136, Page 524. ALSO EXCEPTING THEREFROM that portion of said premises lying South of State Highway 228. ALSO EXCEPTING THEREFROM 1.52 acres conveyed to Pacific Power and Light Company by deed dated April 21, 1965, recorded May 21, 1965 in Book 310, Page 135, Deed Records for Linn County, Oregon. ALSO EXCEPTING THEREFROM all that portion conveyed to Gary B. Keen, et ux, by deed recorded May 16, 1994 in MF Vol. 696, Page 987 of the Microfilm Records for Linn County, Oregon.
(Map 14-3W-2, Tax Lot 100, Account No. 310025)

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Parcel 14:

Beginning at a 1/2 inch iron rod on the West line of and South 1°03' East 332.0 feet from the Northwest corner of Section 5, Township 14 South, Range 3 West of the Willamette Meridian, Linn County, Oregon; and running thence South 89°44' East, parallel to the North line of said Section 5, a distance of 159.0 feet to a 1/2 inch iron rod; thence North 1°37' West 332.15 feet to the North line of said Section 5; thence South 89°44' East, along said North line, 1744.30 feet to the Northwest corner of that parcel conveyed to E.M. Porterfield, et ux, by deed recorded in book 299, Page 607, Deed Records; thence South 9°44' East, along the centerline of Spoon Creek, 2740.15 feet to the South line of the Northwest quarter of said Section 5; thence North 89°51' West, along said South line, 1813.70 feet to a 3/4 inch iron pipe at the Southwest corner of the Northwest quarter of said Section 5; thence North 1°03' West 2370.95 feet to the point of beginning.
(Map 14-3W-5, Tax Lot 300, Account No. 310355)

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VOL. 1647 PAGE 687

Parcel 15:

Beginning at a point on the North line of and North 89°28' East 1785.70 feet from the Northwest corner of the Northeast quarter of Section 12, Township 13 South, Range 4 West of the Willamette Meridian in Linn County, Oregon; thence South 0°04' West 30.0 feet to a 1 1/4 inch iron pipe; thence continuing South 0°04' West parallel to the West line of Third Street in Brasfield Addition to Shedd, 661.5 feet to a 1 1/4 inch iron pipe; thence North 89°28' East, parallel to the North line of Section 12 a distance of 379.0 feet to a wooden railroad tie fence-corner post which is 130.0 feet West of the West line of said Third Street; thence North 0°04' East, parallel to said Third Street 413.5 feet to a half inch iron pipe; thence South 89°28' West 215.0 feet to a half inch iron pipe; thence North 0°04' East 248.0 feet to a half inch iron pipe; thence continuing North 0°04' East to the North line of Section 12; thence South 89°28' West, along the North line of Section 12 a distance of 164.0 feet to the point of beginning, containing 4.644 acres, more or less, and subject to the rights of the public to use that portion of said premises lying in the county road.

Also the right to maintain two water pipes upon and to remove water from the well located near the West boundary line of the following parcel:

Beginning at a point on the north line of and north 89°28' East 1949.70 feet from the northwest corner of the northeast quarter of Section 12, Township 13 South, Range 4 West of the Willamette Meridian in Linn County, Oregon; thence south 0°04' West parallel to the west line of Third Street in Brasfield Addition to Shedd 30.0 feet to a half inch iron pipe; thence continuing south 0°04' west 248.0 feet to a half inch iron pipe; thence North 89°28' East, parallel to the north line of Section 12, 215.0 feet to a half inch iron pipe; thence north 0°04' east 248.0 feet to a 5/8 inch iron rod, which iron rod lies south 89°28' west 130.0 feet from a 2-inch iron pipe marking the initial point of Brasfield Addition; thence continuing north 0°04' east 30.0 feet to the north line of Section 12; thence south 89°28' West, along the North line of Section 12, 215.0 feet to the point of beginning, all being in Linn County, Oregon, and containing 1.371 acres, more or less.

The right to remove water and maintain said water pipes is on condition that the grantee shall pay his prorata

share of the cost of pumping said water calculated on the basis of the amount of water used.

STATE OF OREGON
County of Linn

I hereby certify that the attached
was received and duly recorded
by me in Linn County records.

STEVE DRUCKENMILLER
Linn County Clerk

By LAO Deputy PAGE MF 1647 675

86
2004 NOV 18 P 2:16

Exhibit A Page 11 Of 11

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✓ After recording return to:
City of Brownsville
PO Box 188
Brownsville, OR 97327

Until a change is requested all tax statements shall be sent to the following address:
City of Brownsville
PO Box 188
Brownsville, OR 97327

File No.: 7091-872184 (SCC)
Date: September 13, 2006

THIS SPACE RESERVED FOR RECORDER'S USE

LINN COUNTY, OREGON
D-BS
Cnt=1 Str=7 M. FISHER
\$15.00 \$11.00 \$10.00

2006-23091

09/20/2006 03:59:27 PM

\$36.00



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



STATUTORY BARGAIN AND SALE DEED

M & B Lewis, LLC, an Oregon Limited Liability Company, Grantor, conveys to City of Brownsville, Grantee, the following described real property:

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

The true consideration for this conveyance is **\$120,000.00**. (Here comply with requirements of ORS 93.030)
PAID TO AN ACCOMMODATOR PURSUANT TO AN IRC 1031 EXCHANGE.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 197.352.

Dated this 20TH day of SEPT, 20 06

872184 13-3w-36 / 1400 (TOP)

First American Title

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APN: 0289856

Bargain and Sale Deed
- continued

File No.: 7091-872184 (SCC)
Date: 09/13/2006

EXHIBIT A

LEGAL DESCRIPTION:

THE EASTERLY 430 FEET OF TRACT IV AS DESCRIBED IN WARRANTY DEED FROM VIRGINIA FALK, ET AL, TO MONTE J. LEWIS AND BARBARA J. LEWIS, HUSBAND AND WIFE AND RECORDED MAY 31, 1990 IN VOLUME 532, PAGE 804, MICROFILM RECORDS OF LINN COUNTY, OREGON, SAID TRACT IV DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE SOUTH BOUNDARY LINE OF AND 25.75 CHAINS WEST OF THE SOUTHEAST CORNER OF THE DONATION LAND CLAIM OF ELIAS L. WALTER AND WIFE, NOT. NO. 2134 AND CLAIM NO. 51 IN TOWNSHIP 14 SOUTH, RANGE 3 WEST OF THE WILLAMETTE MERIDIAN, OREGON; THENCE EAST 5.50 CHAINS MORE OR LESS TO THE WESTERN LINE OF THE RIGHT OF WAY OF THE OREGONIAN RAILROAD; THENCE NORTH 33°30' EAST ALONG SAID RIGHT OF WAY 12.00 CHAINS, MORE OR LESS, TO A POINT WHICH IS 13.50 CHAINS WEST AND 9.37 CHAINS NORTH OF THE SOUTHEAST CORNER OF SAID CLAIM 51; THENCE NORTH 44.63 CHAINS TO THE CENTER OF CALAPOOIA CREEK; THENCE IN A NORTHWESTERLY DIRECTION FOLLOWING THE CENTER OF THE MAIN CHANNEL OF SAID CREEK DOWN STREAM 15 CHAINS, MORE OR LESS, TO A POINT DUE NORTH OF THE PLACE OF BEGINNING; AND THENCE SOUTH 66.00 CHAINS TO THE PLACE OF BEGINNING, ALL LYING AND BEING IN LINN COUNTY, OREGON. SAVE AND EXCEPT THAT PART DEEDED TO LINN COUNTY, OREGON BY DEED RECORDED FEBRUARY 21, 1927, PAGE 460 OF VOL. 132 OF THE DEED RECORDS OF LINN COUNTY, OREGON. ALSO EXCEPT THAT PORTION OF THIS TRACT IV WHICH LIES SOUTH OF STATE HIGHWAY 228. ALSO EXCEPT ANY PORTION LYING NORTHERLY OF THE PRESENT CHANNEL OF THE CALAPOOIA RIVER.

AFTER RECORDING, RETURN TO:

Clark B. Williams
Heltzel, Williams, Yandell, Roth, Smith & Petersen, P.C.
PO Box 1048
Salem, OR 97308-1048

Consideration: \$0

Send Tax Statements To:
No change.

LINN COUNTY, OREGON 2009-08165
D-D
Cnt=1 Str=7 M. FISHER 05/05/2009 11:51:07 AM
\$10.00 \$11.00 \$10.00 \$31.00



00108880200900081650020027

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

Steve Drucker Miller - County Clerk



DEED

Monte J. and Barbara J. Lewis, as Grantors,

convey to

M & B LEWIS, LLC, an Oregon limited liability company, as Grantee,

the following described real property located in Linn County, Oregon:

A tract of land in the Elias L. Walter Donation Land Claim No. 38 in Sections 35 and 36, T. 13 S., R. 3 W., W.M., Linn County, Oregon, described as follows:

Beginning at a point that is N. 0 deg. 03' W., 2,673.00 feet and N. 89 deg. 57' E., 1,351.68 feet from the Southwest corner of said Donation Land Claim No. 38; thence S. 0 deg. 03' E., 1,606.44 feet; thence N. 89 deg. 57' E., 281.82 feet; thence N. 0 deg. 03' W. 1,606.44 feet; thence S. 89 deg. 57' W., 281.82 feet to the point of beginning. Containing 10.39 acres.

Grantor covenants that they are seized of an indefeasible estate in the real property described above in fee simple, that Grantor has the right to convey the property, that the property is free from encumbrances except those which are a matter of public record as of the date of this deed, and that Grantor warrants and will defend the title to the property against all persons who may lawfully claim the same by, through, or under Grantor, provided that the foregoing covenants are limited to the extent of coverage available to Grantor under any applicable standard or extended policies of title insurance, it being the intention of the Grantor to preserve any existing title insurance coverage.

WARNING. 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. 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

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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.

The true consideration for this conveyance is \$0.

Duly executed 5/1, 2009.


Monte J. Lewis


Barbara J. Lewis
GRANTORS

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~~Linn~~
~~Marion~~ County, Oregon - ss:

On this 1st day of MAY, 2009 personally appeared Monte J. Lewis and acknowledged the foregoing instrument to be his voluntary act and deed.

Before me:




Notary Public for Oregon

My Commission Expires: 11/15/2009

~~Linn~~
~~Marion~~ County, Oregon - ss:

On this 1st day of MAY, 2009 personally appeared Barbara J. Lewis and acknowledged the foregoing instrument to be her voluntary act and deed.

Before me:




Notary Public for Oregon

My Commission Expires: 11/15/09

Business Registry Business Name Search

[New Search](#)

Business Entity Data

01-14-2021
11:37

Registry Nbr	Entity Type	Entity Status	Jurisdiction	Registry Date	Next Renewal Date	Renewal Due?
162558-87	DBC	ACT	OREGON	06-27-1989	06-27-2021	
Entity Name L3 FARMS, INC.						
Foreign Name						

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Associated Names

Type	PRINCIPAL PLACE OF BUSINESS					
PPB						
Addr 1	33760 LINN WEST DR					
Addr 2						
CSZ	SHEDD	OR	97377	Country	UNITED STATES OF AMERICA	

Please click [here](#) for general information about registered agents and service of process.

Type	AGT	REGISTERED AGENT	Start Date	03-06-2003	Resign Date
Name	F	JAMES HEALY			
Addr 1	201 1ST AVE W # A				
Addr 2					
CSZ	ALBANY	OR	97321	Country	UNITED STATES OF AMERICA

Type	MAL	MAILING ADDRESS
Addr 1	201 1ST AVE W # A	
Addr 2		
CSZ	ALBANY	OR 97321
Country	UNITED STATES OF AMERICA	

Type	PRE	PRESIDENT	Resign Date
Name	RIP	J LEWIS	
Addr 1	33760 LINN WEST DR		
Addr 2			
CSZ	SHEDD	OR 97377	Country UNITED STATES OF AMERICA

Type	SEC	SECRETARY	Resign Date
Name	GUY	P LEWIS	
Addr 1	33760 LINN WEST DR		
Addr 2			
CSZ	SHEDD	OR 97377	Country UNITED STATES OF AMERICA

[New Search](#)

Name History

Business Registry Business Name Search

01-14-2021
11:39[New Search](#)

Business Entity Data

Registry Nbr	Entity Type	Entity Status	Jurisdiction	Registry Date	Next Renewal Date	Renewal Due?
216651-95	DLLC	ACT	OREGON	04-28-2004	04-28-2021	
Entity Name M & B LEWIS, LLC						
Foreign Name						

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Associated Names

Type	PRINCIPAL PLACE OF BUSINESS					
Addr 1	606 TUKWILA DR					
Addr 2						
CSZ	WOODBURN	OR	97071	Country	UNITED STATES OF AMERICA	

Please click [here](#) for general information about registered agents and service of process.

Type	AGT REGISTERED AGENT			Start Date	04-28-2004	Resign Date
Name	MONTE	J	LEWIS			
Addr 1	33890 POWELL HILLS LOOP					
Addr 2						
CSZ	SHEDD	OR	97377	Country	UNITED STATES OF AMERICA	

Type	MAL MAILING ADDRESS					
Addr 1	606 TUKWILA DR					
Addr 2						
CSZ	WOODBURN	OR	97071	Country	UNITED STATES OF AMERICA	

Type	MEM MEMBER			Resign Date	
Name	MONTE	J	LEWIS		
Addr 1	33890 POWELL HILLS LOOP				
Addr 2					
CSZ	SHEDD	OR	97377	Country	UNITED STATES OF AMERICA

Type	MGR MANAGER			Resign Date	
Name	MONTE	J	LEWIS		
Addr 1	33890 POWELL HILLS LOOP				
Addr 2					
CSZ	SHEDD	OR	97377	Country	UNITED STATES OF AMERICA

[New Search](#)

Name History