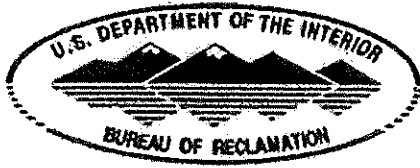


## CONTRACT DATA SHEET



Bureau of Reclamation  
Attn: PN-6323  
1150 N. Curtis Road  
Boise, ID 83706-1234  
208-378-5346

# RECLAMATION

*Managing Water in the West*

### 1. Applicant Information:

#### A. Landowners

- 1) Name of Landowner(s): Leland and Christina Kropf Trust
- 2) Address: no situs address
- 3) Mailing Address (if different): 29410 Nixon Drive, Harrisburg, OR 97446
- 4) Taxpayer Identification Number(s): Leland: [REDACTED]  
(Social Security Number or Employer Identification Number<sup>1</sup>)
- 5) Do you own all of the land where you propose to divert and make use of water? Yes

#### B. Water User Organizations (e.g., Irrigation Districts, Ditch/Canal Companies, Water Control Districts, Water User Associations & Cooperatives, Irrigation Improvement Districts, and similar entities organized according to State Law)

- 1) Name of Organization: N/A
- 2) Name & Title of Applicant: N/A
- 3) Mailing Address of Organization: N/A
- 4) Taxpayer Identification Number: N/A  
(Social Security Number or Employer Identification Number)
- 5) Please provide the following information:
  - (a) A description of the area served by the organization (location, total acreage, number of water users, prominent crops, etc.)
  - (b) Copy of organization by-laws, articles of incorporation (if applicable), board resolution authorizing the applicant to represent and bind the organization under contract with the United States.

2. Source of water (name of stream, river): Willamette River
3. Proposed point of diversion: 222 feet north and 277 feet west of southeast corner of Section 32, Township 14 south, Range 4 west, Willamette Meridian.
4. A water right permit to divert storage water is required. Application or file number with Oregon Water Resources Department (OWRD) if you have applied for a permit to divert storage water: APPLIED CONCURRENTLY
5. Include a map of lands and diversion points. (Same as required by OWRD for application of surface/ground water permit).

6. Do you currently hold a right to natural flows for irrigating the property described herein? No  
If yes, what is/are the priority date(s)? \_\_\_\_\_
7. Total quantity of water from storage requested: 159 acre-feet.
8. Location of land to be irrigated in each 40-acre tract:

TOWNSHIP	RANGE	SECTION	40-ACRE TRACT (1/4) (1/4)	NO. of ACRES	TYPE of IRRIGATED CROP
14s	04w	33	sw of sw	7.2	hazelnuts
14s	04w	33	se of sw	5.5	hazelnuts
15s	04w	04	nw of nw	40	hazelnuts
15s	04w	04	ne of nw	32	hazelnuts
15s	04w	04	sw of nw	8	hazelnuts
15s	04w	04	se of nw	6.4	hazelnuts

9. What is the present use of the land identified above? (farming; idle [fallow cultivated land]; native [appears never to have been tilled]; planted pasture or other [please specify]).  
Currently farmed, crop is Fescue. Future crop will be hazelnuts
10. Is the land identified above currently being irrigated? No If yes, what is the source? (natural flows, wells, etc.) \_\_\_\_\_
11. Diversion must be screened to prevent uptake of fish and other aquatic life. Describe plan(s) to comply with State/Federal fish screen standards: A self-cleaning pump screen compliant with both Oregon Dept. of Fish and Wildlife and Federal standards
12. Telephone number where you can be reached during the day: Applicant's representative is Kyle Latimer (541) 451-5125

Before returning the completed Contract Data Sheet to the address provided on page 1, please ensure you have:

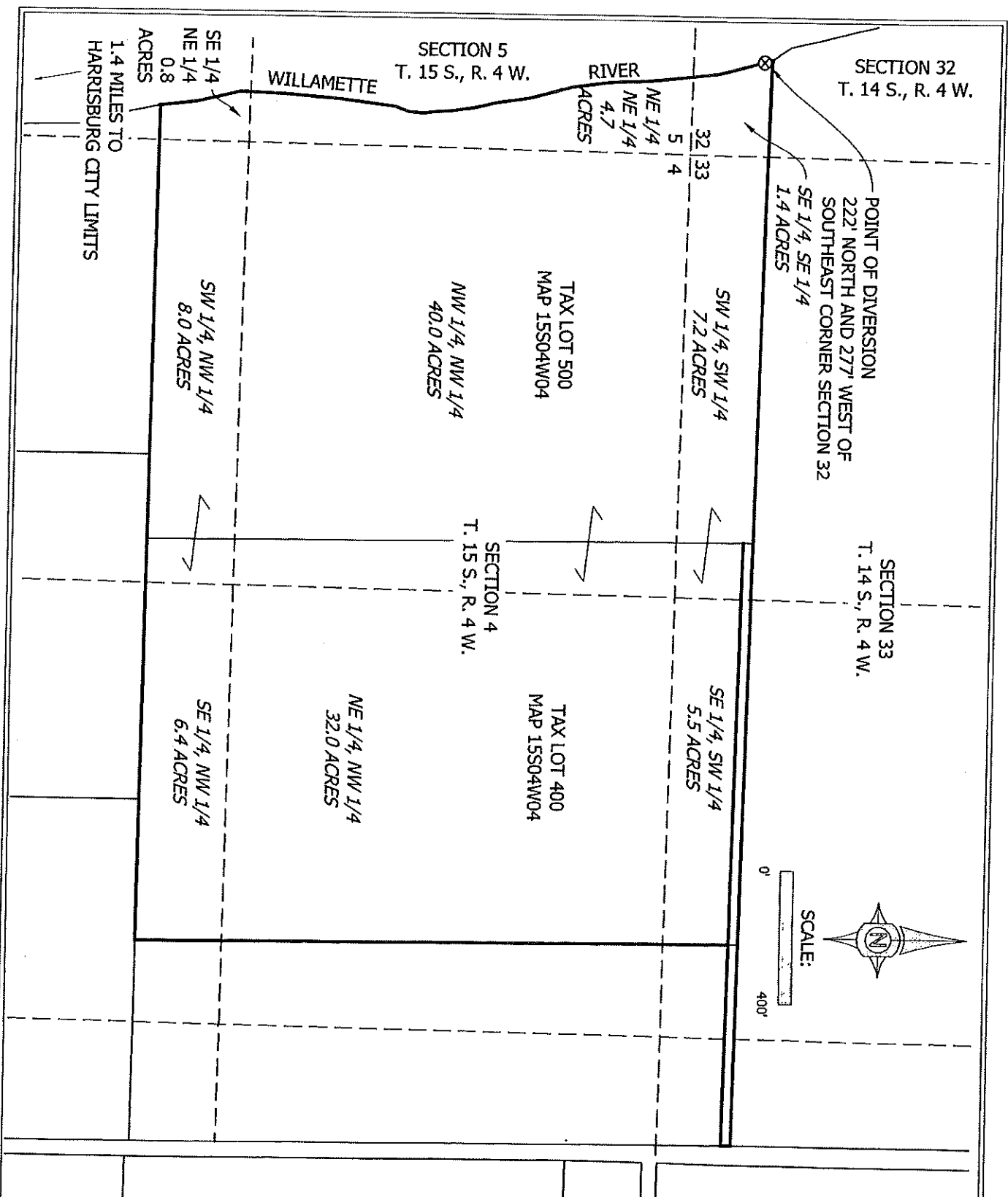
- ANSWERED ALL QUESTIONS COMPLETELY
- ATTACHED AND IDENTIFIED ADDITIONAL SHEET(S) AS NECESSARY
- ATTACHED THE REQUIRED MAP
- SUBMIT PAYMENT FOR THE APPROPRIATE CONTRACT ADMINISTRATION FEE<sup>2</sup>. MAKE CHECK PAYABLE TO THE U.S. BUREAU OF RECLAMATION

1. Section 31001.(i) of the Debt Collection Improvement Act of 1996 (Chapter 10 of Pub. L. 104-134) requires each contractor with an agency of the United States to furnish their taxpayer identifying number (social security number or employer identification number) and each agency to disclose to that contractor its intent to use such number for purposes of collecting and reporting on any delinquent amounts arising out of such contractor's relationship with the Government.

2. The minimum contract administration fee for most applications is \$100. However, from time to time this fee may be revised to cover the costs of the United States. We recommend you contact this office to verify the current minimum contract administration fee. If the costs to the United States of evaluating the application are in excess of the minimum contract administration fee, an estimate of the reimbursable costs for which advance payment is required will be provided to the applicant.

Continued from page 1

TOWNSHIP	RANGE	SECTION	40-ACRE TRACT (1/4) (1/4)	NO. of ACRES	TYPE of IRRIGATED CROP
14s	04w	32	SE of SE	1.4	Hazelnuts
15s	04w	05	NE of NE	4.7	Hazelnuts
15s	04w	05	SE of NE	0.8	Hazelnuts



DATE: 10/15/2020  
PROJECT: 19-655 KROFF  
DRAWN BY: KVA  
CHECKED BY: KWL



SHEET 1  
OF 1  
SCALE: AS NOTED

WATER RIGHTS APPLICATION MAP  
LELAND & CHRISTINA KROFF  
24292 PEORIA RD (NEXT TO)  
HARRISBURG, OREGON

UDELL ENGINEERING  
AND  
LAND SURVEYING, LLC  
63 EAST ASH ST.  
LEBANON, OREGON, 97355  
541-451-5125

# 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 <b>Leland Kropf</b>		PHONE (HM) <b>n/a</b>	
PHONE (WK) <b>n/a</b>	CELL <b>541-554-6918</b>	FAX <b>n/a</b>	
ADDRESS <b>29410 Nixon Drive</b>			
CITY <b>Harrisburg</b>	STATE <b>OR</b>	ZIP <b>97446</b>	E-MAIL* <b>lckropf@emypeople.net</b>

**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:
15s	04w	04	n/a	400	EFU	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
15s	04w	04	n/a	500	EFU	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

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

**Linn**

**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) **Willamette River**

Estimated quantity of water needed: **159**     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:

**106 ACRE OF RESCUE/HAZELNUT 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): LCC 928.310(B)(1) / LCC 9.31.650(B)(4)
- 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.

Portions of the property are located within the WR50

NAME <u>Alyssa Boles</u>	TITLE: <u>Senior Planner</u>
SIGNATURE <u>Alyssa Boles</u>	PHONE: <u>541-967-3816</u>
GOVERNMENT ENTITY <u>Uinn County</u>	DATE: <u>10/22/20</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: \_\_\_\_\_

# Application for a Permit to Use Surface Water



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

## SECTION 1: APPLICANT INFORMATION AND SIGNATURE

### Applicant

NAME Leland and Christina Kropf Trust		PHONE (HM) n/a	
PHONE (WK) n/a	CELL 541-554-6918	FAX n/a	
ADDRESS 29410 Nixon Drive			
CITY Harrisburg	STATE OR	ZIP 97446	E-MAIL * lkropf@emypeople.net

### Organization

NAME n/a		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 Udell Engineering and Land Surveying		PHONE 541-451-5125	FAX 541-451-1366
ADDRESS 63 E Ash Street			CELL n/a
CITY Lebanon	STATE OR	ZIP 97355	E-MAIL * kyle@udelleng.com

Note: Attach multiple copies as needed

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

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application.
- I cannot legally use water until the Water Resources Department issues a permit.
- The Department encourages all applicants to wait for a permit to be issued before beginning construction of any proposed diversion. Acceptance of this application does not guarantee a permit will be issued.
- If I begin construction prior to the issuance of a permit, I assume all risks associated with my actions.
- If I receive a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be cancelled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water right holders to receive water to which they are entitled.

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

*Leland Kropf*  
Applicant Signature

Leland Kropf - Trustee  
Print Name and Title if applicable

10-23-2020  
Date

*Christina Kropf*  
Applicant Signature

Christina Kropf - Trustee  
Print Name and Title if applicable

10-23-2020  
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.

- 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).*

None

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

**SECTION 3: SOURCE OF WATER**

**A. Proposed Source of Water**

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

STORED WATER

11/23/20  
KWL

Source 1: BUREAU OF RECLAMATION OFF-SITE RESERVOIRS	Tributary to: Columbia River
TRSQQ of POD: T. 14 S., R. 4 W., S. 32, SE 1/4, SE 1/4	
Source 2:	Tributary to:
TRSQQ of POD:	

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

see attached 'contract data sheet' submitted to the Bureau of Reclamation 11/23/2020  
KWL

**B. Applications to Use Stored Water**

Do you, or will you, own the reservoir(s) described in Section 3A above? No

11/23/2020  
KWL

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

11/23/2020  
KWL



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

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

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

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

This information must be provided for your application to be accepted as complete. The Water Resources Department will determine whether the proposed use will impair or be detrimental to the public interest with regard to sensitive, threatened or endangered fish species.

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

For more detailed information, click on the following link and enter the T,R,S,QQ or the Lat/Long of a POD and click on "Submit" to retrieve a report that will show which section, if any, of the rules apply:  
[https://apps.wrd.state.or.us/apps/misc/lkp\\_trsqq\\_features/](https://apps.wrd.state.or.us/apps/misc/lkp_trsqq_features/)

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

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

Is the POD located in an area where the Upper Columbia Rules apply?

Yes  No

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

**If yes,**

- I understand that the proposed use does not involve appropriation of direct streamflow during the time period April 15 to September 30, except as provided in OAR 690-033-0140.
- I understand that I will install, operate and maintain a fish screen and fish passage as listed in ORS 498.301 through 498.346, and 509.580 through 509.910, to the specifications and extent required by Oregon Department of Fish and Wildlife, prior to diversion of water under any permit issued pursuant to this application.

- I understand that the Oregon Department of Environmental Quality will review my application to determine if the proposed use complies with existing state and federal water quality standards.
- I understand that I will install and maintain water use measurement and recording devices as required by the Water Resources Department, and comply with recording and reporting permit condition requirements.

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

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

Yes  No

**If yes, you are notified** that that the Water Resources Department will determine, by reviewing recovery plans, the Columbia River Basin Fish and Wildlife Program, and regional restoration programs applicable to threatened or endangered fish species, in coordination with state and federal agencies, as appropriate, whether the proposed use is detrimental to the protection or recovery of a threatened or endangered fish species and whether the use can be conditioned or mitigated to avoid the detriment.

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

**If yes, provide the following information** (the information must be provided with the application to be considered complete).

Yes  No <sup>11/23/2020 KWL</sup> The proposed use is for more than one cubic foot per second (448.8 gpm) and is not subject to the requirements of OAR 690, Division 86 (Water Management and Conservation Plans).

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

**Statewide - OAR 690-033-0330 thru -0340**

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

Yes  No

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

**SECTION 5: WATER USE**

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

11/23/20  
KWL

SOURCE	USE	PERIOD OF USE	AMOUNT
Bureau of Reclamation off-site reservoir(s)	crop irrigation	June - September	1.3 <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af

Please indicate the number of primary and supplemental acres to be irrigated.  
 Primary: 106 Acres Supplemental:        Acres  
 If supplemental acres are listed, provide the Permit or Certificate number of the underlying primary water right(s):  
 \_\_\_\_\_  
 Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 159

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

**SECTION 6: WATER MANAGEMENT**

**A. Diversion and Conveyance**

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

- Pump (give horsepower and type): 20 HP DIESEL GENERATOR, 600 GPM CENTRIFUGAL PUMP
- Other means (describe): \_\_\_\_\_

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water.  
 \_\_\_\_\_ portable pump with diesel generator attached to seasonally in-water intake with fish screen

**B. Application Method**

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

**C. Conservation**

Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; prevent damage to public uses of affected surface waters.  
 \_\_\_\_\_ amount was recommended by irrigation industry professional and farmer experienced with the crop as required for proposed drip conveyance system used to establish and increase yield of hazelnut trees to be planted

**SECTION 7: RESOURCE PROTECTION**

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

- Diversion will be screened per ODFW specifications in ORS 498.301 through 498.346 to prevent uptake of fish and other aquatic life.  
Describe planned actions: \_\_\_\_\_ Seasonal in-water intake with appropriate fish screen to accommodate system capable of pumping 1.3 cubic feet per second
- Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.  
**Note: If disturbed area is more than one acre, applicant should contact the Department of Environmental Quality to determine if a 1200C permit is required.**  
Describe planned actions and additional permits required for project implementation: \_\_\_\_\_  
bank area will remain virtually unaltered
- Operating equipment in a water body will be managed and timed to prevent damage to aquatic life. Describe planned actions and additional permits required for project implementation: \_\_\_\_\_  
pump, power source and intake will only be in place during dry summer months. natural vegetation will remain on bank and ODFW approved fish screen will be utilized to prevent damage to in water aquatic life
- Water quality will be protected by preventing erosion and run-off of waste or chemical products.  
Describe planned actions: \_\_\_\_\_  
generator and pump will only be present for the months during active irrigation and will be located above top of channel bank, additionally, natural bank vegetation will remain
- List other federal and state permits or contracts to be obtained, if a water right permit is granted.  
\_\_\_\_\_ A contract water application has been submitted concurrently to the Bureau of Reclamation for use of federally stored reservoir water

**SECTION 8: PROJECT SCHEDULE**

- a) Date construction will begin: \_\_\_\_\_ as early as May, 2021
- b) Date construction will be completed: \_\_\_\_\_ July, 2021
- c) Date beneficial water use will begin: \_\_\_\_\_ July, 2021

**SECTION 9: WITHIN A DISTRICT**

- Check here if the point of diversion or place of use are located within or are served by an irrigation or other water district.  
n/a

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).

THE WATER SOURCE WILL BE STORED WATER, PLEASE SEE COPY OF 'CONTRACT DATA SHEET' SUBMITTED TO THE BUREAU OF RECLAMATION

**Grantor's Name and Address:**  
Leland R. Kropf and Christina R. Kropf  
29410 Nixon Dr.  
Harrisburg, OR 97446

**Grantee's Name and Address:**  
Leland R. Kropf and Christina R. Kropf, Trustees  
29410 Nixon Dr.  
Harrisburg, OR 97446

**After Recording Return To:**  
Dennis D. Ashenfelter  
Weatherford Thompson  
P O Box 667  
Albany, OR 97321

**Send Tax Statements To:**  
Leland R. Kropf and Christina R. Kropf, Trustees  
29410 Nixon Dr.  
Harrisburg, OR 97446

**Assessor's Account Nos. 316493, 316519, 322012 and 322020**

LINN COUNTY, OREGON	2019-12777
D-BS	
Stn=48 S. WILSON	08/01/2019 02:40:00 PM
\$20.00 \$11.00 \$10.00 \$60.00 \$19.00	\$120.00
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	

## BARGAIN AND SALE DEED

KNOW ALL MEN BY THESE PRESENTS that LELAND R. KROPF and CHRISTINA R. KROPF, hereinafter referred to as Grantor, for the consideration hereinafter stated, does hereby convey to LELAND R. KROPF and CHRISTINA R. KROPF, as Trustees of the LELAND AND CHRISTINA KROPF TRUST, dated July 29, 2019, hereinafter referred to as Grantee, and unto Grantee's heirs, successors and assigns, all of Grantor's interest in that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in Linn County, State of Oregon, described as follows:

**Said real property is described on Exhibit A attached hereto and incorporated herein.**

**SUBJECT TO:** All easements, conditions, restrictions and encumbrances of record; and all leases encumbering said real property, or any portion thereof, if any, whether or not of record.

**TO HAVE AND TO HOLD** the same unto Grantee and Grantee's heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$0. However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration.

In construing this Deed, where the context so requires, the singular includes the plural, and all grammatical changes shall be made so that this Deed shall apply equally to corporations and to individuals.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD



**EXHIBIT "A"**  
**TO BARGAIN AND SALE DEED**  
**AND ASSIGNMENT OF LEASES**  
**FROM**  
**LELAND R. KROPF and CHRISTINA R. KROPF**

**TRACT I:**

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

**PARCEL 1:**

Beginning at a point which is North 89° 06' West 53.74 chains from the Northeast corner of the James Rodgers DLC #44 in Township 14 South, Range 4 West of the Willamette Meridian; thence South 89° 06' East 27.35 chains; thence South 0.45 chains; thence North 89° 06' West 27.35 chains; thence North 0.45 chains to the place of beginning.

**PARCEL 2:**

Beginning at a point North 89° 06' West 53.74 chains from the Northeast corner of James Rodgers DLC Not. No. 2555, Claim #44 in Township 14 South, Range 4 West, Willamette Meridian; thence North 89° 06' West along the North boundary line of said Claim 21.99 chains to an iron pin; thence South 12° East 7 chains; thence South 3° 30' East 21.36 chains to an iron pin; thence East 19.24 chains to an iron pin; thence North 27.76 chains to the point of beginning.

**PARCEL 3:**

Beginning at a point which is South 0.45 chains from an iron pin on the North line of and North 89° 06' West 35.54 chains from the Northeast corner of the James Rodgers DLC #44 in Township 14 South, Range 4 West of the Willamette Meridian, said point of beginning being the Northwest corner of that tract conveyed to Paul Jensen and wife by deed recorded December 14, 1943, in Book 162, page 626 Deed Records; thence North 89° 06' West parallel to the North line of said Claim 18.20 chains on the East line of that tract conveyed to Lulu B. Brock by Deed recorded September 11, 1936, in Book 144, page 609, Deed Records; thence South along the East line, 27.31 chains to an iron pin at the Southeast corner of said Brock tract; thence East 18.20 chains to the Southwest corner of aforementioned Jensen tract; thence North 26.99 chains to the place of beginning.

(Linn County Assessor's Account Numbers: 322012 and 322020)

**[LEGAL DESCRIPTION CONTINUED  
ON THE FOLLOWING PAGE]**

**TRACT II:**

A portion of that tract conveyed to Leland Kropf and Christina Kropf per Volume 1072, Page 815, Linn County Records, lying in the Northeast Quarter of Section 20, Township 14 South, Range 4 West, Willamette Meridian, Linn County, Oregon;

EXCEPTING the westerly 10.00 acres of said tract more particularly described as follows:

Beginning at the intersecting point of the North-South centerline of said Section 20 and the south right-of-way line of County Road Number 223, Nixon Road; THENCE along said right-of-way line, S 89° 30' 50" E 166.40 feet; THENCE leaving said right-of-way line and parallel to said North-South centerline, S 0° 02' 17" W 2618.16 feet, more or less, to the East-West centerline of said Section 20; THENCE along said East-West centerline, N 89° 23' 03" W 166.40 feet to the Center of said Section 20; THENCE along said North-South centerline, N 0° 02' 17" E 2617.79 feet to the point of beginning.

(Linn County Assessor's Account Number: 316493)

**TRACT III:**

That tract conveyed to Leland Kropf and Christina Kropf per Volume 580, Page 718, Linn County Records, lying in the Northwest Quarter of Section 20, Township 14 South, Range 4 West, Willamette Meridian, Linn County, Oregon;

TOGETHER WITH the westerly 10.00 acres of that tract conveyed to Leland R. Kropf and Christina R. Kropf per Volume 1072, Page 815, Linn County Records, lying in the Northeast Quarter of Section 20, Township 14 South, Range 4 West, Willamette Meridian, Linn County, Oregon, more particularly described as follows

Beginning at the intersecting point of the North-South centerline of said Section 20 and the south right-of-way line of County Road Number 223, Nixon Road; THENCE along said right-of-way line, S 89° 30' 50" E 166.40 feet; THENCE leaving said right-of-way line and parallel to said North-South centerline, S 0° 02' 17" W 2618.16 feet, more or less, to the East-West centerline of said Section 20; THENCE along said East-West centerline, N 89° 23' 03" W 166.40 feet to the Center of said Section 20; THENCE along said North-South centerline, N 0° 02' 17" E 2617.79 feet to the point of beginning.

(Linn County Assessor's Account Number: 316519)

**THIS DEED, AND THE CONVEYANCE HEREBY MADE, IS NOT INTENDED TO, AND SHALL NOT OPERATE TO, COMBINE OR CONSOLIDATE THE PARCELS DESCRIBED IN THIS DEED, OR ANY OF THEM, FOR LAND USE PURPOSES OR FOR ANY OTHER PURPOSE.**



## Minimum Requirements Checklist

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

### Include this checklist with the application

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

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

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

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

## Water-Use Permit Application Processing

### 1. Completeness Determination

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

### 2. Initial Review

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

### 3. Public Notice

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

### 4. Proposed Final Order Issued

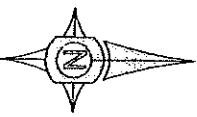
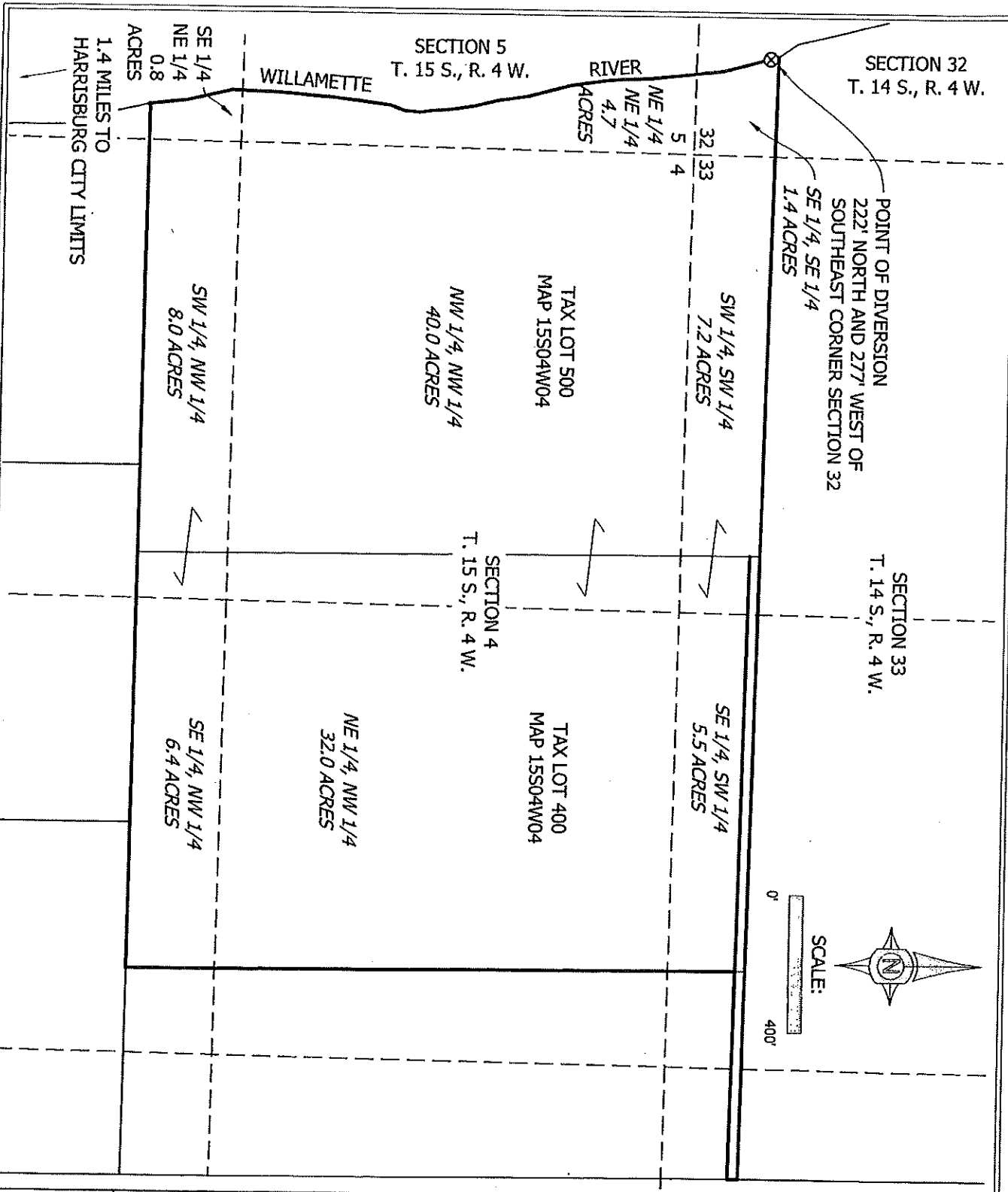
The Department reviews any comments received, including comments from other state agencies related to the protection of sensitive, threatened or endangered fish species. Within 60 days of completion of the IR, the Department issues a Proposed Final Order (PFO) explaining the proposed decision to deny 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



SCALE:  
0' 400'

SHEET 1  
1

SCALE: AS NOTED



Date 10/15/2020  
Project 19-035 KROPP  
Drawn by KWL  
Checked by KWL

WATER RIGHTS APPLICATION MAP  
LELAND & CHRISTINA KROPP  
24292 PEORIA RD (NEXT TO)  
HARRISBURG, OREGON

UDELL ENGINEERING  
AND  
LAND SURVEYING, LLC  
63 EAST ASH ST.  
LEBANON, OREGON, 97355  
541-451-5125

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Application for a Permit to Use  
Surface Water

OWRD



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 Leland and Christina Kropf Trust		PHONE (HM) n/a	
PHONE (WK) n/a	CELL 541-554-6918	FAX n/a	
ADDRESS 29410 Nixon Drive			
CITY Harrisburg	STATE OR	ZIP 97446	E-MAIL * lckropf@emypeople.net

Organization

NAME n/a		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 Udell Engineering and Land Surveying		PHONE 541-451-5125	FAX 541-451-1366
ADDRESS 63 E Ash Street			CELL n/a
CITY Lebanon	STATE OR	ZIP 97355	E-MAIL * kyle@udelleng.com

Note: Attach multiple copies as needed

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

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application.
- I cannot legally use water until the Water Resources Department issues a permit.
- The Department encourages all applicants to wait for a permit to be issued before beginning construction of any proposed diversion. Acceptance of this application does not guarantee a permit will be issued.
- If I begin construction prior to the issuance of a permit, I assume all risks associated with my actions.
- If I receive a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be cancelled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water right holders to receive water to which they are entitled.



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

*Leland Kropf*  
Applicant Signature

Leland Kropf - Trustee  
Print Name and Title if applicable

10-23-2020  
Date

*Christina Kropf*  
Applicant Signature

Christina Kropf - Trustee  
Print Name and Title if applicable

10-23-2020  
Date

**SECTION 2: PROPERTY OWNERSHIP**

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

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

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

None

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

**SECTION 3: SOURCE OF WATER**

**A. Proposed Source of Water**

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

Source 1: Willamette River	Tributary to: Columbia River
TRSQQ of POD: T. 14 S., R. 4 W., S. 32, SE 1/4, SE 1/4	
Source 2:	Tributary to:
TRSQQ of POD:	

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

**B. Applications to Use Stored Water**

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

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

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

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

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

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

This information must be provided for your application to be accepted as complete. The Water Resources Department will determine whether the proposed use will impair or be detrimental to the public interest with regard to sensitive, threatened or endangered fish species.

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

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

[https://apps.wrd.state.or.us/apps/misc/lkp\\_trsqq\\_features/](https://apps.wrd.state.or.us/apps/misc/lkp_trsqq_features/)

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

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

Is the POD located in an area where the Upper Columbia Rules apply?

Yes  No

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

If yes,

- I understand that the proposed use does not involve appropriation of direct streamflow during the time period April 15 to September 30, except as provided in OAR 690-033-0140.
- I understand that I will install, operate and maintain a fish screen and fish passage as listed in ORS 498.301 through 498.346, and 509.580 through 509.910, to the specifications and extent required by Oregon Department of Fish and Wildlife, prior to diversion of water under any permit issued pursuant to this application.

- I understand that the Oregon Department of Environmental Quality will review my application to determine if the proposed use complies with existing state and federal water quality standards.
- I understand that I will install and maintain water use measurement and recording devices as required by the Water Resources Department, and comply with recording and reporting permit condition requirements.

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

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

Yes  No

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If yes, you are notified that that the Water Resources Department will determine, by reviewing recovery plans, the Columbia River Basin Fish and Wildlife Program, and regional restoration programs applicable to threatened or endangered fish species, in coordination with state and federal agencies, as appropriate, whether the proposed use is detrimental to the protection or recovery of a threatened or endangered fish species and whether the use can be conditioned or mitigated to avoid the detriment.

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

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

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

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

**Statewide - OAR 690-033-0330 thru -0340**

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

Yes  No

If yes, the Water Resources Department will determine whether the proposed use will occur in an area where endangered, threatened or sensitive fish species are located. If so, the Water Resources Department, Department of Fish and Wildlife, Department of Environmental Quality, and the Department of Agriculture will recommend conditions required to achieve "no loss of essential habitat of threatened and endangered (T&E) fish species," or "no net loss of essential habitat of sensitive (S) fish species." If conditions cannot be identified that meet the standards of no loss of essential T & E fish habitat or no net loss of essential S fish habitat, the agencies will recommend denial of the application unless they conclude that the proposed use would not harm the species.

**SECTION 5: WATER USE**

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

SOURCE	USE	PERIOD OF USE	AMOUNT
Willamette River PoD	crop irrigation	summer months	1.3 <input checked="" type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af

Please indicate the number of primary and supplemental acres to be irrigated.  
 Primary: 106 Acres      Supplemental:        Acres  
 If supplemental acres are listed, provide the Permit or Certificate number of the underlying primary water right(s):  
 \_\_\_\_\_  
 Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 159

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

**SECTION 6: WATER MANAGEMENT**

**A. Diversion and Conveyance**

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

- Pump (give horsepower and type): 20 HORSEPOWER DIESEL GENERATOR, 600 GPM CENTRIFUGAL PUMP  
 Other means (describe): \_\_\_\_\_

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

\_\_\_\_\_ portable pump with diesel generator attached to seasonally in-water intake with fish screen

**B. Application Method**

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

**C. Conservation**

Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; prevent damage to public uses of affected surface waters.

\_\_\_\_\_ amount was recommended by irrigation industry professional and farmer experienced with the crop as required for proposed drip conveyance system used to establish and increase yield of hazelnut trees to be planted



**SECTION 7: RESOURCE PROTECTION**

OWRD

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

- Diversion will be screened per ODFW specifications in ORS 498.301 through 498.346 to prevent uptake of fish and other aquatic life.  
Describe planned actions: \_\_\_\_\_ Seasonal in-water intake with appropriate fish screen to accommodate system capable of pumping 1.3 cubic feet per second
- Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.  
Note: If disturbed area is more than one acre, applicant should contact the Department of Environmental Quality to determine if a 1200C permit is required.  
Describe planned actions and additional permits required for project implementation: \_\_\_\_\_  
bank area will remain virtually unaltered
- Operating equipment in a water body will be managed and timed to prevent damage to aquatic life. Describe planned actions and additional permits required for project implementation: \_\_\_\_\_  
pump, power source and intake will only be in place during dry summer months. natural vegetation will remain on bank and ODFW approved fish screen will be utilized to prevent damage to in water aquatic life
- Water quality will be protected by preventing erosion and run-off of waste or chemical products.  
Describe planned actions: \_\_\_\_\_  
generator and pump will only be present for the months during active irrigation and will be located above top of channel bank, additionally, natural bank vegetation will remain
- List other federal and state permits or contracts to be obtained, if a water right permit is granted.  
\_\_\_\_\_ A contract water application has been submitted concurrently to the Bureau of Reclamation for use of federally stored reservoir water

**SECTION 8: PROJECT SCHEDULE**

- a) Date construction will begin: \_\_\_\_\_ as early as May, 2021
- b) Date construction will be completed: \_\_\_\_\_ July, 2021
- c) Date beneficial water use will begin: \_\_\_\_\_ July, 2021

**SECTION 9: WITHIN A DISTRICT**

Check here if the point of diversion or place of use are located within or are served by an irrigation or other water district.

n/a

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).

**Grantor's Name and Address:**

Leland R. Kropf and Christina R. Kropf  
29410 Nixon Dr.  
Harrisburg, OR 97446

**Grantee's Name and Address:**

Leland R. Kropf and Christina R. Kropf, Trustees  
29410 Nixon Dr.  
Harrisburg, OR 97446

**After Recording Return To:**

Dennis D. Ashenfelter  
Weatherford Thompson  
P O Box 667  
Albany, OR 97321

**Send Tax Statements To:**

Leland R. Kropf and Christina R. Kropf, Trustees  
29410 Nixon Dr.  
Harrisburg, OR 97446

**Assessor's Account Nos. 316493, 316519, 322012 and 322020**

LINN COUNTY, OREGON		<b>2019-12777</b>
<b>D-BS</b>		<b>08/01/2019 02:40:00 PM</b>
SIn=48 S. WILSON		
\$20.00 \$11.00 \$10.00 \$60.00 \$18.00		<b>\$120.00</b>
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		

**RECEIVED**

**NOV 05 2020**

**OWRD**

**BARGAIN AND SALE DEED**

**KNOW ALL MEN BY THESE PRESENTS** that LELAND R. KROPF and CHRISTINA R. KROPF, hereinafter referred to as Grantor, for the consideration hereinafter stated, does hereby convey to LELAND R. KROPF and CHRISTINA R. KROPF, as Trustees of the LELAND AND CHRISTINA KROPF TRUST, dated July 29, 2019, hereinafter referred to as Grantee, and unto Grantee's heirs, successors and assigns, all of Grantor's interest in that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in Linn County, State of Oregon, described as follows:

**Said real property is described on Exhibit A attached hereto and incorporated herein.**

**SUBJECT TO:** All easements, conditions, restrictions and encumbrances of record; and all leases encumbering said real property, or any portion thereof, if any, whether or not of record.

**TO HAVE AND TO HOLD** the same unto Grantee and Grantee's heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$0. However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration.

In construing this Deed, where the context so requires, the singular includes the plural, and all grammatical changes shall be made so that this Deed shall apply equally to corporations and to individuals.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD



RECEIVED

NOV 05 2020

OWRD

**EXHIBIT "A"**  
**TO BARGAIN AND SALE DEED**  
**AND ASSIGNMENT OF LEASES**  
**FROM**  
**LELAND R. KROPF and CHRISTINA R. KROPF**

**TRACT I:**

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

**PARCEL 1:**

Beginning at a point which is North 89° 06' West 53.74 chains from the Northeast corner of the James Rodgers DLC #44 in Township 14 South, Range 4 West of the Willamette Meridian; thence South 89° 06' East 27.35 chains; thence South 0.45 chains; thence North 89° 06' West 27.35 chains; thence North 0.45 chains to the place of beginning.

**PARCEL 2:**

Beginning at a point North 89° 06' West 53.74 chains from the Northeast corner of James Rodgers DLC Not. No. 2555, Claim #44 in Township 14 South, Range 4 West, Willamette Meridian; thence North 89° 06' West along the North boundary line of said Claim 21.99 chains to an iron pin; thence South 12° East 7 chains; thence South 3° 30' East 21.36 chains to an iron pin; thence East 19.24 chains to an iron pin; thence North 27.76 chains to the point of beginning.

**PARCEL 3:**

Beginning at a point which is South 0.45 chains from an iron pin on the North line of and North 89° 06' West 35.54 chains from the Northeast corner of the James Rodgers DLC #44 in Township 14 South, Range 4 West of the Willamette Meridian, said point of beginning being the Northwest corner of that tract conveyed to Paul Jensen and wife by deed recorded December 14, 1943, in Book 162, page 626 Deed Records; thence North 89° 06' West parallel to the North line of said Claim 18.20 chains on the East line of that tract conveyed to Lulu B. Brock by Deed recorded September 11, 1936, in Book 144, page 609, Deed Records; thence South along the East line, 27.31 chains to an iron pin at the Southeast corner of said Brock tract; thence East 18.20 chains to the Southwest corner of aforementioned Jensen tract; thence North 26.99 chains to the place of beginning.

(Linn County Assessor's Account Numbers: 322012 and 322020)

**[LEGAL DESCRIPTION CONTINUED  
ON THE FOLLOWING PAGE]**

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**TRACT II:**

A portion of that tract conveyed to Leland Kropf and Christina Kropf per Volume 1072, Page 815, Linn County Records, lying in the Northeast Quarter of Section 20, Township 14 South, Range 4 West, Willamette Meridian, Linn County, Oregon;

EXCEPTING the westerly 10.00 acres of said tract more particularly described as follows:

Beginning at the intersecting point of the North-South centerline of said Section 20 and the south right-of-way line of County Road Number 223, Nixon Road; THENCE along said right-of-way line, S 89° 30' 50" E 166.40 feet; THENCE leaving said right-of-way line and parallel to said North-South centerline, S 0° 02' 17" W 2618.16 feet, more or less, to the East-West centerline of said Section 20; THENCE along said East-West centerline, N 89° 23' 03" W 166.40 feet to the Center of said Section 20; THENCE along said North-South centerline, N 0° 02' 17" E 2617.79 feet to the point of beginning.

(Linn County Assessor's Account Number: 316493)

**TRACT III:**

That tract conveyed to Leland Kropf and Christina Kropf per Volume 580, Page 718, Linn County Records, lying in the Northwest Quarter of Section 20, Township 14 South, Range 4 West, Willamette Meridian, Linn County, Oregon;

TOGETHER WITH the westerly 10.00 acres of that tract conveyed to Leland R. Kropf and Christina R. Kropf per Volume 1072, Page 815, Linn County Records, lying in the Northeast Quarter of Section 20, Township 14 South, Range 4 West, Willamette Meridian, Linn County, Oregon, more particularly described as follows

Beginning at the intersecting point of the North-South centerline of said Section 20 and the south right-of-way line of County Road Number 223, Nixon Road; THENCE along said right-of-way line, S 89° 30' 50" E 166.40 feet; THENCE leaving said right-of-way line and parallel to said North-South centerline, S 0° 02' 17" W 2618.16 feet, more or less, to the East-West centerline of said Section 20; THENCE along said East-West centerline, N 89° 23' 03" W 166.40 feet to the Center of said Section 20; THENCE along said North-South centerline, N 0° 02' 17" E 2617.79 feet to the point of beginning.

(Linn County Assessor's Account Number: 316519)

**THIS DEED, AND THE CONVEYANCE HEREBY MADE, IS NOT INTENDED TO, AND SHALL NOT OPERATE TO, COMBINE OR CONSOLIDATE THE PARCELS DESCRIBED IN THIS DEED, OR ANY OF THEM, FOR LAND USE PURPOSES OR FOR ANY OTHER PURPOSE.**

## Minimum Requirements Checklist

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

### Include this checklist with the application

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

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

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

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#### Include the following additional items:

- Land Use Information Form with approval and signature of local planning department (*must be an original*) or signed receipt.
- Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.
- Fees - Amount enclosed: \$ 2150  
See the Department's Fee Schedule at [www.oregon.gov/owrd](http://www.oregon.gov/owrd) or call (503) 986-0900.
- Map that includes the following items:
  - Permanent quality and drawn in ink
  - Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
  - North Directional Symbol
  - Township, Range, Section, Quarter/Quarter, Tax Lots
  - Reference corner on map
  - Location of each diversion, by reference to a recognized public land survey corner (distances north/south and east/west)
  - Indicate the area of use by Quarter/Quarter and tax lot identified clearly.
  - Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
  - Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)

# Water-Use Permit Application Processing

## 1. Completeness Determination

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

## 2. Initial Review

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

## 3. Public Notice

Within 7 days of the mailing of the initial review, the Department gives [public notice](#) of the application in the weekly notice published by the Department at [www.oregon.gov/owrd](http://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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Surface Water — Page 8

Rev. 06-18

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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Applicant

OWRD

NAME <b>Leland Kropf</b>		PHONE (HM) <b>n/a</b>	
PHONE (WK) <b>n/a</b>	CELL <b>541-554-6918</b>	FAX <b>n/a</b>	
ADDRESS <b>29410 Nixon Drive</b>			
CITY <b>Harrisburg</b>	STATE <b>OR</b>	ZIP <b>97446</b>	E-MAIL* <b>lckropf@emypeople.net</b>

### 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/RRR-5)	Water to be:	Proposed Land Use:
15s	04w	04	n/a	400	EFU	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
15s	04w	04	n/a	500	EFU	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	

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

Linn

### 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) Willamette River

Estimated quantity of water needed: 159   
 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:

106 ACRE OF PESCUE / HAZELNUT 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): LCC 9.28.310(B)(1) / LCC 9.31.650(B)(6)

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

NOV 05 2020  
 WRD

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.

Portions of the property are located within the WR150

NAME <u>Alyssa Boles</u>	TITLE: <u>Senior Planner</u>
SIGNATURE <u>Alyssa Boles</u>	PHONE: <u>541-967-3816</u>
GOVERNMENT ENTITY <u>Uinn County</u>	DATE: <u>10/22/20</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: \_\_\_\_\_



Oregon Water Resources Department  
Surface Water Application

- [Main](#)
- [Return](#)
- [Help](#)
- [Contact Us](#)

Today's Date: Thursday, October 22, 2020

Base Application Fee.			\$930.00
Number of proposed cubic feet per second (cfs) to be diverted. (1 cfs = 448.83 gallons per minute)	1.3		\$700.00
Number of proposed Use's for the appropriated water. (i.e. Irrigation, Supplemental Irrigation, Pond Maintenance, Industrial, Commercial, etc) *	1		
Number of proposed Surface Water points of diversions. **	1		
Number of Acre Feet to be diverted from Stored Water. (if the application is appropriating water from a pond/reservoir)	0		
Subtotal:			\$1,630.00
Permit Recording Fee. ***			\$520.00
<p>* the 1st Water Use is included in the base cost.            ** the 1st Surface Water point of diversion is included in the base cost.            *** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.</p>			Recalculate
Estimated cost of Permit Application			\$2,150.00

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# Mailing List for Final Certificate

Application: G-11452

Permit: G-10814

Certificate: 95929

**Permit/Certificate Holder:**

EXIT 282A DEVELOPMENT CO. LLC  
24377 NE AIRPORT RD  
AURORA OR 97002

<b>Copies Mailed</b>	
<b>by:</b> _____	(STAFF)
<b>on:</b> _____	(DATE)

Is the Permit Holder(s) of record currently identified as a landowner of any tax lots involved as confirmed by the County records? **YES**

31W35 00500
31W35 00570
31W35 00580
31W35 02200
31W35 01802
31W35 01860
31W35 01870

**Copies of Final Certificate to be sent to:**

1. Vault
2. File

**Other persons to receive copies: (include map):**

1. GSI Water Solutions Inc.  
Ted Ressler, CWRE  
55 SW Yamhill St.; Ste. 300  
Portland, OR. 97204
  
2. Pacific Hydro-Geology Inc.  
Gregory Kupillas, CWRE  
18487 S. Valley Vista Rd.  
Mulino, OR. 97042-8741

EXIT 282A DEVELOPMENT CO. LLC  
1205 SW FAIRFAX PL  
PORTLAND, OR 97225

**Excluded Landowner - 31W35 01800 - (Per permit partial cancellation affidavit – no use under the permit)**

KEYSTONE PACIFIC LLC  
CHUCK EGGERT  
18555 SW TETON AVE  
TUALATIN, OR 97062

