

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 <i>Chris Robinson</i> | | PHONE (HM) | |
| PHONE (WK) <i>(503) 835-4533</i> | CELL <i>(503) 931-8231</i> | FAX <i>(503) 835-3004</i> | |
| ADDRESS <i>PoBox 100</i> | | | |
| CITY <i>Amity</i> | STATE <i>OR</i> | ZIP <i>97101</i> | E-MAIL* <i>Chris@Robinsonnursery.com</i> |

Organization

| | | | | |
|--|-------------|--------------|---------|-----|
| NAME ROBINSON FARM LLC c/o CHRIS ROBINSON | | PHONE | | FAX |
| ADDRESS PO Box 100 | | | CELL | |
| CITY AMITY | STATE OR | ZIP 97101 | E-MAIL* | |

Agent – The agent is authorized to represent the applicant in all matters relating to this application.

| | | | | |
|---|-------------|-------------------------|-----------------------------|-----------------------|
| AGENT / BUSINESS NAME DOANN HAMILTON / PACIFIC HYDRO-GEOLOGY, INC. | | PHONE (503) 632-5016 | | FAX (503) 632-5983 |
| ADDRESS 18487 S. VALLEY VISTA RD | | | CELL (503) 349-6946 | |
| CITY MULINO | STATE OR | ZIP 97042 | E-MAIL* PHGDMH@GMAIL.COM | |

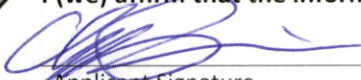
Note: Attach multiple copies as needed

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

By my signature below I confirm that I understand:

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

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

 _____ *Chris Robinson Manager* _____ *1/11/22*
Applicant Signature Print Name and Title if applicable Date

Applicant Signature Print Name and Title if applicable Date

For Department Use: App. Number: _____

SECTION 2: PROPERTY OWNERSHIP

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

- 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).*

NA

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

SECTION 3: WELL DEVELOPMENT

| WELL NO. | NAME OF NEAREST SURFACE WATER | IF LESS THAN 1 MILE: | |
|----------|-------------------------------|-----------------------------------|--|
| | | DISTANCE TO NEAREST SURFACE WATER | ELEVATION CHANGE BETWEEN NEAREST SURFACE WATER AND WELL HEAD |
| WELL 3 | SALT CREEK | 2,100 FEET | 20 FEET |
| WELL 4 | SALT CREEK | 2,300 FEET | 20 FEET |
| | | | |
| | | | |
| | | | |

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

See Well Log YAMH 453 for Well 3

Well 4 specifications provided in the table below are estimates and subject to change based on actual conditions encountered in the field. The objective will be to construct the well to develop water from the alluvial aquifer.

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SECTION 3: WELL DEVELOPMENT, continued

Total maximum rate requested: 0.23 cfs (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below).

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

| OWNER'S WELL NAME OR NO. | PROPOSED | EXISTING | WELL ID (WELL TAG) NO.* OR WELL LOG ID** | FLOWING ARTESIAN | CASING DIAMETER | CASING INTERVALS (IN FEET) | PERFORATED OR SCREENED INTERVALS (IN FEET) | SEAL INTERVALS (IN FEET) | MOST RECENT STATIC WATER LEVEL & DATE (IN FEET) | PROPOSED USE | | | |
|--------------------------|-------------------------------------|-------------------------------------|--|--------------------------|-----------------|----------------------------|--|--------------------------|---|-------------------|------------------|--------------------------|---------------------------|
| | | | | | | | | | | SOURCE AQUIFER*** | TOTAL WELL DEPTH | WELL-SPECIFIC RATE (GPM) | ANNUAL VOLUME (ACRE-FEET) |
| WELL 3 | <input type="checkbox"/> | <input checked="" type="checkbox"/> | YAMH 453 | <input type="checkbox"/> | 8 INCH | +2 TO 137 | 75 TO 130 | 0 TO 18 | 9.50 (MARCH 1, 2019) | ALLUVIUM | 137 FEET | | |
| WELL 4 | <input checked="" type="checkbox"/> | <input type="checkbox"/> | | <input type="checkbox"/> | 8 INCH | 0 TO 150 | TBD | 0 TO 30 | NA | ALLUVIUM | 150 FEET | | |
| | <input type="checkbox"/> | <input type="checkbox"/> | | <input type="checkbox"/> | | | | | | | | | |
| | <input type="checkbox"/> | <input type="checkbox"/> | | <input type="checkbox"/> | | | | | | | TOTAL: | 103.2 GPM | 45.5 AF |
| | <input type="checkbox"/> | <input type="checkbox"/> | | <input type="checkbox"/> | | | | | | | | | |
| | <input type="checkbox"/> | <input type="checkbox"/> | | <input type="checkbox"/> | | | | | | | | | |
| | <input type="checkbox"/> | <input type="checkbox"/> | | <input type="checkbox"/> | | | | | | | | | |

* 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

Is the well or proposed well 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, 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

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recovery plans, the Columbia River Basin Fish and Wildlife Program, and regional restoration programs applicable to threatened or endangered fish species, in coordination with state and federal agencies, as appropriate, whether the proposed use is detrimental to the protection or recovery of a threatened or endangered fish species and whether the use can be conditioned or mitigated to avoid the detriment.

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

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

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

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

Statewide - OAR 690-033-0330 thru -0340

Is the well or proposed well located in an area where the Statewide 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 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) |
|---------|------------------------------------|---------------------------|
| Nursery | November 1 through End of February | 45.5 |
| | | |
| | | |

For irrigation use only:
Please indicate the number of primary, supplemental and/or nursery acres to be irrigated (*must match map*).
Primary: NA Acres Supplemental: NA Acres Nursery Use: 9.1 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: 45.5 AF

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- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households: 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): Submersible 50 Hp
 Other means (describe):

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

Water will be pumped from both wells feeding into a common eight-inch mainline supplying greenhouses and staging areas to be watered with impact sprinklers and drip lines.

B. Application Method

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

Impact sprinklers and drip lines

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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*).

Irrigation of the nursery stock will be done with drip irrigation system and impact sprinklers using best management practices to prevent waste. A flow meter will be used to measure the amount of water used.

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SECTION 7: PROJECT SCHEDULE

- Date construction will begin: Within three years after the permit is issued
- Date construction will be completed: Within five years after the permit has been issued
- Date beneficial water use will begin: Within five years after the permit has been issued

SECTION 8: RESOURCE PROTECTION

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

- Water quality will be protected by preventing erosion and run-off of waste or chemical products.
Describe: Water will be applied at the appropriate rate and duration to avoid excess watering
- Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.
Note: If disturbed area is greater than one acre, applicant should contact the Oregon Department of Environmental Quality to determine if a 1200C permit is required.

Describe planned actions and additional permits required for project implementation:

There are no streams located near the proposed wells or any other location requiring ground disturbance; therefore, no banks will need clearing.

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

SECTION 9: WITHIN A DISTRICT

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

| | | |
|--------------------------------|---------|-----|
| Irrigation District Name NA | Address | |
| City | State | Zip |

SECTION 10: REMARKS

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

None

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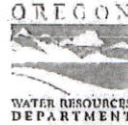
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Land Use Information Form



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

Applicant

| | | | | | |
|--|--|-------------|--------------|---------|--|
| NAME ROBINSON FARM LLC c/o CHRIS ROBINSON | | | PHONE (HM) | | |
| PHONE (WK) (03) 4533 | | CELL | | FAX | |
| ADDRESS PO Box 100 | | | | | |
| CITY AMITY | | STATE OR | ZIP 97101 | E-MAIL* | |

A. Land and Location

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

| Township | Range | Section | ¼ ¼ | Tax Lot # | Plan Designation (e.g., Rural Residential/RR-5) | Water to be: | | | Proposed Land Use: |
|----------|-------|---------|-----|-----------|---|--|--|--|--------------------|
| 5S | 4W | 7 | | 100 | | <input checked="" type="checkbox"/> Diverted | <input checked="" type="checkbox"/> Conveyed | <input type="checkbox"/> Used | Nursery |
| 5S | 4W | 8 | | 700 | | <input checked="" type="checkbox"/> Diverted | <input checked="" type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | Nursery |
| | | | | | | <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:

Yamhill County

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B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- Permit to Use or Store Water Water Right Transfer Permit Amendment or Groundwater Registration Modification
 Limited Water Use License Allocation of Conserved Water Exchange of Water

Source of water: Reservoir/Pond Groundwater Surface Water (name) _____

Estimated quantity of water needed: 0.23 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 Nursery

Briefly describe:

New groundwater application for nursery rights to apply water on nursery stock during the winter months.

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): 402.02(A) of the 4/20
- Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below. (Please attach documentation of applicable land use approvals which have already been obtained. Record of Action/land use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

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

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

| | | |
|--|---------------------------------|------------------------|
| | | |
| NAME: <u>LANCE WOODS</u> | TITLE: <u>ASSOCIATE PLANNER</u> | |
| SIGNATURE: | PHONE: <u>(503) 434-7516</u> | DATE: <u>1/26/2022</u> |
| GOVERNMENT ENTITY: <u>YAMHILL COUNTY PLANNING DEPARTMENT</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: _____

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Until a change is requested, all tax statements shall be sent to the following address:
Robinson Farms, LLC
PO Box 100
Amity, OR 97101

After recording return to:
Robinson Farms, LLC
PO Box 100
Amity, OR 97101

(This space reserved for recording

OFFICIAL YAMHILL COUNTY RECORDS
JAN COLEMAN, COUNTY CLERK

200627232



\$36.00

DHR-DDMR Cnt=1 Stn=2
\$15.00 \$10.00 \$11.00

11/28/2006 12:35:00 PM

ANITA

WARRANTY DEED - STATUTORY FORM

Beulah V. Reed, surviving spouse of Charlie W. Reed, deceased, Grantor, conveys and warrants to Robinson Farms, LLC, Grantee, the following described real property free of encumbrances except as specifically set forth herein situated in Yamhill County, Oregon, to-wit:

See Exhibit "A" attached hereto and by this reference made a part hereof.

*This deed is given in fulfillment of that certain Contract of Sale between Charlie W. Reed and Beulah V. Reed, Seller and Robinson Farms, LLC, Buyer, a memorandum of which is recorded as Instrument 200212952, Yamhill County Deed Records.

The said property is free from encumbrances except as hereinafter set forth in Exhibit A.

The true consideration for this conveyance is \$511,000.00.*

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

DATED this 21st day of November, 2006.

Beulah V. Reed
Beulah V. Reed, Grantor

STATE OF OREGON,)
Deschutes) ss.
County of Yamhill: 99)
11/21/06

Personally appeared on the 21st day of November, 2006, the above named Beulah V. Reed, and acknowledged the foregoing instrument to be her voluntary act and deed.

Before me:

[Signature]
Notary Public for Oregon
My Commission Expires: June 6 2009



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EXHIBIT "A"

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A part of Sections 6 and 7, of the Joseph Watt Donation Land Claim #80 and of the William J. Garrison Donation Land Claim #40, all in Township 5 South, Range 4 West, of the Willamette Meridian, described as follows: Beginning at the Northeast corner of the James Gwinn Donation Land Claim #43; thence West along the North line of said Gwinn Claim 12.56 chains; thence North 2.98 chains; thence East 2.80 chains to the Westerly line of Lot 3 of Partition Suit in the State Circuit Court for Yamhill County, Oregon, #3053, as surveyed by C. E. Branson; thence North 21° 45' West 23.16 chains to a stake at corner established by said Branson Survey; thence North 51° 30' East along the Northerly line of Lot 3 of said Branson Survey 10 chains to a stake set in Salt Creek near the North bank thereof; thence South 19° 28' East 32.71 chains to the place of beginning.

Lot 3, in Section 6 and Lot 8 in Section 7, all in Township 5 South, Range 4 West, of the Willamette Meridian.

Beginning. at the Northeast corner of the James L. Gwinn Donation Land Claim #43 in Township 5 South, Range 4 West, of the Willamette Meridian; thence West 10.35¼ chains; thence South 6.64 chains; thence East 10.12 1/2 chains; thence South 6.303 chains to angle in said County Road; thence East 0.2275 of a chain to East boundary line of said Gwinn DLC; thence North 12.944 chains to place of beginning.

A part of the Hardin D. Martin Donation Land Claim #37 in Township 5 South, Range 4 West, of the Willamette Meridian, described as follows: Beginning at the Southwest corner of said Martin Claim; thence East 9.00 chains to the Southwest corner of a tract conveyed by W. D. McDonald to R. B. McDonald by deed recorded January 30, 1897 in Book 34, Page 36, Deed Records; thence North along the West line of said McDonald tract to the South fork of the Yamhill River; thence Westerly along said river to the west line. of said Martin Claim; thence South to the place of beginning.

A part of the James L. Gwinn DLC, Notification No. 1255, Claim No. 43, in Township 5 South of Range 4 West, of the Willamette Meridian and parts of Lots No. 6 and 7 of Section 7, in said Township and Range, described as follows: Beginning at a stone at angle in County Road on the East line of and 24.15 chains South of the Northeast corner of said Gwinn DLC; thence West along corner of said County Road 22.398 chains, set iron pipe for Southwest corner; thence North 27.13 chains set stake and iron pipe for corner; thence East 9.838 chains to angle; thence South 2.98 chains to angle; thence East 2.207 chains to angle; thence South 6.64 chains to Southwest corner of Frazier tract; thence East 10.125 chains to point 15 feet West of the East line of Gwinn Claim; thence South 6.303 chains to point opposite angle in County Road; thence East 0.227 of a chain to angle in center of County road on East line of claim; thence South 41.206 chains to beginning.

EXCEPTING THEREFROM that portion conveyed to Yamhill County, a political subdivision, State of Oregon by Deed recorded December 29, 1972 in Film Volume 92, Page 1100, Deed and Mortgage Records.

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ALSO EXCEPTING THEREFROM that portion conveyed to George D. Frauendicner Jr. and Charlia K. Frauendicner by deed recorded August 31, 1973 in Film Volume 96, Page 253, Deed and Mortgage Records.

FURTHER EXCEPTING THEREFROM that portion conveyed to Charlie K. Bray and David N. Bray by deed recorded November 6, 2000 as Instrument No. 200015985, Deed and Mortgaged Records.

TOGETHER WITH and easement for access and maintenance of a farm field tile drainage system, as disclosed in deed recorded November 6, 2002 as Instrument No. 200015985, Deed and Mortgage Records.

Subject to the following:

1. As disclosed by the tax rolls, the premises herein described have been zoned or classified for farm use. At any time that said land is disqualified for such use the property will be subject to additional taxes or penalties and interest.
2. Rights of the public and of governmental bodies in and to that portion of the premises here in described lying below the high water mark of the South Fork Yamhill River.
3. Governmental rights in connection with flood control and propagation of anadromous fish and public rights of fishing and recreational navigation in and to the water, bed and shoreline of the South Fork Yamhill River.
4. Any adverse claim based upon the assertion that some portion of said land have been removed from or brought within the boundaries thereof by an avulsive movement of the South Fork Yamhill River or has been formed by the process of accretion or reliction or has been created by artificial means or has accreted to such portion so created.
5. Reservations contained in deed to the Oregon and California Railroad Company, recorded June 18, 1891 in Book 25, Page 347, Deed Records.
6. Reservations contained in deed recorded December 12, 1891 in Book 26, Page 308, Deed Records.
7. Reservations contained in deed to R.F. Harding, recorded July 19, 1909 in Book 54, Page 572, Deed Records.
8. A non-exclusive easement for roadway purposes, as disclosed in document recorded December 26, 1973 in Film Volume 97, Page 1930, Deed and Mortgage Records.

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WARRANTY DEED - STATUTORY FORM

John G. Bernards, Grantor, conveys and warrants to **Robinson Farms, LLC** Grantee, the following described real property free of encumbrances except as specifically set forth herein situated in Yamhill County, Oregon, to-wit:

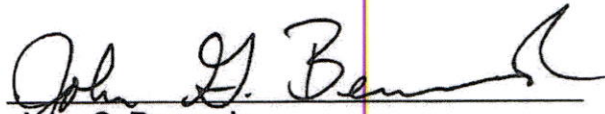
See Exhibit "A" attached hereto and by this reference made a part hereof.

The said property is free from encumbrances except as set forth herein.

The true consideration for this conveyance is \$864,250.00.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

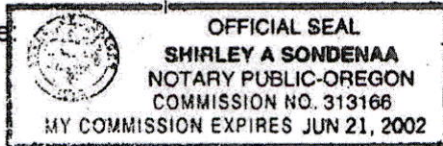
DATED this 29th day of December, 2000.

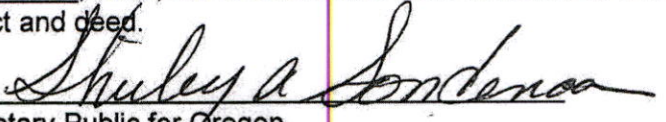

John G. Bernards

STATE OF OREGON,)
) ss.
County of Yamhill.)

Personally appeared on the 29th day of December, 2000, the above named John G. Bernards and acknowledged the foregoing instrument to be his voluntary act and deed.

Before me




Notary Public for Oregon
My Commission Expires: 06-21-2002

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

(This space reserved for recording information)

Robinson Farms, LLC
PO Box 100
Amity, OR 97101

After recording return to:
Robinson Farms, LLC
PO Box 100
Amity, OR 97101

OFFICIAL YAMHILL COUNTY RECORDS
CHARLES STERN, COUNTY CLERK



\$31.00

00047261200000184920020021
200018492 11:52:54 AM 12/29/2000
DMR-DDMR Cnt=1 Stn=2 JAN
\$10.00 \$10.00 \$11.00

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Exhibit "A"

PARCEL 1:

A tract of land in Section 8, Township 5 South, Range 4 West of the Willamette Meridian in Yamhill County, Oregon, more particularly described as follows:

BEGINNING at a point on the line between Sections 8 and 17 in said Township and Range, 16.90 chains East of the corner of Sections 7, 8, 17 and 18, which said point is also the Southwest corner of the Donation Land Claim of Joseph Watts; thence East with the South line of said Donation Land Claim, 36 chains to the Southeast corner of the said Donation Land Claim; thence North on the East line of said Donation Land Claim, 44.40 chains; thence West 52.20 chains; thence South 2.04 chains; thence South 21°45' East, 45.60 chains to the point of beginning.

Lot
700

EXCEPTING THEREFROM a tract conveyed to Joseph Robert Stupfel, et ux, by Deed recorded October 29, 1970 in Film Volume 81, Page 1072, Deed and Mortgage Records of Yamhill County, Oregon.

ALSO EXCEPTING THEREFROM that portion described in Deed to Yamhill County, recorded December 5, 1975 in Film Volume 109, Page 860, Deed and Mortgage Records, Yamhill County, Oregon.

PARCEL 2:

A tract of land located in Section 8, Township 5 South, Range 4 West of the Willamette Meridian in Yamhill County, Oregon, more particularly described as follow:

BEGINNING at the Northeast corner of the certain tract of land described in Deed from Fred C. Stupfel to Leo J. Stupfel and Mary C. Stupfel, husband and wife, recorded February 21, 1919 in Book 77, Page 297, Deed Records of Yamhill County, Oregon; thence West 940 feet to a monument; thence South 470 feet to an iron pipe and the True Point of Beginning; thence South 50 feet to the Northerly right of way line of the Southern Pacific Railroad; thence North 72° East, 175 feet along the North right of way line of said railroad to an iron pipe; thence North 71°07'50" West, 50 feet to an iron pipe; thence Westerly 124 feet to the True Point of Beginning.

SUBJECT TO rights of the public in any to any portion of the property lying within the boundaries of roads or highways, additional taxes or penalties and interest in the event of disqualification for farm use assessment, right of way for railroad set forth in instrument recorded 4/25/1883 in Volume V, Page 466, Deed Records, and trust deed for the benefit of Farm Credit Services dated April 19, 1996, recorded as Instrument No. 199606014, Deed and Mortgage Records, beneficial interest assigned to Northwest Farm Credit Services, FLCA, by instrument No. 200012156, Deed and Mortgage Records, which trust deed and the obligations secured thereby, Grantor covenants and agrees to pay and hold Grantee harmless therefrom.

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3
STATE OF OREGON
WATER WELL REPORT
(as required by ORS 537.765)

PAGE 1
WATER RESOURCES DEPT (START CARD) #

JAN 14 1991

(1) OWNER: Well Number: 1193
Name JOHN BERNARDS
Address 14555 SW MCCABE CHAPEL
City MCMINNVILLE State OR Zip 97128

(9) LOCATION OF WELL by legal description:
County YAMHILL Latitude Longitude
Township 5 S N or S Range 4 W E or W, WM.
Section 8 SE 1/4 NW 1/4
Tax Lot Lot Block Subdivision
Street Address of Well (or nearest address)
APPROX 9000 SW RIVERBEND WHITESON

(2) TYPE OF WORK:
 New Well Deepen Recondition Abandon

(3) DRILL METHOD
 Rotary Air Rotary Mud Cable
 Other

(4) PROPOSED USE:
 Domestic Community Industrial Irrigation
 Thermal Injection Other

(5) BORE HOLE CONSTRUCTION: 137
Special Construction approval Yes No Depth of Completed Well ft.
Explosives used Type Amount

HOLE SEAL Amount
Diameter From To Material From To sacks or pounds
17 0 18 CEMENT 0 18 26 SAX
12 18 137

How was seal placed: Method A B C D E
Backfill placed from ft. to ft. Material
Gravel placed from 18 ft. to ft. Size of gravel 3/8 P

(6) CASING/LINER:
Diameter From To Gauge Steel Plastic Welded Threaded
Casing: 8 +2 137 .25
Liner:

Final location of shoets)

(7) PERFORATIONS/SCREENS:
 Perforations Method TORCH
 Screens Type Material

From To Slot size Number Diameter Tele/pipe size Casing Liner
75 130 6" 400

(8) WELL TESTS: Minimum testing time is 1 hour
 Pump Bailer Air Flowing Artesian
Yield gal/min Drawdown Drill stem at Time
200.00 137 1 hr.
200 137 20

Temperature of water 51 Depth Artesian Flow Found
Was a water analysis done? Yes By whom
Did any strata contain water not suitable for intended use? Too little
 Salty Muddy Odor Colored Other
Depth of strata:

(10) STATIC WATER LEVEL: 01/07/91
25 ft. below land surface. Date
Artesian pressure lb. per square inch. Date

(11) WATER BEARING ZONES:
68
Depth at which water was first found
From To Estimated Flow Rate SWL
68 130 200 25

(12) WELL LOG: Ground elevation
Material From To SWL
TOP SOIL 0 4
BROWN SILTY CLAY 4 12
BLUE CLAY 12 58
BLUE CLAY W/SAND 58 62
BLUE CLAY 62 68
MEDIUM GRAVEL W/BLUE CLAY 68 130 25
RED/BROWN CLAY 130 137

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Date started 12/12/90 Completed 01/07/91

(unbonded) Water Well Constructor Certification:
I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon well construction standards. Materials used and information reported above are true to my best knowledge and belief.
WWC Number
Signed Date

(bonded) Water Well Constructor Certification:
I accept responsibility for the construction, 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 well construction standards. This report is true to the best of my knowledge and belief.
WWC Number
Signed Robert Shulburne Date 01/07/91

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

Include the following additional items:

- Land Use Information Form with approval and signature of local planning department (*must be an original*) or signed receipt.
- Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.
- Fees - Amount enclosed: **\$ 2,390.00**
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)

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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 \$310. 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 \$480.00 for the applicant and \$950.00 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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