

Application for a Permit to Use Groundwater



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

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant

NAME MCKEE FAMILY FARMS LLC		PHONE (HM)	
PHONE (WK)	CELL 503-932-8326		FAX
ADDRESS 11640 ELKINS RD			
CITY MONMOUTH	STATE OR	ZIP 97361	E-MAIL*

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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		PHONE	FAX
ADDRESS			CELL
CITY	STATE	ZIP	E-MAIL*

Note: Attach multiple copies as needed

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

By my signature below I confirm that I understand:

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

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


Applicant Signature

Douglas D McKee
Print Name and Title if applicable

2/23/21
Date

Applicant Signature

Print Name and Title if applicable

Date

SECTION 2: PROPERTY OWNERSHIP

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

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

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

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

SECTION 3: WELL DEVELOPMENT

WELL NO.	NAME OF NEAREST SURFACE WATER	IF LESS THAN 1 MILE:	
		DISTANCE TO NEAREST SURFACE WATER	ELEVATION CHANGE BETWEEN NEAREST SURFACE WATER AND WELL HEAD
POLK 54000	Willamette River	7040	50

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

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SECTION 3: WELL DEVELOPMENT, continued

Total maximum rate requested: 50 GPM (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)
POLK 54000	<input type="checkbox"/>	<input checked="" type="checkbox"/>	POLK 54000	<input type="checkbox"/>	8"	+2-78	25-70	0-18		ALLUVIUM	80	50	
	<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.

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SECTION 4: SENSITIVE, THREATENED OR ENDANGERED FISH SPECIES PUBLIC INTEREST INFORMATION

This information must be provided for your application to be accepted as complete. The Water Resources Department will determine whether the proposed use will impair or be detrimental to the public interest with regard to sensitive, threatened or endangered fish species if your proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters.

To answer the following questions, use the map provided in [Attachment 3](#) or the link below to determine whether the proposed point of appropriation (POA) is located in an area where the Upper Columbia, the Lower Columbia, and/or the Statewide public interest rules apply.

For more detailed information, click on the following link and enter the TRSQQ or the Lat/Long of a POA and click on "Submit" to retrieve a report that will show which section, if any, of the rules apply:

https://apps.wrd.state.or.us/apps/misc/lkp_trsqq_features/

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

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

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

Yes No

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

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

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

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

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

Yes No

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

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

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

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

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

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

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Statewide - OAR 690-033-0330 thru -0340

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

Yes No

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

SECTION 5: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Irrigation	March 1 through October 31	20

For irrigation use only:

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

Primary: 164.6 Acres Supplemental: NA Acres

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

NA

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 20

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

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

SECTION 6: WATER MANAGEMENT

A. Diversion and Conveyance

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

- Pump (give horsepower and type): 1 1/2
- Other means (describe): _____

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

B. Application Method

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

Drip lines

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*).

Well is metered and drip irrigation is used

SECTION 7: PROJECT SCHEDULE

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

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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: NA

- 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: NA

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

SECTION 9: WITHIN A DISTRICT

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

Irrigation District Name NA	Address	
City	State	Zip

SECTION 10: REMARKS

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

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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: \$ _____
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.
- Map that includes the following items:
 - Permanent quality and drawn in ink
 - Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
 - North Directional Symbol
 - Township, Range, Section, Quarter/Quarter, Tax Lots
 - Reference corner on map
 - Location of each diversion, by reference to a recognized public land survey corner (distances north/south and east/west)
 - Indicate the area of use by Quarter/Quarter and tax lot identified clearly.
 - Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
 - Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)

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

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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Land Use Information Form



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

NAME MCKEE FAMILY FARMS LLC		PHONE (HM)	
PHONE (WK) 503-932-8326	CELL	FAX	
ADDRESS 11640 ELKINS RD			
CITY MONMOUTH	STATE OR	ZIP 97361	E-MAIL*

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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:
9S	4W	5		1200		<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
9S	4W	8 & 9		100		<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
9S	4W	4		700		<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

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

Polk

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: 50 GPM 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:

Establish a water right for irrigation

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): PLZO 136.030(A) "Farm Use"

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
	FEB 25 2021	<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.

There are wetlands on the property, contact DSL prior to any development within a wetland area.

NAME: <u>Sidney Mulder</u>		TITLE: <u>Planning Manager</u>	
SIGNATURE: <u>[Signature]</u>	PHONE: <u>503-623-9237</u>	DATE: <u>2-23-21</u>	
GOVERNMENT ENTITY: <u>Polk County</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: _____

For Local Government Use Only

For Office Use Only - Do Not Write in This Area

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Exhibit "A"

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Real property in the County of Polk, State of Oregon, described as follows:

PARCEL I:

ALL THAT PART OF THE LANDS CONVEYED BY WILLIAM COCKLE TO THE BOWERS INVESTMENT COMPANY BY DEED DATED DECEMBER 28, 1912, AND RECORDED IN VOLUME 66 ON PAGE 208 OF THE DEED RECORDS OF POLK COUNTY, OREGON. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 30 LINKS EAST AND NORTH 18' WEST 30.59 CHAINS FROM THE SOUTHWEST CORNER OF THE HARRISON P. LOCKE DONATION LAND CLAIM NO. 38 IN TOWNSHIP 9 SOUTH, RANGE 4 WEST OF THE WILLAMETTE MERIDIAN IN POLK COUNTY, OREGON; THENCE NORTH 18° WEST 18.82 CHAINS, MORE OR LESS, TO THE NORTHWEST CORNER OF LAND CONVEYED AS AFORESAID TO THE BOWERS INVESTMENT COMPANY; THENCE NORTH 89° 30' EAST ALONG THE NORTH LINE OF SAID TRACT 28.98 CHAINS, MORE OR LESS, TO THE WESTERLY LINE OF THE SOUTHERN PACIFIC RAILROAD RIGHT OF WAY; THENCE SOUTHWESTERLY FOLLOWING THE WESTERLY LINE OF SAID RIGHT OF WAY 19 CHAINS, MORE OR LESS, TO THE NORTHEAST CORNER OF THE TRACT OF LAND CONVEYED TO THE OREGON LAND SETTLEMENT COMMISSION AND THENCE WEST ON THE NORTH LINE OF SAID CONVEYED TRACT 23.33 CHAINS TO THE PLACE OF BEGINNING.

ALSO: BEGINNING AT A POINT ON THE EASTERLY LINE OF THE SOUTHERN PACIFIC RAILROAD RIGHT OF WAY WHICH POINT IS NORTH 89° 30' EAST AND 17.83 CHAINS, MORE OR LESS, EAST OF SAID SOUTHWEST CORNER OF SAID DONATION LAND CLAIM NO. 38; THENCE CONTINUING EAST ON THE SAME COURSE ON THE SOUTH LINE OF SAID LAND CONVEYED TO BOWERS INVESTMENT COMPANY 43.80 CHAINS, MORE OR LESS, TO THE SOUTHWEST CORNER THEREOF; THENCE NORTH 18° WEST ON THE EAST LINE OF SAID CONVEYED TRACT 35.94 CHAINS, MORE OR LESS, TO THE SOUTHERLY LINE OF THE RIGHT OF WAY OF THE WESTERN OREGON RAILROAD COMPANY TRACT; THENCE NORTHWESTERLY FOLLOWING THE SOUTHERLY LINE OF SAID RIGHT OF WAY 35.34 CHAINS TO WHERE THE SAME INTERSECTS THE EASTERLY LINE OF THE RIGHT OF WAY OF THE SOUTHERN PACIFIC RAILROAD COMPANY, AND THENCE SOUTHWESTERLY ON THE EASTERLY LINE OF SAID SOUTHERN PACIFIC RAILROAD COMPANY RIGHT OF WAY 47.09 CHAINS TO THE PLACE OF BEGINNING.

SAVE AND EXCEPT THEREFROM: BEGINNING AT AN IRON PIPE ON THE SOUTH BOUNDARY OF THE HARRISON P. LOCKE DONATION LAND CLAIM NO. 38 IN TOWNSHIP 9 SOUTH, RANGE 4 WEST OF THE WILLAMETTE MERIDIAN IN POLK COUNTY, OREGON, SAID IRON PIPE BEING SOUTH 89° 30' WEST 135.0 FEET FROM THE SOUTHEAST CORNER OF SAID CLAIM AND ON THE WESTERLY BOUNDARY OF MARKET ROAD NO. 9; THENCE SOUTH 89° 30' WEST ALONG THE SOUTH BOUNDARY OF SAID CLAIM, A DISTANCE OF 1280.0 FEET TO AN IRON PIPE; THENCE NORTH AND PARALLEL WITH THE WESTERLY BOUNDARY OF SAID ROAD, A DISTANCE OF 1361.2 FEET TO AN IRON PIPE; THENCE NORTH 89° 30' EAST 1280.0 FEET TO AN IRON PIPE ON THE WESTERLY BOUNDARY OF SAID ROAD; THENCE SOUTH ALONG THE WESTERLY BOUNDARY OF SAID ROAD, A DISTANCE OF 1361.2 FEET TO THE PLACE OF BEGINNING.

PARCEL II:

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 9 SOUTH, RANGE 4 WEST, WILLAMETTE MERIDIAN, LYING WESTERLY OF THE WESTERLY LINE OF CORVALLIS ROAD NO. 8419, AND LYING SOUTHERLY OF THE SOUTHERLY LINE OF THE SOUTHERN PACIFIC RAILROAD AND THE SOUTHERLY LINE OF THE WESTERN OREGON RAILROAD COMPANY TRACT.

EXCEPTING THEREFROM THAT PORTION DESCRIBED AS FOLLOWS;

BEGINNING AT AN IRON PIPE ON THE SOUTH BOUNDARY OF THE HARRISON P. LOCKE D.L.C. NO. 38, IN SAID TOWNSHIP 9, RANGE 4 WEST, WILLAMETTE MERIDIAN, SAID IRON PIPE BEING SOUTH 89° 30' 00" WEST 135.00 FEET FROM THE SOUTHEAST CORNER OF SAID CLAIM AND ON THE WESTERLY BOUNDARY OF MARKET ROAD NO. 9; THENCE SOUTH 89° 30' 00" WEST ALONG THE SOUTH BOUNDARY OF SAID LOCKE CLAIM, 1280.00 FEET TO AN IRON PIPE; THENCE NORTH AND PARALLEL WITH THE WESTERLY BOUNDARY OF SAID MARKET ROAD NO. 9, A DISTANCE OF 1361.20 FEET TO AN

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IRON PIPE; THENCE NORTH & 30' 00" EAST 1280.00 FEET TO AN IRON P. ON THE WESTERLY BOUNDARY OF SAID MARKET ROAD NO. 9; THENCE SOUTH ALONG SAID WESTERLY BOUNDARY, 1361.20 FEET TO THE POINT OF BEGINNING.

NOTE: This legal description was created prior to January 1, 2008.

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STATE OF OREGON
WATER SUPPLY WELL REPORT
(as required by ORS 537.765 & OAR 690-205-0210)

WELL I.D. LABEL# L 124585
START CARD # 1033627
ORIGINAL LOG #

FEB 25 2021

(1) LAND OWNER
Owner Well I.D. 5758
First Name Wendell & Sherry Last Name Sperling
Company McKee Family Farms
Address 11640 Elkins Rd.
City Monmouth State OR Zip 97361

(2) TYPE OF WORK
[X] New Well [] Deepening [] Conversion
Alteration (complete 2a & 10) [] Abandonment (complete 5a)

(2a) PRE-ALTERATION
Dia + From To Gauge Stl Plstc Wld Thrd
Casing: [] [] [] [] [] [] [] []
Material From To Amt sacks/lbs
Seal: [] [] [] [] [] [] [] []

(3) DRILL METHOD
[X] Rotary Air [] Rotary Mud [] Cable [] Auger [] Cable Mud
[] Reverse Rotary [] Other

(4) PROPOSED USE
[] Domestic [X] Irrigation [] Community
[] Industrial/ Commercial [] Livestock [] Dewatering
[] Thermal [] Injection [] Other

(5) BORE HOLE CONSTRUCTION
Depth of Completed Well 80 ft.
Special Standard [] (Attach copy)
BORE HOLE SEAL
Dia From To Material From To Amt Sacks/lbs

How was seal placed: Method [] A [] B [] C [] D [] E
[X] Other Poured dry
Backfill placed from [] ft. to [] ft. Material []
Filter pack from 18 ft. to 26 ft. Material Gravel Size 3/4"
Explosives used: [] Yes Type [] Amount []

(5a) ABANDONMENT USING UNHYDRATED BENTONITE
Proposed Amount Pounds Actual Amount Pounds

(6) CASING/LINER
Casing Liner Dia + From To Gauge Stl Plstc Wld Thrd
Shoe [] Inside [] Outside [] Other Location of shoe(s)
Temp casing [X] Yes Dia 12 From 0 To 20

(7) PERFORATIONS/SCREENS
Perforations Method Holte air perforator
Screens Type [] Material []
Perf/S Casing/Screen Dia From To Scrn/slot width length # of slots Tele/pipe size

(8) WELL TESTS: Minimum testing time is 1 hour
[] Pump [] Bailer [] Air [] Flowing Artesian
Yield gal/min Drawdown Drill stem/Pump depth Duration (hr)
Temperature 53 °F Lab analysis [] Yes By 189
Water quality concerns? [] Yes (describe below) TDS amount

(9) LOCATION OF WELL (legal description)
County POLK Twp 9 S N/S Range 4 W E/W WM
Sec 5 NW 1/4 of the SE 1/4 Tax Lot 1200
Tax Map Number [] Lot []
Lat [] " or [] DMS or DD
Long [] " or [] DMS or DD
[] Street address of well [] Nearest address
8305 Corvallis Rd. - Independence, OR

(10) STATIC WATER LEVEL
Date SWL(psi) + SWL(ft)
Existing Well / Pre-Alteration [] []
Completed Well 02-28-2017 [] 16
Flowing Artesian? [] Dry Hole? []
WATER BEARING ZONES Depth water was first found 25
SWL Date From To Est Flow SWL(psi) + SWL(ft)

(11) WELL LOG
Ground Elevation []
Material From To
Brown clay 0 25
Sand & silt 25 30
Sand & small gravel 30 50
Sand & medium gravel 50 65
Blue clay 65 80
JONES DRILLING CO., INC.
29400 SANTIAM HWY.
LEBANON, OR 97355
541-367-2560 541-451-2686
1-800-915-8388

Date Started 02-24-2017 Completed 02-28-2017
(unbonded) Water Well Constructor Certification
I certify that the work I performed on the construction, deepening, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.
License Number 1888 Date 03-02-2017
Signed [Signature]
(bonded) Water Well Constructor Certification
I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.
License Number 1684 Date 03-02-2017
Signed [Signature]
Contact Info (optional) jonesdrilling@hotmail.com

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SEC. 8 T.9S. R.4W. W.M.

Polk County

1" = 400'

9.4.8

See Map 9.4.5

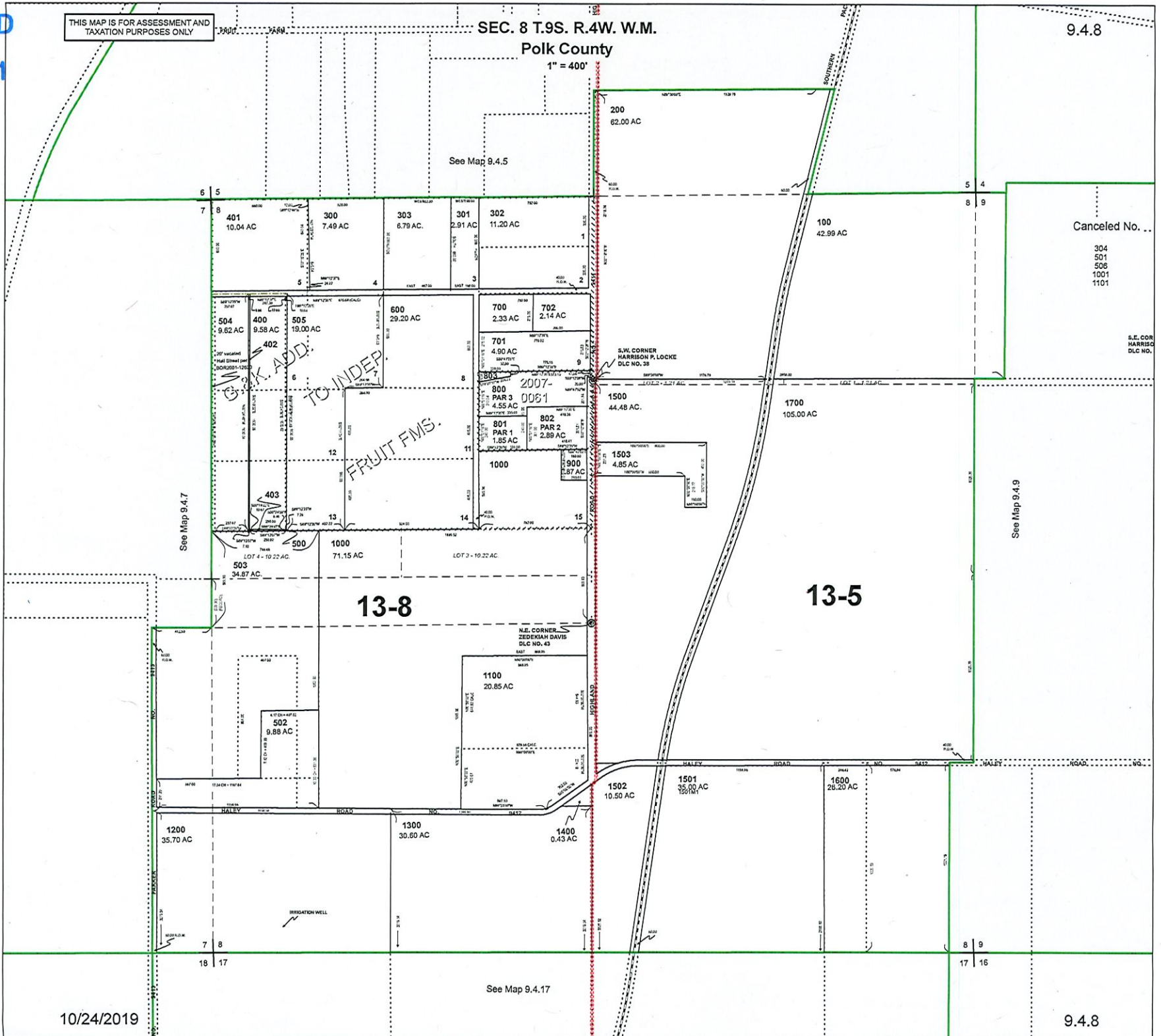
See Map 9.4.7

See Map 9.4.9

See Map 9.4.17

10/24/2019

9.4.8

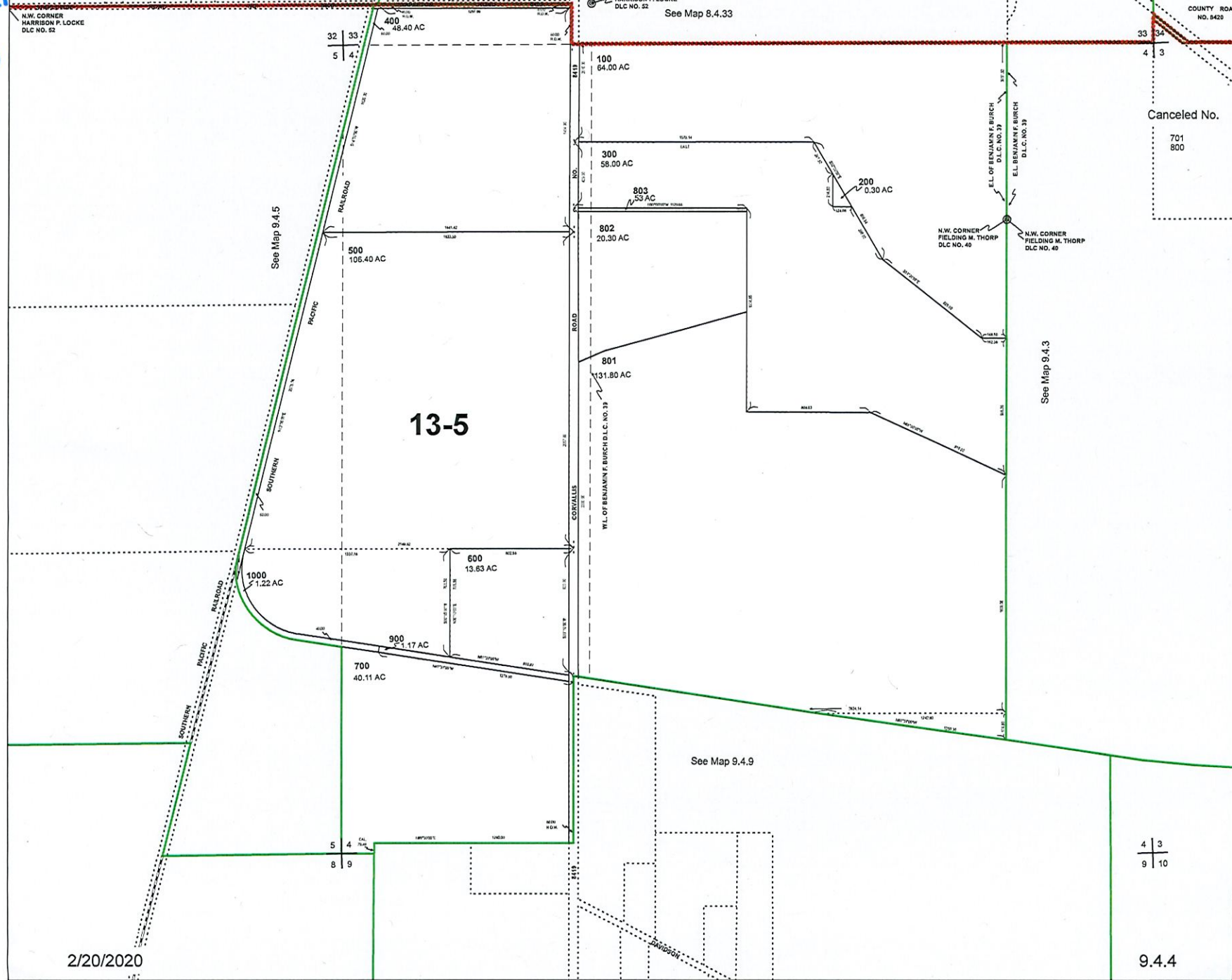


THIS MAP IS FOR ASSESSMENT AND TAXATION PURPOSES ONLY

SEC. 4 T.9S. R.4W. W.M.
Polk County
1" = 400'

9.4.4

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See Map 9.4.5

See Map 8.4.33

Canceled No.
701
800

See Map 9.4.3

See Map 9.4.9

2/20/2020

4 3
9 10

9.4.4

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THIS MAP IS FOR ASSESSMENT AND TAXATION PURPOSES ONLY

N.E. CORNER
JORDAN M. FISK
DLC NO. 50

SEC. 5 T.9S. R.4W. W.M.

Polk County

1" = 400'

9.4.5

See Map 8.4.32

N.W. CORNER
HARRISON P. LOCKE
DLC NO. 52

32 33

5 4

Canceled No.

- 100
- 102
- 103
- 506
- 507
- 605
- 790

1992-0020

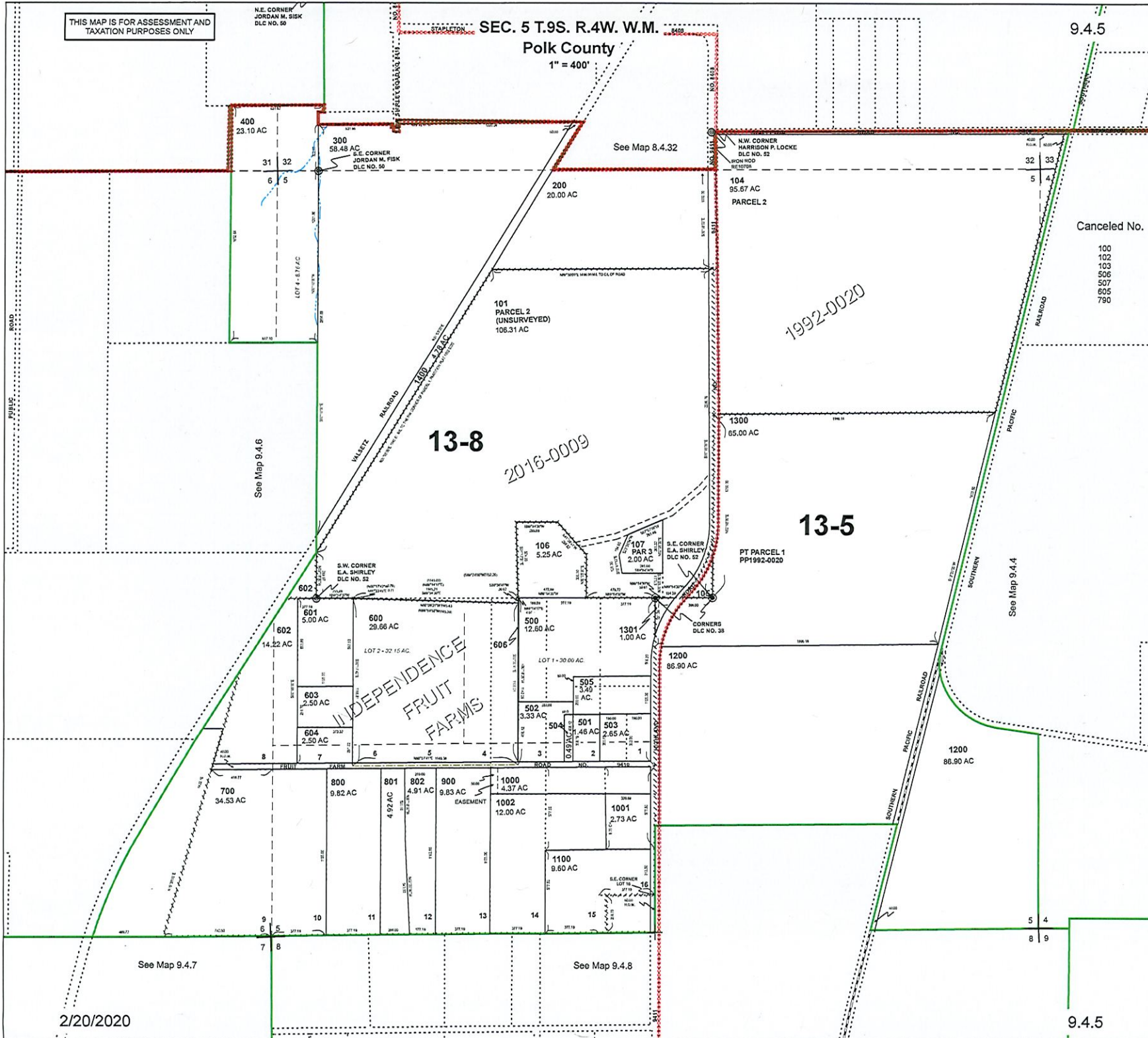
13-8

2016-0009

13-5

See Map 9.4.4

INDEPENDENCE
FRUIT
FARMS



2/20/2020

9.4.5