



AGENDA COVER MEMO

Memorandum Date: December 28, 2018
First Reading Date: January 15, 2019
Second Reading/Public Hearing: January 29, 2019

TO: Board of County Commissioners
DEPARTMENT: Public Works / Land Management Division
PRESENTED BY: Anne Davies, LCOG, Principal Attorney
Rachel Serslev, Planner

AGENDA ITEM TITLE: ORDINANCE NO. PA 1365/ In the Matter of Amending The Rural Comprehensive Plan To Redesignate Land From "Forest Land" To "Marginal Land", To Rezone Land From "Impacted Forest Land (F-2)" To "Marginal Land (ML)", And Adopting Savings And Severability Clauses (File 509-PA16-05291; Applicant: Martinez)

I. MOTION

1. January 15, 2019:

MOVE TO APPROVE THE FIRST READING OF ORDINANCE NO. 1365, AND SET THE SECOND READING AND PUBLIC HEARING FOR JANUARY 29, 2019, AT 1:30 PM IN HARRIS HALL, PUBLIC SERVICE BUILDING

2. January 29, 2019: ALTERNATIVE MOTIONS AFTER THE PUBLIC HEARING:

A. MOVE TO APPROVE ORDINANCE NO. PA 1365 AS PRESENTED

OR

B. MOVE TO SET A THIRD READING AND DIRECT STAFF TO REVISE ORDINANCE NO. PA 1365 AS DIRECTED BY THE BOARD AND TO RETURN WITH A REVISED ORDINANCE FOR THE BOARD'S CONSIDERATION AND ACTION ON (DATE CERTAIN) AT 1:30 PM IN HARRIS HALL

OR

C. DENY THE APPLICATION AND DIRECT STAFF TO PREPARE AN ORDER WITH APPROPRIATE FINDINGS FOR FINAL ACTION

II. AGENDA ITEM SUMMARY

A privately-initiated request for a minor amendment to the Rural Comprehensive Plan and companion rezoning request has been recommended for approval by the Lane County Planning Commission. This Ordinance sets the matter before the Board for adoption, modification, or denial.

III. BACKGROUND/IMPLICATIONS OF ACTION

A. Board Action and Other History

The subject property is identified as Map and Tax Lot 18-05-25, Tax Lot 200. The property is 54.04 acres.

The Applicants/Owners are Larry and Tommye Martinez. Applicants' Agent is Norman Waterbury.

On April 12, 2016, the application was submitted to the Lane County Land Management Division (LMD). Staff received supplemental information on June 13, 2017; November 27, 2017; and February 19, 2018. Notice of the request was sent to the Oregon Department of Land Conservation and Development Department (DLCD) on March 13, 2018. A legal advertisement was published in the Register Guard newspaper and notices were mailed to adjacent property owners and agencies on March 27, 2018, and notice was posted on the subject property announcing the upcoming LCPC hearing on April 2, 2018. A public hearing was conducted on April 17, 2018 and the hearing was closed. The written record was held open until May 15, 2018, with an opportunity for written rebuttal by May 22nd and final applicant's rebuttal by May 29th. On June 19, 2018, the Planning Commission deliberated on the matter and unanimously voted to recommend approval by the Board of County Commissioners.

Timely notice will be provided prior to the Board's second reading and public hearing scheduled for January 29, 2019.

B. Policy Issues

There are no major policy issues associated with this application. The Board is being asked to review the findings for compliance with the approval criteria. An analysis of the approval criteria is contained in the Findings of Fact and Conclusions of Law in support of Ordinance No. PA 1365 (Attachment 1, Exhibit C, Proposed Findings).

C. Board Goals

This proposal is not directly related to any of the Board's strategic planning goals.

D. Financial and/or Resource Considerations

There are no direct or immediate financial and/or resource considerations with regard to the proposed amendments. The applicant's request for a Plan Amendment and Zone Change is a fee-for-service land use application that is processed in the Land Management Division by planning staff and the Planning Director.

E. Health Implications

There are no health implications related to the Board's decision whether or not to approve the proposed Plan Amendment and Zone Change. Approval or denial of the land use application is determined by compliance with land use regulations associated with specific approval criteria. Health implications can only be considered insofar as they are incorporated into the Lane County land use code, building code, or sanitation regulations. An analysis of the approval criteria is contained in the Findings of Fact and Conclusions of Law in support of Ordinance No. PA 1365 (Attachment 1, Exhibit C, Proposed Findings).

F. Analysis

1. Property Description and Surrounding Area

The subject property is located on Pine Grove Road just south of Spencer Creek Road southwest of Eugene. The subject property is approximately 54 acres in size and is generally rectangular in shape (Attachment 2, Vicinity and Current Zoning Map). The subject property is comprised of one tax lot (tax lot 200), and is developed with one stick built dwelling, septic, and a well.

The property is relatively flat with minor undulation in topography. LiDAR imagery shows minimal areas of sloping with no major areas of steep slopes, ravines or cliffs. Aerial imagery demonstrates that the property is approximately 50% forested, with the remainder cleared surrounding the dwelling.

Properties in the surrounding area have a mixture of zoning designations (Attachment 2, Vicinity and Current Zoning Map). Immediately to the north of the area proposed to be rezoned is land zoned RR-5 and developed with single family dwellings. Immediately to the east along most of the eastern boundary of the subject property are other F-2 zoned properties. A small portion of the eastern boundary lies adjacent to RR-5 zoned properties. Property to the south of the subject property are zoned RR-5 and developed with residences. Pine Grove Road abuts the northern portion of the property's western border. Across the road to the west are more RR-5 zoned properties developed with single family residences.

2. Applicable Criteria

The proposal is classified as a Minor Amendment to the Rural Comprehensive Plan pursuant to Lane Code 16.400(6)(h) and involves a rezoning pursuant to Lane Code 16.252. Requests for plan amendments to the County's Rural Comprehensive Plan (RCP) acknowledged by the State Land Conservation and Development Commission must comply with Oregon's Statewide Planning Goals, applicable statutes and administrative

rules, the Lane County Rural Comprehensive Plan, and Lane Code. More specifically, the following criteria apply to the requested Minor Rural Comprehensive Plan Amendment and Zone Change:

- Lane Code 16.400(8)(a), 'Major' and 'Minor' Amendments
- Lane Code 16.400(6)(h), Method of Adoption and Amendment
- Lane Code 16.400(8)(c), Additional Rural Comprehensive Plan Amendment Provisions
- Lane Code 16.252, Procedures for Zoning, Rezoning and Amendments to Requirements
- ORS 197.247
- Statewide Planning Goals
- Lane County Rural Comprehensive Plan
- Agricultural / Forest Lands Working Paper

a. Marginal Land Evaluation

Marginal Land proposals are primarily governed by the 1991 version of ORS 197.247 (Attachment 3). Staff has provided a thorough analysis of the statutory standards in the Lane County Planning Commission staff report (Attachment 4) and supplemental staff report (Attachment 5). In order to reduce redundancy, that analysis is not repeated here.

b. Goal 5 (Big Game and Water Quantity)

The applicant submitted an ESEE (Environmental, Social, Energy, and Economic) analysis addressing potential impacts from the proposed application to Big Game habitat. Opponents challenged that document. Staff's analysis of the ESEE document and opponents' challenges is set forth in its supplemental staff report to the Planning Commission (Attachment 5, pages 5-6). Staff's analysis of the water quantity concerns raised by opponents can also be found in the staff reports to the Planning Commission.

3. Lane County Planning Commission Action

On April 17, 2018, the Lane County Planning Commission held a public hearing on the proposal, and closed the public hearing, but kept the record open as requested during public comment. On June 19, 2018, the Lane County Planning Commission deliberated, and passed a unanimous motion to forward a recommendation of approval to the Board of County Commissioners. The Commissioners' reasoning is set forth in the recorded minutes of the meeting. The official audio record of the public hearing is available at:

<http://lanecounty.org/LCPCDocuments> (search by meeting date)

In summary, the Planning Commission discussed four conditions of approval that staff had recommended. Most significantly, staff proposed limiting the maximum dwelling density on the subject property to two, and that the one new dwelling be clustered with

existing dwellings to reduce potential impacts to Big Game habitat. The Planning Commission considered the recommendation of the Oregon Department of Fish and Wildlife (ODFW) that dwelling density in the peripheral big game range be limited to one dwelling unit per 40 acres. Based primarily on the existing density of the area, the Planning Commission believed that this density limitation was unjustified because the impact to big game range was already present due to existing development.

The Planning Commission also addressed the water quantity issue in depth. Based on neighbor's concern that the increase in the number of allowed dwellings would impact the availability of water to their properties, staff recommended a condition of approval requiring the applicant to submit an aquifer study, in compliance with LC 13.050(13)(c)(i) at the time land division approval is requested. The Planning Commission noted that LC 13.050(13)(c) is not directly applicable to this application, and that imposing the requirement would impose a financial burden on the applicant and that the aquifer study would likely not provide determinative relevant information in any event.

The Planning Commission also opted not to impose the other two conditions of approval (compliance with Division of State Lands wetlands provisions and with Lane Code Siting and Fire Safety Standards). Accordingly, the Planning Commission recommended approval without conditions (Attachment 6, LCPC Motion Document).

4. Staff Recommendation

Although the Planning Commission recommended approval without imposing any conditions, staff recommends the Board consider implementing two of the proposed conditions regarding maximum dwelling density and water quantity. The justification for imposing a maximum dwelling density is that the subject property is abutted on the southeast side by parcels that may provide a possible open corridor for the big game discussed in the applicant's ESEE analysis. These parcels are larger in size and contain only one dwelling. Accordingly, the subject property may continue to provide habitat for the big game in the area, despite the parcelization of nearby properties. By requiring the maximum dwelling density be limited to two, and that the new dwelling be clustered with the existing dwelling, the potential impacts to the Big Game habitat will be reduced, Statewide Planning Goal 5 will be met and the big game resource and conflicting residential use will be limited through this condition.

Staff also recommends requiring an aquifer study in compliance with LC 13.050(13)(c)(i) at the time land division approval is requested. The aquifer study will address the public testimony raising concerns about water quantity in the area and the impact that additional dwellings will have on water availability. The concerns regarding limited water quantity are substantiated by the surrounding Rural Residential zoned properties deemed water quantity limited areas. Although an aquifer test is not specifically applicable to this application, staff finds that an aquifer test would address the water quantity concerns and the proposal would comply with Rural Comprehensive Plan Goal 5, Water Resources Policy 3.

G. Alternatives/Options

1. Approve the application and enact Ordinance No. PA 1365 based on the proposed findings.
2. Direct staff to revise the proposed findings as directed by the Board and to return with a revised Ordinance for the Board's consideration and action at a third reading.
3. Tentatively deny the application and direct staff to prepare an Order with findings for final action, setting forth the Board's reasons for denying the application.

IV. RECOMMENDATION

Staff has reviewed the applicant's materials and public comments and generally concurs with the applicant that the approval criteria have been satisfied. However, the Planning Director recommends two conditions of approval not accepted by the Planning Commission. Therefore, Alternative 2 is recommended so that staff can revise the proposed findings as directed by the Board.

V. TIMING/IMPLEMENTATION

This Ordinance does not contain an emergency clause and will go into effect 30 days after Board adoption.

VI. FOLLOW-UP

Notice of Board action will be provided to the Department of Land Conservation and Development and all parties. In addition, the County's official comprehensive plan and zoning maps will be updated to reflect the adopted changes. Should the Board decide to revise the findings or deny the application, staff will prepare and return to the Board with a revised ordinance or order.

VII. ATTACHMENTS

1. Ordinance No. PA 1365 (2 pgs.)
 - Exhibit A: Proposed Plan Map (1 pgs.)
 - Exhibit B: Proposed Zone Map (1 pgs.)
 - Exhibit C: Proposed Findings (29 pgs.)
2. Vicinity and Current Zoning Map (1 pg.)
3. Oregon Revised Statutes 197.247, 1991 Edition (1 pg.)
4. Lane County Planning Commission Staff Report (dated April 9, 2018) & Exhibits for April 17, 2018 Public Hearing (673 pgs.)

5. June 12, 2018 Supplemental Staff Report to Lane County Planning Commission distributing:
(305 pgs.)
 - Supplemental Testimony and comments submitted by May 15, 2018
 - Responses to new information submitted by May 22, 2018
 - Applicant's Final Rebuttal dated May 29, 2018
 - Marginal Lands Training Document for Planning Commission, dated March 6, 2007
 - Map of Water Quantity Limited areas
6. LCPC Motion Document (1 pg.)

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDINANCE NO. PA 1365 | IN THE MATTER OF AMENDING THE RURAL
| COMPREHENSIVE PLAN TO REDESIGNATE LAND
| FROM "FOREST LAND" TO "MARGINAL LAND",
| TO REZONE LAND FROM "IMPACTED FOREST LAND
| (F-2)" TO "MARGINAL LAND (ML)",
| AND ADOPTING SAVINGS AND SEVERABILITY
| CLAUSES (File No. 509-PA16-05291; Applicant: Martinez)

WHEREAS, the Board of County Commissioners of Lane County, through enactment of Ordinance No. PA 884 has adopted Land Use Designations and Zoning for lands within the planning jurisdiction of the Lane County Rural Comprehensive Plan; and

WHEREAS, Lane Code 16.400 sets forth procedures to amend the Rural Comprehensive Plan, and Lane Code 16.252 sets forth procedures for rezoning lands within the jurisdiction of the Rural Comprehensive Plan; and

WHEREAS, on April 12, 2016, application no. 509-PA 16-05291 was made for a minor amendment to redesignate tax lot 200, Map 18-05-25, from "Forest" to "Marginal Land," with a concurrent request to rezone the property from "Impacted Forest Land (F-2)" to "Marginal Land (ML);" and

WHEREAS, the Lane County Planning Commission reviewed the proposal in a public hearing on April 17, 2018; and

WHEREAS, the Lane County Planning Commission deliberated on June 19, 2018, and forwarded the matter to the Board with a recommendation for approval of the proposed plan amendment and zone change; and

WHEREAS, evidence exists within the record indicating that the proposal meets the requirements of Lane Code Chapter 16, and the requirements of applicable state and local law; and

WHEREAS, the Board of County Commissioners has conducted a public hearing and is now ready to take action;

NOW, THEREFORE, the Board of County Commissioners of Lane County Ordains as follows:

Section 1. The Official Lane County Rural Comprehensive Plan is amended to redesignate Tax Lot 200, Map 18-05-25, from "Forest Land" to "Marginal Land." This is depicted on the Official Lane County Plan maps and further identified as Exhibit "A" attached and incorporated herein.

Section 2. The Official Lane County Zoning Map is amended to change the zone for Tax Lot 200, Map 18-05-25, from "Impacted Forest Land (F-2)" to "Marginal Land (ML)." This is depicted on the Official Lane County Zone maps and further identified as Exhibit "B" attached and incorporated herein.

FURTHER, although not a part of this Ordinance, the Board of County Commissioners adopts Findings of Fact and Conclusions of Law as set forth in Exhibit "C" attached, in support of this action.

The prior designation and zone repealed by this Ordinance remain in full force and effect to authorize prosecution of persons in violation thereof prior to the effective date of this Ordinance.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity to the remaining portions hereof.

ENACTED this ___ day of _____, 2019

, Chair
Lane County Board of County Commissioners

Recording Secretary for this Meeting of the Board

APPROVED AS TO FORM
Date _____ Lane County

OFFICE OF LEGAL COUNSEL

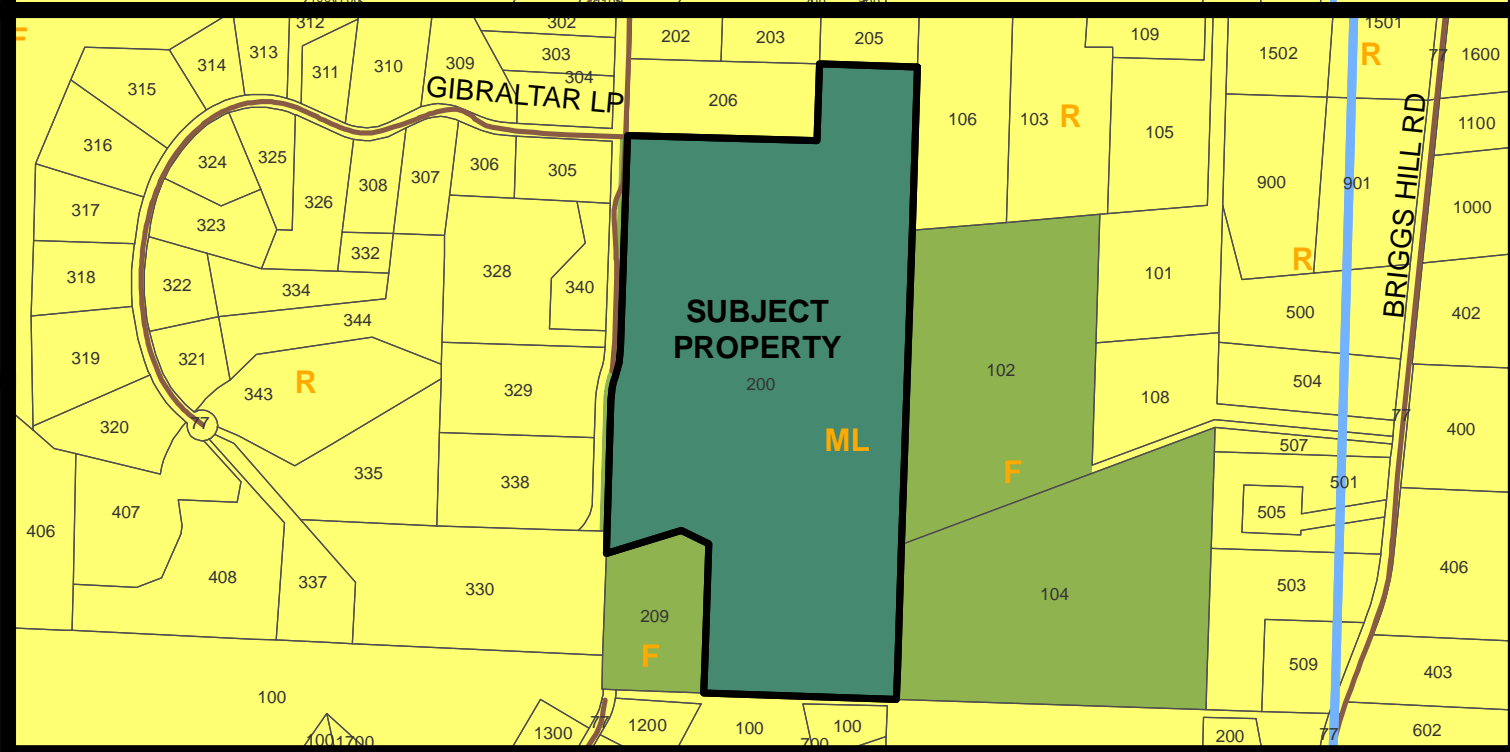
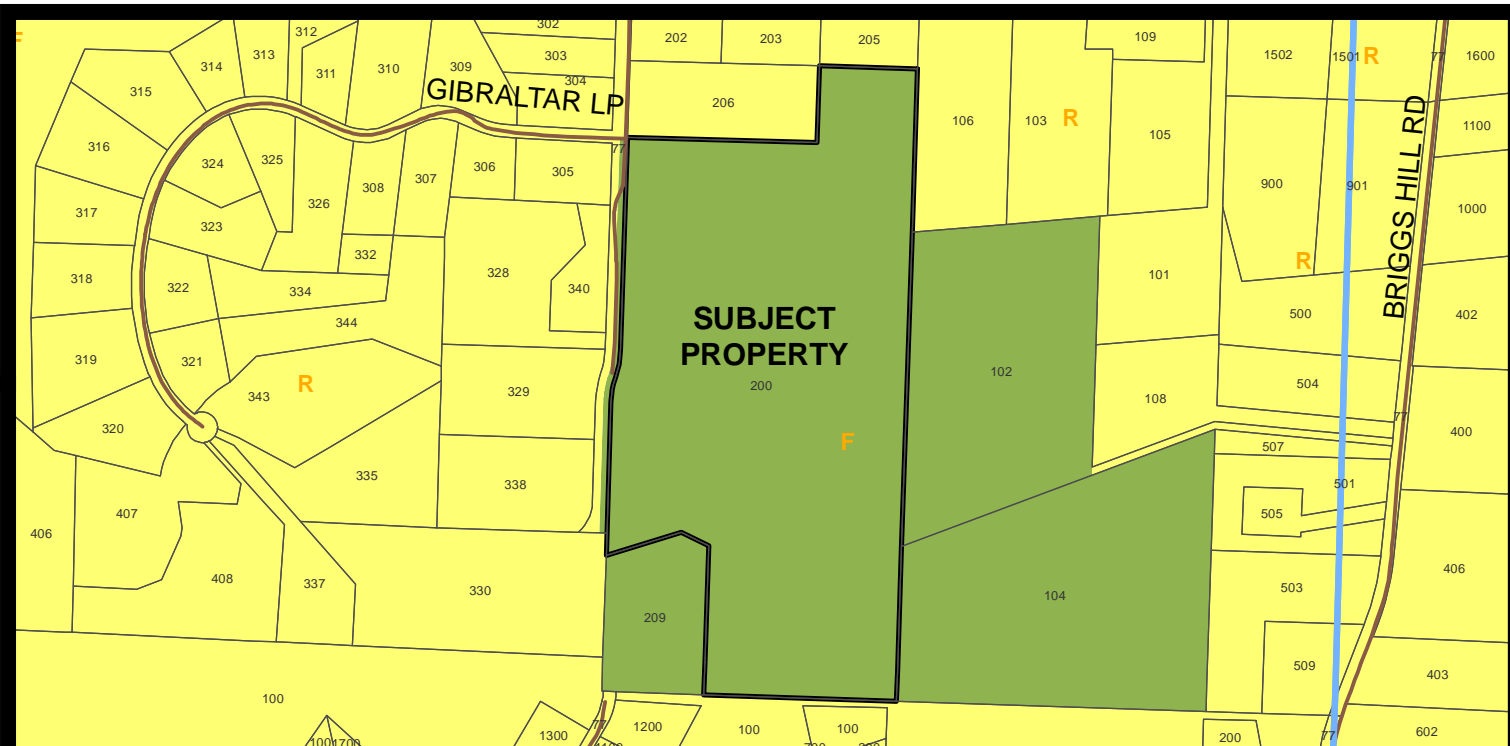


EXHIBIT A

RCP Plan Designations

- F - Forest
- A - Agricultural
- ML - Marginal
- C - Commercial
- I - Industrial
- R - Residential
- NR/ES - Non Resource
- P - Parks
- AIR - Airport
- NR/CA - Natural Resource Conservation Area
- NR/M - Natural Resource : Mineral
- NR/W - Natural Resource : Wildlife
- E - Estuary
- DR - Destination Resort
- PF - Public Facility

Legend

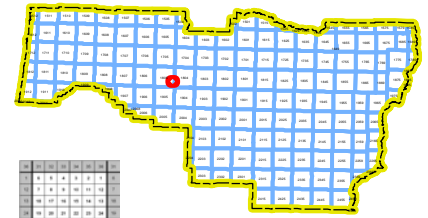
- UGP
- City Limits
- Communities
- Rural
- Urban
- Township Range
- Sections
- Metro Plan Boundary
- Parcels
- Roads
- Surface Water

ORIGINAL ADOPTING ORDINANCE NUMBER:

Revision	Ordinance or Order Number	Date Effective	Planning Action Number	Revision Description
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				

N

Official Lane County
Plan Map



- Zoning**
- F1 - Non-Impacted Forest
 - F2 - Impacted Forest
 - E25 - Exclusive Farm Use (25 acre minimum)
 - E30 - Exclusive Farm Use (30 acre minimum)
 - E40 - Exclusive Farm Use (40 acre minimum)
 - E60 - Exclusive Farm Use (60 acre minimum)
 - ML - Marginal Lands
 - RC - Rural Commercial
 - R1 - Rural Industrial
 - LI - Light Industrial
 - GI - General Industrial
 - RPF - Rural Public Facility
 - RR1 - Rural Residential (1 acre minimum)
 - RR2 - Rural Residential (2 acre minimum)
 - RR2ABES - Non Resource (2 acre minimum)
 - RR5 - Rural Residential (5 acre minimum)
 - RR5ABES - Non Resource (5 acre minimum)
 - RR10 - Rural Residential (10 acre minimum)
 - RR10ABES - Non Resource (10 acre minimum)
 - PR - Park and Recreation
 - RPR - Rural Park and Recreation
 - AO - Airport Operations
 - CLWP - Clear Lake Watershed Protection Area
 - NR - Natural Resource
 - NE - Natural Estuary
 - DR - Distillation Resent
 - OM - Quarry and Mining Operations
 - SG - Sand, Gravel and Rock Products
 - SGCP - Sand, Gravel and Rock Products Combining Processing
 - CR - Rural Commercial
 - C2 - Neighborhood Commercial
 - C3 - Commercial
 - M2 - Light Industrial
 - PF - Public Facility
- UGB**
 City Limits
 Township Range
 Parcels
 Surface Water
 Sections
 Roads

ORIGINAL ADOPTING ORDINANCE NUMBER:

Revision	Ordinance or Order Number	Date Effective	Planning Action Number	Revision Description
1				
2				
3				
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Official Lane County Zoning Map

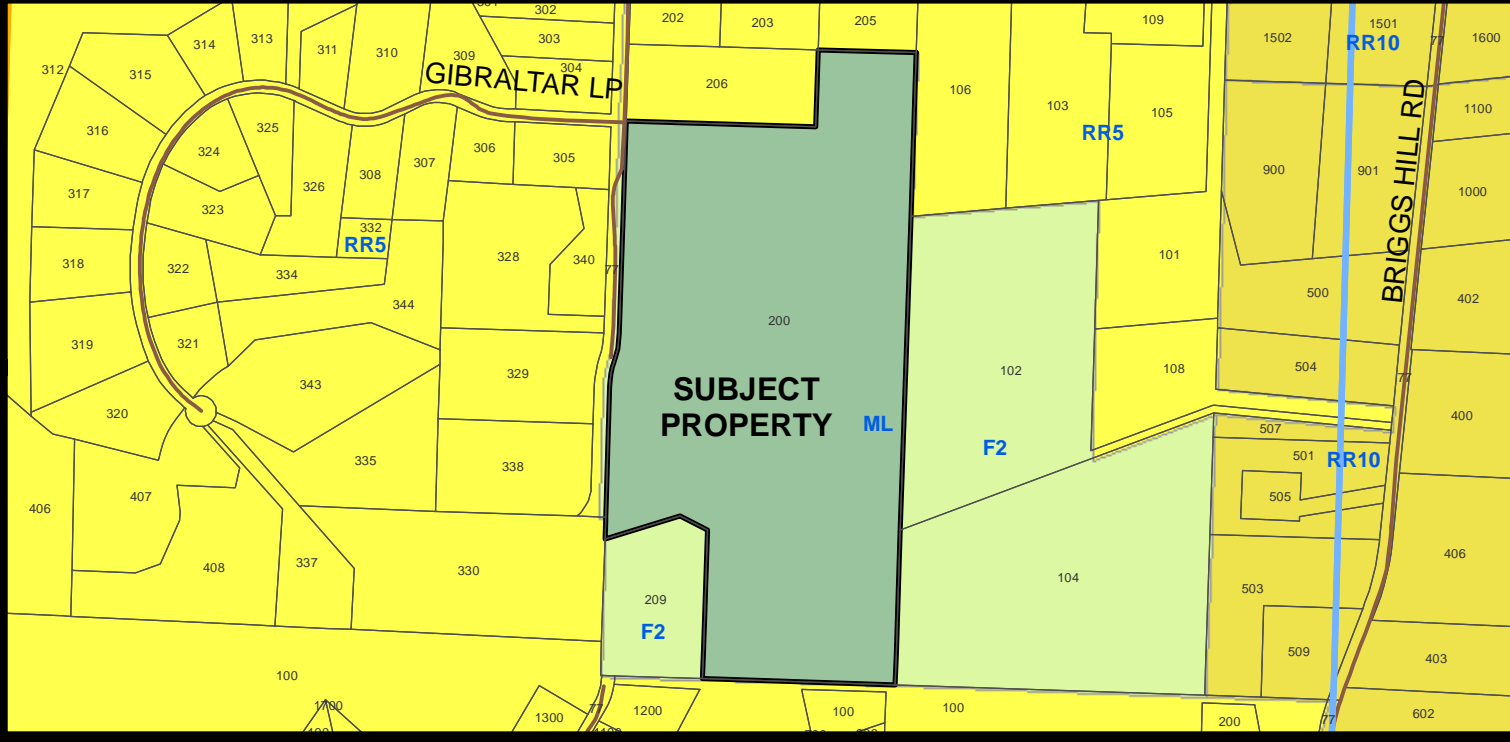
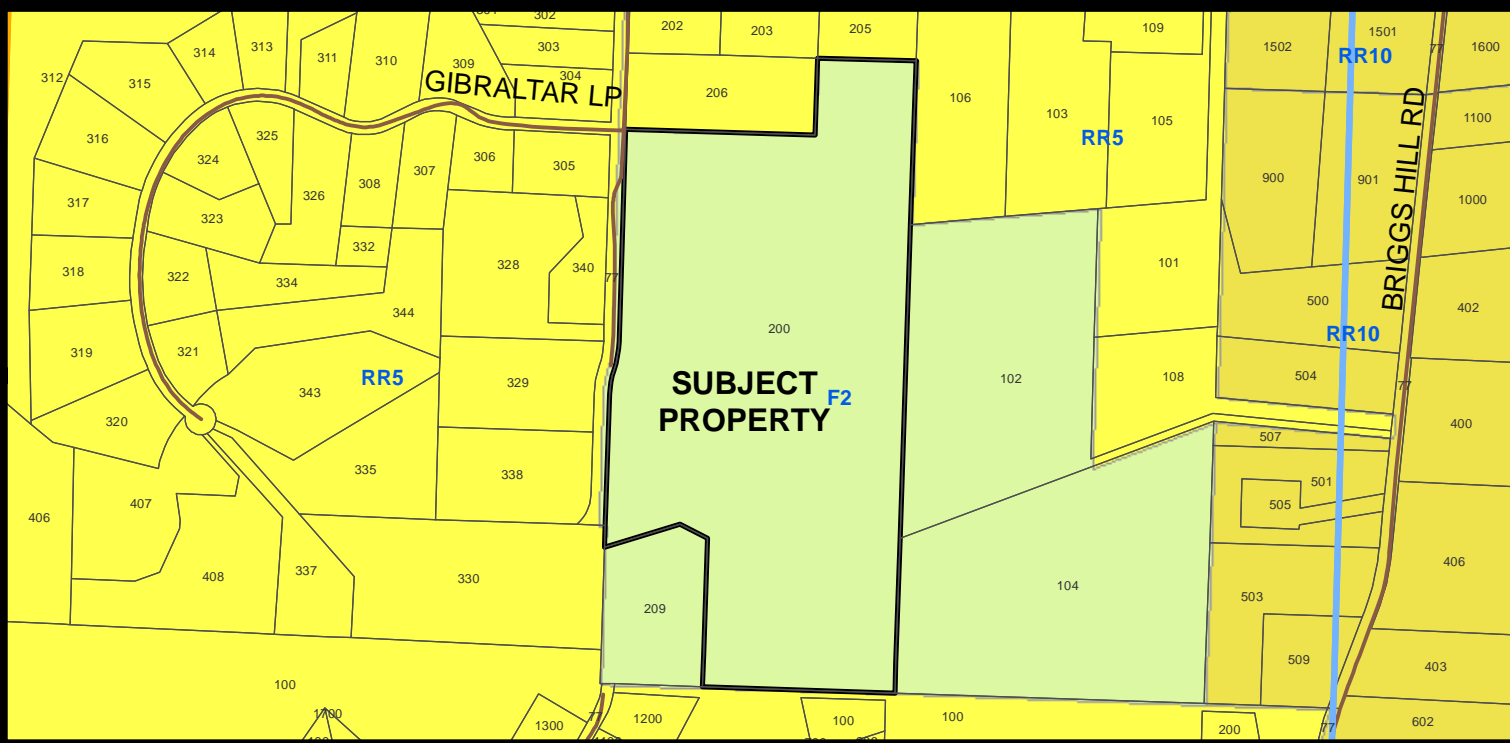


EXHIBIT C
ORDINANCE NO. PA 1365
FINDINGS OF FACT AND CONCLUSIONS OF LAW

I. PROPOSAL DESCRIPTION

A. Owner/Applicant

Agent

Larry and Tommye Martinez 85517 Pine Grove Road Eugene, OR 97402	Norman Waterbury Land Use Planning Consultant 86131 Cherokee Road Eugene, OR 97402
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B. Proposal

This proposal is a request to redesignate 54.04 acres of Forest Land to Marginal Land and rezone the same from Impacted Forest Lands (F-2) to Marginal Land (ML).

II. SITE AND PLANNING PROFILE

A. Location

Map 18-05-25, TL 200, hereafter referred to as the “subject property” or “property,” is located on Pine Grove Road just south of Spencer Creek Road southwest of Eugene.

B. Zoning

The subject property is currently designated Forest Lands and zoned Impacted Forest Lands (F-2).

C. Site Characteristics/History

The subject property is 54.04 acres in size and is generally rectangular in shape. It is comprised of one tax lot and is developed with a stick built single family dwelling, septic system, and well.

The property has a north aspect with gentle slopes, primarily on the southern portion of the property. The southern portion is forested with conifers, primarily Douglas fir with scattered ponderosa pine, incense cedar, grand fir, and Christmas tree sized noble firs. There is a small pond on the eastern edge of the northern portion of the property.

The soils are described in greater detail in **Figure 1** below.

Figure 1 – Soils Present on Subject Property

Soil Map Unit #	Soil Description	Acreage	Cf/Ac/Yr	Total Cubic Foot Productivity
11C 11D	Bellpine Silty Clay Loam	1.08 acres 3.24	163	176.04 528.12
52B 52D	Hazelair Silty Clay Loam	9.17 acres 17.80	40	366.80 712.00
102C	Panther Silty Clay Loam	8.09 acres	45	364.05
125C 125D	Steiwer Loam	0.54 acres 11.87	30	16.20 356.10
138E	Witzel Very Cobbly Loam	2.16 acres	70	151.20
Total				2,670.51

The property is identified as an area designated as “Peripheral Big Game” and does not contain any known unique environmental resources or habitat sites.

According to records at Lane County Deeds and Records, the subject property, along with other adjacent properties, was owned by Haldor Torkelsen until 1977. At that time, the property was used for grazing and contained a small orchard. In 1978, the property was transferred to Carl and Joanne Stallings. The Stallings divided the property, and the subject property was Parcel 2 of that land division. Sometime around 1985, the property went into foreclosure, and by 1987, Joseph and Julianne Arnold had obtained title to the property. In 1987, the Arnolds obtained approval for a second “farm help” dwelling on the property. There is testimony in the record that the property contains remnants of an orchard and that the Arnolds kept horses on the property.

D. Surrounding Area

Properties in the surrounding area have a mixture of zoning designations. Immediately to the north of the area proposed to be rezoned is land zoned RR-5 and developed with single family dwellings. Immediately to the east along most of the eastern boundary of the subject property are other F-2 zoned properties. A small portion of the eastern boundary lies adjacent to RR-5 zoned properties. Property to the south of the subject property are zoned RR-5 and developed with residences. Pine Grove Road abuts the northern portion of the property’s western border. Across the road to the west are more RR-5 zoned properties developed with single family residences.

III. APPROVAL CRITERIA/ANALYSIS

A. Introduction

These findings are organized according to the kinds of standards that apply. They address the

Statewide Planning Goals, the Rural Comprehensive Plan Policies, the criteria in LC 16.400 for plan changes, and the criteria in LC 16.252 for zone changes. Because the goals provide the most comprehensive set of standards, the evidence and legal argument is presented as comprehensively as possible in connection with the discussion of the goals. Whenever possible, in order to avoid repetition, reference is made back to the goal discussion when addressing the non-goal standards.

B. Marginal Lands Criteria

Marginal Land proposals are primarily governed by the 1991 version of ORS 197.247. Lands that are designated as “marginal lands” are considered a subset of resource lands, but have lower minimum lot size requirements than other resource lands and, as a result, more intensive development is allowed than is allowed on other resource lands. For instance, residential dwellings are permitted uses in the Marginal Land zone under Lane Code 16.214(2)(b).

To eliminate multiple interpretations and offer guidance, in March 1997 the Lane County Board of Commissioners issued a directive on how to interpret and administer Marginal Land applications. In addition, multiple Lane County Marginal Lands cases have been appealed to LUBA and beyond, often resulting in remands back to the County. Thus, the methodology of Marginal Land applications has been refined over the years and has been very well vetted by the courts, and has withstood subsequent appeals.

The Applicant’s agent has recited and addressed the applicable standards, including ORS 197.247, utilized the March 1997 Board document, addressed State and local goals, and Lane Code requirements.

Essentially, qualification for a ML designation is a two-fold test. Any proposal for a ML designation must first comply with the “income test” requirement found in ORS 197.247(1)(a), recited below. It basically requires the Applicant to document that the proposed ML land is of less than “commercial-grade” for farm or forest use during a 5-year period preceding 1983. This examination must include any lands that might have been part of such farm or forest operation at that time.

The second part of the test contains three options, two of which are “parcelization tests”, and one commonly known as the “productivity test.” Under the productivity test, the Applicant is required to demonstrate that the farm soil capability is predominantly class V-VIII (on a I-VIII scale), and that per acre, the proposed land cannot produce, on average, more than 85 cubic feet of merchantable timber annually.

1. Income Tests:

ORS 197.247(1)(a) reads as follows:

The proposed marginal land was not managed, during three of the five calendar years preceding January 1, 1983, as part of a farm operation that produced \$20,000 or more in annual gross income or a forest operation

capable of producing an average, over the growth cycle, of \$10,000 in annual gross income.

Board Direction from 1997 concludes:

No evidence of human activity on the land is required for forest land to be “managed”. The conscious decision not to convert the land to another use is enough evidence of management to meet the statutory intent, provided there is a significant amount of merchantable or potentially merchantable trees on the property . . . **For farm land, no evidence of farm use during the five year statutory window would indicate the land was not managed for farm use.** (Board of County Commissioners Direction Regarding the Interpretation and Administration of Marginal Land, Supplement to Marginal Lands Information Sheet, 1997)

The Income Test has two parts: a farm income requirement and a forest income requirement. The applicant must demonstrate that the subject property was not managed as part of a farm operation or as part of a forest operation in order to satisfy the Income Tests.

a. Farm Income standard

With regard to the Farm Income standard, the applicant must demonstrate that the subject property was not managed as part of a farm operation that produced on average \$20,000 or more in annual gross income between 1978 and 1983. The Applicant provided a letter from Richard Walker, who lived on a neighboring property from the early 1970s until 2004. Mr. Walker noted that the only agricultural use he was aware of on the subject property was a very old apple orchard, of which only several trees remain on the property. Mr. Walker testified that the subject property was not actively managed for farm use during the five years preceding January 1, 1983, as required by the statute.

During the open record period, opponents submitted evidence that the property was, in fact, actively farmed during those years. The evidence included aerial photos from 1979 and 1982, as well as a 1979 permit for a new barn, and an approval in 1987 for a farm help dwelling. The farm help dwelling was approved four years after the statutory time period (1978-1983). Accordingly, its approval would generally be irrelevant to the determination of compliance with the Farm Income requirement. However, opponents argue that the aerial photos and the 1979 barn permit suggest that the agricultural uses must have existed during the statutory time period. Mr. Walker subsequently submitted another letter re-iterating that no commercial farm use occurred on the property during the statutory time period.

At the time the farm help dwelling was approved (1987), the Lane Code did not require a demonstration of any particular minimum income from the farm use. Lane Code 16.211(4) required the applicant to demonstrate that “generally accepted agricultural practices regularly occur over 50% of the property.” Lane Code also required a demonstration that the second dwelling was “necessary” for the continued operation of the farm. LC 16.211(2)(i)(iv)(aa).

While the approval of the farm help dwelling could be read to contradict Mr. Walker's testimony that no farm use occurred on the property during the relevant time periods, it does not demonstrate that any farm uses that occurred on the property produced \$20,000 or more in annual gross income. In Mr. Walker's second letter, he explained that the Arnolds, the previous owners of the subject property, kept several show horses and that, during the statutory time period, there was no farm use such as cattle or crops on the property. In fact, the record is devoid of any evidence that farm use on the property, if any, produced \$20,000 or more in annual gross income during the time period between 1978 and 1983.

Accordingly, the subject property was not managed as part of a farm operation that produced \$20,000 or more in annual gross income during the five years preceding January 1, 1983, as required by the statute.

b. Forest Income standard

The forest income test requires that during the same time period, the proposed marginal land was not capable, by itself or in conjunction with other land, of generating over \$10,000 gross annual income from timber revenue using timber proceeds at that time. Mr. Setchko concludes that at best, the subject parcel was capable of generating \$2,639 in annual gross timber revenue during the period of 1978 and 1983. This is far less than the \$10,000 threshold set by ORS 197.247(1)(a). Opponents did not challenge this analysis. Based on this information, the subject property complies with ORS 197.247(1)(a).

2. Productivity Test

In addition to the Income Tests above, the land must meet one of the following tests:

- (A) At least fifty percent of the proposed marginal land plus the lots or parcels at least partially located within one-quarter mile of the perimeter of the proposed marginal land consists of lots or parcels 20 acres or less in size on July 1, 1983. [Lands within an adopted Urban Growth Boundary are not included in this calculation. Those lots or parcels which are adjacent and of common ownership are to be considered one lot or parcel (lots or parcels separated by a public road are not considered adjacent).]**

- (B) The proposed marginal land is located within an area of not less than 240 acres of which at least 60 percent [by area] is composed of lots or parcels that are 20 acres or less in size on July 1, 1983. [Lands within an adopted Urban Growth Boundary and/or lands within an area to which an exception has been adopted to Goal 3 or 4 (e.g., a developed and committed area), by the County are not to be included in the above calculation. Parcel ownership provisions as stated in "a" above also apply to this test.]**

(C)The proposed marginal land is composed predominantly of soils in capability classes V through VIII in the Agricultural Capability Classification System in use by the United States Department of Agriculture Conservation Service on October 15, 1983, and is not capable of producing 85 cubic feet of merchantable timber per acre per year in those counties west of the summit of the Cascade Range.

In his original application, the applicant asserted that all three of these tests were satisfied. However, he only provided evidence regarding subsection (C). During the open record period, the applicant submitted evidence that appears to be directed only towards subsection (A).

The applicant and opponents read the language of subsection (A) differently. The opponent asserts that subsection (A) includes two separate components. They assert that the test requires an applicant to demonstrate two things: one, that at least 50% of the proposed marginal land consists of lots or parcels 20 acres or less in size on July 1, 1983; and two, that at least 50% of the lots or parcels that are at least partially located within $\frac{1}{4}$ mile of the perimeter of the proposed marginal land consist of lots or parcels 20 acres or less in size on July 1, 1983.

While the language of ORS 197.247(1)(b)(A) is not extremely clear, the County has interpreted it to include only one test. See Training for Lane County Planning Commission, March 6, 2012, page 7. This parcelization test requires the applicant to create a study area that includes all of the land within $\frac{1}{4}$ mile of the perimeter of the subject property. The total area of all of the lots or parcels falling all or partially within the study area must be considered along with the subject property. The total area of all of the lots and parcels, including the subject property, that are 20 acres or less, must be equal to or greater than one half of the total area of the study area.

The applicant's evidence includes a map showing the study area within $\frac{1}{4}$ mile of the subject property, a list of properties smaller than 20 acres that fall within that study area, and property description cards for those properties. It also contains a one-page explanation of the evidence. In summary, applicant created a study area that included land $\frac{1}{4}$ from the perimeter of the subject property. He then calculated the square footage of that study area, which came to 16,229,676 square feet.¹ One acre is equivalent to 43,560 square feet; therefore, the study area is approximately 388 acres. The applicant calculated the area taken up by lots that were less than 20 acres in 1983 at 285.67 acres, which is more than 50% of 388 acres.

Opponents challenge the applicant's calculation in several ways. First, they allege that the applicant failed to provide the total number of lots and parcels for determining the 50% threshold. The Board does not believe that the number of lots and parcels is relevant. The test requires a determination of the entire area in the study area and the entire area of the lots and parcels that are smaller than 20 acres. The number of lots and parcels is irrelevant to that determination.

Opponents next allege that the lots and parcels to be counted must be legal lots and parcels. They

¹ Staff calculations put that number at 16,921,905 square feet. However, that discrepancy is immaterial to the ultimate conclusion.

also allege that the definition of “lots” and “parcels” to be used is the definition of those terms that are found in ORS 92.010. Quite recently, LUBA determined that the parcelization test in ORS 197.247(1)(b)(B) requires an analysis of the legal lot status of lots and parcels found to be less than 20 acres in size. LandWatch Lane County, ___ Or LUBA ___, LUBA No. 2016-115 (April 17, 2017). However, it appears that the parties in that appeal did not contest that the “lots” or “parcels” had to be lawfully created. The Board questions whether that holding was a point that was conceded by the parties and therefore merely an assumed legal conclusion, and if so, whether that assumption was correct. The LUBA decision cites to ORS 197.247(3)(b) as the source for that requirement. However, as explained below, the direction in subsection (3)(b) of the marginal lands statute only provide the definition of “lots” and “parcels” for purposes of subsection (2)(b).

ORS 92.010, as it exists currently and as it existed in 1983, defined “lots” as units of land created by subdivision and “parcels” as units of land created by partition. ORS Chapter 197 did not include those definitions of lots and parcels, and did not incorporate the definitions from ORS Chapter 92, as was done in ORS Chapter 215. See ORS 215.010(1)(1983) (“The terms defined in ORS 92.010 shall have the meanings given therein.”). Accordingly, ORS Chapter 197(1983) did not provide a definition of “lots” or “parcels.” The marginal lands statute, ORS 197.247(1983) did define the terms, but only for a very limited purpose. ORS 197.247(3) provides, in relevant part: “For the purposes of paragraph (b) of subsection (2) of this section: * * * (b) ‘Lot’ and ‘parcel’ have the meanings given those terms in ORS 92.010.” ORS 197.247(2)(b) provides the circumstances where one lot or parcel exists for purposes of the 50% test in ORS 197.247(1)(b)(A). Because the legislature carefully determined the ORS 92.010 definition of “lots and “parcels” applied to subsection (2)(b), but did not apply in general to the 50% in subsection (1)(b)(A) (or the entire statute), it is clear that those definitions did not apply to the 50% test. Rather, the terms “lot” and “parcel,” for purposes of the 50% test, are used more generically, as they likely were intended to be used in 1983. See also *Maxwell v. Lane County*, 178 Or App 210, 35 P3d 1128 (2001), *adh’d to as modified on recons*, 179 Or App 409, 40 P3d 532 (2002) (local government only required to determine whether lots or parcels were created legally if an approval criterion either expressly or implicitly requires it). In this case, it would appear that there is no approval criterion that requires that the lawful status of each lot or parcel be determined.

The Board, however, is bound by decisions of LUBA, and it is likely that its ruling on this issue in LandWatch, cited above, is controlling law. Accordingly, it is assumed that the “lots” and “parcels” counted for the 50% must be lawfully created. That said, as was the case in LandWatch, opponents have not developed an argument or identified a sufficient number of lot or parcels that it alleges were not lawfully created that would suggest that the 50% is not satisfied. A large number of the lots and parcels identified by the applicant were lots created in phases of a subdivision approved in 1964 and 1966. Many others were created in the 1960s and early 1970s, before regulations governing smaller land divisions were in effect. The Board concludes that the preponderance of the evidence supports applicant’s conclusion that the 50% test is satisfied.

Opponents also challenge the applicant’s calculation because it subtracts the area of roads from the total area of the template. While the statute does not mention anything about subtracting the

area of roads, neither does it preclude such a calculation. The statute requires a comparison between the area of those lots and parcels that were less than 20 acres in 1983 and the area of the lots and parcels within a study area within one quarter mile of the perimeter of the marginal lands being studied. The area of the lots and parcels would necessarily not include the area of roads. Accordingly, the language of the statute supports applicant's calculation in this respect.²

Finally, opponents allege that applicant must study each and every lot and parcel and determine whether adjacent properties were held in the same ownership in 1983. See ORS 197.247((2)(b)). Many of the lots are parts of subdivisions, and the property description cards included with applicant's evidence demonstrates that most of the properties were created by land division and then likely sold to different owners for single family dwellings. The map applicant included shows where single family dwellings exist on those properties. The Board concludes that the applicant, in this circumstance, is not required to locate the ownership of each and every parcel to demonstrate that it is accurately counted as one lot or parcel. The applicant has provided evidence that demonstrates compliance with the marginal lands criteria. The opponents must do more than argue that some of those lots or parcels were under the same ownership. They must present evidence that some of the lots or parcels that applicant has counted are overcounted because they are part of another lot or parcel, and they must demonstrate that the undercounting results in noncompliance with the marginal lands criteria. This they have not done.

Opponents do not challenge applicant's calculation, except as set forth above. The Board concludes that applicant has satisfied his burden of demonstrating compliance with ORS 197.247(1)(b)(A).

C. Statewide Planning Goals

Amendments to local plans and code must comply with the Statewide Planning Goals. ORS 197.175(2)(A). This Part addresses each relevant goal and explains why the proposal complies. This application requires no goal exceptions.

Goal 1: Citizen Involvement

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

Goal 1 is a process goal. This proposal complies with Goal 1 because it will be processed as a quasi-judicial application through the County's acknowledged public process for individual plan and zone changes. This process includes public hearings before the Planning Commission and the Board of County Commissioners. Notice of the request was sent to the Oregon Department of Land Conservation and Development Department (DLCD) on March 13, 2018. A legal advertisement was published in the Register Guard newspaper, notices were mailed to adjacent property owners and agencies, and notice was posted on the subject property announcing the

² Opponents also claim that three of the lots and parcels included in applicant's analysis are duplicates. However, opponents do not allege that the removal of those three double-counted lots would change the result of the analysis.

upcoming Lane County Planning Commission public hearing. A public hearing was conducted on April 17, 2018 and the hearing was closed. The written record was held open until May 15, 2018, with an opportunity for written rebuttal by May 22nd and final applicant's rebuttal by May 29th. On June 19, 2018, the Planning Commission deliberated on the matter and unanimously voted to recommend approval by the Board of County Commissioners. Timely notice in accordance with Lane Code Chapter 14 will be provided prior to the Board's second reading and public hearing. The County has a citizen involvement program, and it has been followed.

Goal 2: Land Use Planning

Part I of Goal 2 requires local governments to establish processes and policies for land use decisions.

To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.

Part II of Goal 2 authorizes exceptions to the goals – land use decisions that are not in compliance with the goals under certain circumstances. Statutes also describe when exceptions are authorized. See ORS 197.732.

This application complies with Goal 2 because it is being processed under the Rural Comprehensive Plan and Lane Code and no exception to any resource goal is proposed. The application is trading one resource designation for another because the land better fits one category based on use and capability.

Goal 3: Agricultural Lands

To preserve and maintain agricultural lands. Agricultural lands shall be preserved and maintained for farm use, consistent with existing and future needs for agricultural products, forest and open space and with the State's agricultural land use policy expressed in ORS 215.243 and 215.700.

This goal strives to maintain and preserve agricultural lands. The subject property is planned and zoned for forest uses. It is not zoned for agricultural uses and no adjacent properties are zoned for farm use. The vast majority of the property surrounding the subject property consists of small lots zoned for residential uses. Accordingly, the proposed plan amendment and zone change will not affect the county's ability to preserve and maintain agricultural lands, and complies with Goal 3.

Goal 4: Forest Lands

To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and

wildlife resources and to provide for recreational opportunities and agriculture.

The Marginal Land designation is a resource designation and is intended to preserve the forest economy by allowing more development on marginally productive parcels than is allowed on other forest lands designated for forest uses. So long as the property satisfies the requirements of ORS 197.247, it is appropriately zoned Marginal Lands, and complies with Goal 4.

Goal 5: Open spaces, scenic and historic areas, and natural resources.

To conserve open space and protect natural and scenic resources.

1. What Goal 5 requires.

Goal 5 requires the County to inventory the locations, quality, and quantity of certain natural resources. Where no conflicting uses are identified, the inventoried resources shall be preserved. Where conflicting uses are identified, the economic, social, environmental, and energy consequences of the conflicting uses shall be determined and programs developed to achieve the goal.

Goal 5 is implemented through the Goal 5 Rule adopted by the LCDC in 1996. The Rule appears in OAR Chapter 660, Division 23: Procedures and Requirements for Complying with Goal 5. The Rule applies to “post-acknowledgment plan amendments” or “PAPAs,” such as this application. The Division 23 Rule replaces the Division 16 Rule.

When a local government undertakes a PAPA, it is not required to do an entire Goal 5 analysis from scratch. The local government’s obligation to do a Goal 5 analysis, and the scope of the Goal 5 analysis that is required, has been the subject of considerable case law development, which has been distilled into the applicability provisions of the Goal 5 Rule. Particularly relevant are subsections (3) and (4) of OAR 660-023-0250, which state:

“(3) Local governments are not required to apply Goal 5 in consideration of a PAPA unless the PAPA affects a Goal 5 resource. For purposes of this section, a PAPA would affect a Goal 5 resource only if:

- (a) The PAPA creates or amends a resource list or a portion of an acknowledged plan or land use regulation adopted in order to protect a significant Goal 5 resource or to address specific requirements of Goal 5;
- (b) *The PAPA allows new uses that could be conflicting uses with a particular significant Goal 5 resource site on an acknowledged resource list; or*

- (c) The PAPA amends an acknowledged UGB and factual information is submitted demonstrating that a resource site, or the impact areas of such a site, is included in the amended UGB area.

(4) Consideration of a PAPA regarding a specific resource site, or regarding a specific provision of a Goal 5 implementing measure, does not require a local government to revise acknowledged inventories or other implementing measures, for the resource site or for other Goal 5 sites, that are not affected by the PAPA, regardless of whether such inventories or provisions were acknowledged under this rule or under OAR 660, Division 16.”

The *italicized* language quoted above is relevant to this application. The provisions above reflect case law stating that where a county is amending acknowledged plan and zoning designations, the county must address Goal 5 if any of the area proposed for change encompasses lands included on the county’s inventory of Goal 5 resources. The County need not go through the Goal 5 conflict resolution process for alleged Goal 5 resources that are not on the acknowledged Goal 5 inventory.

The initial Goal 5 question, therefore, is whether the subject property includes any Goal 5 resources inventoried in the acknowledged county plan.

2. Inventoried Goal 5 Resources on the Subject Property.

The paragraphs below address the acknowledged Goal 5 resource inventories.

Historic Resources: The acknowledged list of historic resources is listed as “Historic Sites or Sites.” The subject property is not on the list.

Mineral and Aggregate Resources: Mineral and aggregate sites are listed in several appendices in the *Mineral and Aggregate Working Paper*. The subject property is not listed in any of the appendices.

Energy: The subject property is not listed on any county inventory of sites to be protected for energy production.

Water Resources: The *Water Resources Working Paper (1982)* inventories the following water resources which include or potentially include the subject property: Watersheds and Groundwater.

Riparian Resources: The *Flora & Fauna Working Paper (1982)* and *Addendum (1983)* inventories Riparian resources. The quantity of riparian areas is inventoried to include all land within 100 feet of the banks of a Class 1 stream. *Addendum* at 7. There are no Class I streams on the subject property or within 100 feet.

Wetland Resources: As stated in the *Flora and Fauna Working Paper Addendum* at 6,

there are five major wetland areas of sufficient size to warrant County identification including Fern Ridge, the Old Long Tom Channel below Fern Ridge Dam, the North Fork Siuslaw Freshwater Marsh, Maple Creek marsh, and Amazon Canal at its confluence with the waters of Fern Ridge Reservoir. The National Wetlands Inventory (NWI) mapping does not indicate any wetlands on the property.

Sensitive Fish and Waterfowl Areas: The inventory of these sites appears in the Flora & Fauna Working Paper Addendum at 1-4. The subject property is not included on the inventory.

Natural Areas: The inventory of these sites appears in the Flora & Fauna Working Paper at 26-32. The subject property is not included on the inventory.

Big Game Range: The plan classifies the entire county into three categories of Big Game Range: Major, Peripheral, and Impacted. *See Flora & Fauna Working Paper* at 23-25, Addendum at 14. The subject property is within an area designated as Peripheral Big Game. The document indicates that the County and the Oregon Department of Fish & Wildlife should collaborate on conflict resolution between development and Big Game Habitat areas.

3. ESEE Decision Process for Inventoried Goal 5 Resources

The basic requirements for conducting the conflicts analysis and developing a program for inventoried and acknowledged resources is spelled out in OAR 660-023-0040. The introductory provisions in OAR 660-023-0040(1) explain that there are four steps in the ESEE process, that the county has discretion in how it proceeds through the process so long as it completes each step, and that the analysis need not be lengthy or complex. The result should create a clear understanding of the conflicts and the consequences. The four steps in the ESEE process are:

- (a) Identify conflicting uses;
- (b) Determine the impact area;
- (c) Analyze the ESEE consequences; and
- (d) Develop a program to achieve Goal 5

The Goal 5 Rule provides additional instructions on how to conduct each of the four steps listed above. The approach taken here will be to address each of the Goal 5 resources inventoried on the site in the acknowledged plan (Big Game Range and two Water Resources) and conduct the four-step analysis. Big Game Range will be addressed first.

4. ESEE Analysis for Big Game Range

As noted above, the acknowledged Rural Comprehensive Plan inventories Big Game Range as a significant Goal 5 resource. However, the County has not yet completed the Goal 5 process for this resource. The plan documents declined to simplify the issue of conflict identification to a

matter of densities for individual development sites, and instead deferred the issue to future work between the county and the ODFW. “The County should continue to work with the ODFW to resolve the issue of Big Game designation and protection in a mutually acceptable manner -- including the involvement of that agency in land use regulation development.” *Flora & Fauna Working Paper Addendum* at 14. Thus, the County has not yet completed the Goal 5 process for Big Game Habitat. At this point, the County has recognized that the resource is significant, it has recognized that there are several degrees of significance (by mapping the entire county into three alternative zones -- Major, Peripheral, and Impacted), and it has deferred the balance of the Goal 5 analysis to a later date.

The ESEE analysis must be conducted for Big Game Range because this is a post-acknowledgment plan amendment that would allow new uses (e.g., residential dwellings) that could conflict with Big Game Range. OAR 660-023-0250(3)(b).

(a) Identify Conflicting Uses

The approach to identifying conflicting uses is stated in OAR 660-023-0040(2)³. The existing and potential conflicting uses with Big Game Range must be determined. This requires looking at the uses allowed, outright or conditionally, by the proposed ML zoning that could occur or are likely to be developed.

Agricultural and forest uses are allowed in both the existing and proposed zones. The ML zone will allow further division of the subject property (ML allows 10 and 20 acre parcels pursuant to LC 16.214(6)(a) and (b), while the existing F-2 zoning imposes an 80 acre minimum for new lots or parcels pursuant to LC 16.211(10)(a)). An additional dwelling could potentially be allowed on each of the newly created parcels. LC 16.214(2)(b). The plan identifies a conflict with Peripheral Big Game where residential densities are allowed at higher than one unit per forty acres.

³ OAR 660-023-0040(2) states:

Identify conflicting uses. Local governments shall identify conflicting uses that exist, or could occur, with regard to significant Goal 5 resource sites. To identify these uses, local governments shall examine land uses allowed outright or conditionally within the zones applied to the resource site and in its impact area. Local governments are not required to consider allowed uses that would be unlikely to occur in the impact area because existing permanent uses occupy the site. The following shall also apply in the identification of conflicting uses:

(a) If no uses conflict with a significant resource site, acknowledged policies and land use regulations may be considered sufficient to protect the resource site. The determination that there are no conflicting uses must be based on the applicable zoning rather than ownership of the site. (Therefore, public ownership of a site does not by itself support a conclusion that there are no conflicting uses.)

(b) A local government may determine that one or more significant Goal 5 resource sites are conflicting uses with another significant resource site. The local government shall determine the level of protection for each significant site using the ESEE process and/or the requirements in OAR 660-023-0090 through 660-023-0230 (see OAR 660-023-0020(1)).

Appendix 2: Addendum to Flora and Fauna Working Paper (1983). Because the entire property is designated Peripheral Big Game, a conflict exists.

(b) Determine the Impact Area

The approach to determining the impact area is stated in OAR 660-023-0040(3).⁴ The applicant determined that the subject property was the study area. Opponents challenge the applicant's determination that the "study area" only includes the subject property. The impact area is to include only "area in which allowed uses could adversely affect the identified resource." Opponents allege that big game migrate and rely on corridors to move about. While opponents are correct that big game generally travel, the subject property is surrounded by developed and committed areas that are densely developed with residences. This adjacent and nearby development degrades the value of the habitat on the subject property to such an extent that it can be concluded that the allowed uses would not further adversely affect big game habitat off of the property. Further, opponents have not identified a specific big game corridor that exists in the vicinity or otherwise indicated why a larger impact area would be necessary or would require a different result.

(c) Analyze the ESEE Consequences

The approach to analyzing the ESEE consequences is stated in OAR 660-023-0040(4).⁵ "ESEE consequences' are the positive and negative economic, social, environmental, and energy (ESEE) consequences that could result from a decision to allow, limit, or prohibit a conflicting use." OAR 660-023-0010(2). The County must analyze the ESEE consequences of allowing,

4 OAR 660-023-0040(3) states:

Determine the impact area. Local governments shall determine an impact area for each significant resource site. The impact area shall be drawn to include only the area in which allowed uses could adversely affect the identified resource. The impact area defines the geographic limits within which to conduct an ESEE analysis for the identified significant resource site.

5 OAR 660-023-0040(4) states:

Analyze the ESEE consequences. Local governments shall analyze the ESEE consequences that could result from decisions to allow, limit, or prohibit a conflicting use. The analysis may address each of the identified conflicting uses, or it may address a group of similar conflicting uses. A local government may conduct a single analysis for two or more resource sites that are within the same area or that are similarly situated and subject to the same zoning. The local government may establish a matrix of commonly occurring conflicting uses and apply the matrix to particular resource sites in order to facilitate the analysis. A local government may conduct a single analysis for a site containing more than one significant Goal 5 resource. The ESEE analysis must consider any applicable statewide goal or acknowledged plan requirements, including the requirements of Goal 5. The analyses of the ESEE consequences shall be adopted either as part of the plan or as a land use regulation.

limiting, or prohibiting the potentially conflicting uses listed above.

Applicant submitted a detailed ESEE analysis on big game habitat. His analysis was limited to big game species that occur in western Oregon, i.e., deer, elk, cougar, and black bear. A central theme of applicant's ESEE analysis is that residential density and habitat reduction is not "the most important" factor in influencing big game populations. He asserts that big game populations have grown concomitantly with the increase in human population in Oregon. The applicant also relies on the Wisdom Model analysis to support his conclusion that the ESEE analysis weighs in favor of fully allowing the conflicting residential uses. The Wisdom model provides that where road densities reach 6 miles of roadway per square mile, the habitat has essentially no value for elk. He asserts that the road density in the area surrounding the subject property is approximately 4.3 miles of roadway per square mile, concluding that the area must already be extremely marginal for elk habitat.

Opponents challenge the ESEE analysis for three reasons. First, they assert the analysis is flawed because it relies on statewide growth in Roosevelt elk, black tailed deer, black bear, and cougar to justify its conclusions regarding consequences to the local populations. Second, opponents contend the ESEE analysis relies on a comparison of human population growth to animal population growth and that the Wisdom Model (analyzing elk habitat) discussion in the ESEE analysis, analyzing the linear miles of roadway per square mile, actually supports protection of the habitat because the distance of roadway is actually less than the threshold for determining marginal elk habitat. Finally, Opponents take issue with what they view as applicant's position that the proposed plan and zone change will not impact the big game habitat because the animal populations are already so healthy.

Opponents submitted a letter from Brian Wolfer, District Wildlife Biologist with ODFW. Mr. Wolfer points out the need to acknowledge the cumulative impacts that development has on big game habitat. He points out the error in the applicant's attempt to minimize the importance of the reduction in the quantity of habitat on the impacts to big game populations. Finally, he takes issue with the applicant's density analysis in that it includes properties inside the Eugene Urban Growth Boundary and some even within the city limits. While Mr. Wolfer challenges certain aspects of the applicant's calculation of dwelling density, he does not point to any statute, rule, or regulation that precludes the applicant's analysis with regard to Goal 5. The Board does agree with the opponents and Mr. Wolfer, however, that the applicant's assertions that reduction in habitat does not impact big game populations and that the increase in big game populations.

That said, the Board agrees with applicant's general conclusion that the existing parcelization in the area renders the habitat for big game already more impacted than other similar, less densely populated rural areas. In this case, it is true that much of the development pattern in the area surrounding the subject property is consistent with the proposed density.⁶ There are subdivisions

⁶ If this proposed amendment/zone change is approved, the property will likely be dividable into one 20-acre parcel, and three approximately 10-acre parcels (or at most three additional dwellings). See LC 16.214(6)(a) and (b)(new lots or parcels must be 20 acres or more where those lots and parcels are adjacent to resource zoned land and the adjacent land does not itself qualify as marginal land; otherwise, lots and parcels must be at least 10 acres).

to the south, west, and northwest of the property with smaller lots in the 1- to 5-acre range, and the proposed density will be less intense than what already exists in the area.

Opponents challenge several other aspects of the applicant's ESEE analysis. They assert that no professional expert completed the ESEE analysis. However, they do not allege that an expert is required, and the Board does not believe that is required. The measure is preponderance of the evidence. Opponents next assert that the energy component of the analysis is without merit because it does not recognize the potential increase in traffic, requiring commutes into the city from a distant rural location. The Board concludes that a potential increase of three dwelling in this location that already consists of very dense rural residential development is so insignificant as to be negligible in this analysis.

Opponents assert the social consequences analysis must consider the loss of open space and more traffic accidents. Transportation staff concluded a traffic impact analysis was not required and that the proposal would not significantly impact a transportation facility. The loss of open space, again, in an area that is already relatively densely developed does not outweigh the social consequences weighing in favor of allowing dwellings in this location. With regard to economic consequences, opponents point to the need for urban levels of development. The proposed density of development is not an urban level density. The infrastructure that will be required is either already in place, or is minimal compared to the infrastructure that is already in place for the existing development.

The Board also adopts the portion of applicant's ESEE analysis that weighs the relative consequences of allowing the conflicting use (i.e., residential dwellings). See Section 2(c)(iii), page 7-13 of the applicant's ESEE analysis contained in the record. The Board concludes that the energy, social, environmental and economic consequences of allowing the conflicting uses are minimal and that the ESEE analysis supports allowing the conflicting use.

While the ODFW "recommendation" is that dwellings be limited in the Peripheral Big Game designation to one per 40 acres, this guidance is merely a recommendation. ODFW itself acknowledges that fact. "[O]fficials of the ODFW stress the fact that a mere 'numbers game' is not the optimum manner to deal with conflicts to the Big Game Range resource. While overall densities are important indicators of conflict, the manner in which these densities occur can either create worse conflict or reduce that which already exists. . . . As a general rule, . . . the 40-acre zone will satisfy the requirements of Peripheral Range." Addendum to Flora and Fauna Working Paper at p 14.

The Board concludes that Goal 5 is complied with.

(d) Develop a program to achieve Goal 5 for Big Game Range

The proposed program to achieve the goal is to allow the conflicting residential uses because the property has the same value for Big Game after the rezone as it did before. The new zoning and permitted residential uses do not change the character or substantially degrade the range, which is already significantly impacted by the existing development.

5. ESEE Analysis for Groundwater Resources

The acknowledged county plan identifies groundwater as a Goal 5 resource. See *Water Resources Working Paper (1982)* at 10. It identifies groundwater as “extremely valuable as a direct resource of drinking water for individuals and communities, a source of irrigation water for livestock and crops, and as a base source of water for lakes and streams.” *Id.* at 10. As with Big Game Range, the plan inventories this resource as being present throughout the county. It maps the quantity of groundwater available into five general categories which reflect geographic regions. It also notes that groundwater quality is limited by natural and human induced factors.

While dwellings are allowed in the F-2 zone, they are not permitted outright, as they are in the ML zone. As such, the proposed plan and zone change could be said to require an analysis of groundwater resources.

(a) Identify Conflicting Uses

The county plan identifies two groundwater resource conflicts – development in quantity limited aquifers and in areas of polluted groundwater. *Id.* at 11. The county plan conducts a full ESEE analysis for development in water quantity and water quality limited aquifers, and it adopts a program that resolves the conflicts and achieves the goal.

With respect to quantity, the plan resolves that residential development and other uses requiring groundwater should be allowed if a showing is made that water will be available for a foreseeable period in the future. The program calls for strengthening the standards in the subdivision ordinance and for formally designating groundwater quantity limited areas. The land division provisions in the zoning code have been amended accordingly. *Id.* at 12-13. Standards have been adopted in the code for demonstrating adequate quantities of water in connection with rezoning that would create the potential for land division. See LC 13.050(13)(a)-(d). Certain sections in the county have been identified in the Lane Manual as having limited groundwater quantity.

LC 13.050(13)(c)(i) requires an aquifer test prior to approval of a proposed partition or subdivision where the subject property falls within a water quantity limited area, as determined by Board order. Board Order No. 83-12-6-2 (December 6, 1983). Lane Manual (LM) 13.010(2) provides those areas that the Board has determined are water quantity limited. Subsection (2)(b)(i) contains a list of areas that are designated water quantity limited, but all of those areas are developed and committed (D&C) exception lands. The subject property is not in a D&C area, and is therefore not designated water quantity limited. As a result, the aquifer study requirement of LC 13.050(13)(c)(i) does not apply. And the approval of additional residential dwellings on the subject property is not a conflict under the Goal 5 analysis.

(b) Compliance with Acknowledged Plan and Implementing Regulations

Under the Goal 5 Rule, when no conflicting uses are identified with a significant resource site, compliance with the acknowledged policies and land use regulations is sufficient. “If no uses conflict with a significant resource site, acknowledged policies and land use regulations may be considered

sufficient to protect the resource site.” OAR 660-023-0040(2)(a). Therefore, no further analysis is needed.

Goal 6: Air, Water and Land Resources Quality

To maintain and improve the quality of the air, water and land resources of the State.

All waste and process discharges from future development, when combined with such discharges from existing developments shall not threaten to violate, or violate applicable state or federal environmental quality statutes, rules and standards. With respect to the air, water and land resources of the applicable air sheds and river basins described or included in state environmental quality statutes, rules, standards and implementation plans, such discharges shall not (1) exceed the carrying capacity of such resources, considering long range needs; (2) degrade such resources; or (3) threaten the availability of such resources.

Goal 6 protects the quality of land, air and water resources. The focus is on discharges from future development in combination with discharges from existing development. State and federal environmental standards are the benchmark for protection. Where there are state or federal standards for quality in air sheds or river basins, then the carrying capacity, nondegradation, and continued availability of the resources are standards.

The subject property is developed, and the additional of at most three dwellings will have no measurable impacts to land, water or air quality.

Goal 7: Areas Subject to Natural Disasters and Hazards.

To protect life and property from natural disasters and hazards.

Developments subject to damage or that could result in loss of life shall not be planned nor located in known areas of natural disasters and hazards without appropriate safeguards. Plans shall be based on an inventory of known areas of natural disaster and hazards.

The phrase “areas of natural disasters and hazards” means “areas that are subject to natural events that are known to result in death or endanger the works of man, such as stream flooding, ocean flooding, ground water, erosion and deposition, landslides, earthquakes, weak foundation soils and other hazards unique to local or regional areas.” There are no such areas known on the subject property.

Goal 8: Recreational Needs

To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

The overriding purpose of Goal 8 is to address all recreational needs, but its primary focus is on siting and developing destination resorts, defined in Goal 8 as "self-contained development[s] providing visitor-oriented accommodations and developed recreational facilities in a setting with high natural amenities."

Goal 8 is not directly applicable to this proposal.

Goal 9: Economic Development

To provide adequate opportunities throughout the State for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

Goal 9 is focused on commercial and industrial development. The Goal 9 Rule is explicitly limited to areas within urban growth boundaries. This goal is not directly applicable to this proposal.

Goal 10: Housing

To provide for the housing needs of citizens of the State.

Buildable lands for residential use shall be inventoried and plans shall encourage the availability of adequate numbers of needed housing units at price ranges and rent levels which are commensurate with the financial capabilities of Oregon households and allow for flexibility of housing location, type and density.

Goal 10, like its implementing rule, is geared primarily to housing issues inside urban growth boundaries. The goal's definition of "buildable lands," for example, is limited to lands in urban and urbanizable areas. This site is outside any UGB. This goal is not applicable to this proposal.

Goal 11: Public Facilities and Services

To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

Urban and rural development shall be guided and supported by types and levels of urban and rural public facilities and services appropriate for, but limited to, the needs and requirements of the urban, urbanizable, and rural areas to be served. A provision for key facilities shall be included in each plan. Cities or counties shall develop and adopt a public facility plan for areas within an urban growth boundary containing a population greater than 2,500 persons. To meet current and long-range needs, a provision for solid waste disposal sites, including sites for inert waste, shall be included in each plan. In accordance with ORS 197.180 and Goal 2, state agencies that provide funding for transportation, water supply, sewage and solid waste facilities shall identify in their coordination programs how they will coordinate that

funding with other state agencies and with the public facility plans of cities and counties.

“Public facilities and services” is defined in the Statewide Planning Goals to include: “[p]rojects, activities and facilities which the planning agency determines to be necessary for the public health, safety and welfare.” The Goal 11 Rule defines a “public facility.” “A public facility includes water, sewer, and transportation facilities, but does not include buildings, structures or equipment incidental to the direct operation of those facilities.” OAR 660-011- 0005(5).

Goal 11 addresses facilities and services in urban and rural areas. The subject property is “resource” land and will remain rural after this approval. The subject proposal does not provide for any rural or urban development. Therefore, Goal 11 does not apply.

Resource designations have no required minimum level of services. However, Figure 6 lists the services now available to the subject property.

Figure 6--Rural Public Facilities, Existing or Proposed

Service	Provider
Fire	Lane County Fire Protection District #1
Police	Lane County Sheriff and State Police
Schools	Eugene School District 4J
Access	Pine Grove Road
Electric	Lane Electric
Solid Waste	Private
Sewer	Individual On-Site Stems
Water	Well

Goal 12: Transportation

To provide and encourage a safe, convenient and economic transportation system.

A transportation plan shall (1) consider all modes of transportation including mass transit, air, water, pipeline, rail, highway, bicycle and pedestrian; (2) be based upon an inventory of local, regional and state transportation needs; (3) consider the differences in social consequences that would result from utilizing differing combinations of transportation modes; (4) avoid principal reliance upon any one mode of transportation; (5) minimize adverse social, economic and environmental impacts and costs; (6) conserve energy; (7) meet the needs of the transportation disadvantaged by improving transportation services, (8) facilitate the flow of goods

and services so as to strengthen the local and regional economy; and (9) conform with local and regional comprehensive land use plans. Each plan shall include a provision for transportation as a key facility.

Goal 12 is implemented through the Goal 12 Rule (OAR 660-012) adopted in 1991. The Rule contains a section that specifically addresses proposals such as this one – amendments to acknowledged comprehensive plans and implementing regulations. OAR 660-012-0060(1) provides that any such amendments that “significantly affect a transportation facility shall assure that allowed land uses are consistent with the identified function, capacity, and level of service of the facility.”

The rule spells out clearly what constitutes a “significant affect.” OAR 660-012-0060(2) states:

A plan or land use regulation amendment significantly affects a transportation facility if it:

(a) Changes the functional classification of an existing or planned transportation facility;

(b) Changes standards implementing a functional classification system;

(c) Allows types or levels of land uses which would result in levels of travel or access which are inconsistent with the functional classification of a transportation facility; or

(d) Would reduce the level of service of the facility below the minimum acceptable level identified in the TSP.

Lane County Transportation Planning staff reviewed the proposal and provided comment. The comments do not state a need for road improvements, a traffic impact analysis or other ‘triggers’ that would justify major changes to the existing transportation infrastructure and access to the subject property. Any possible increase in traffic from a maximum of three additional dwellings would not significantly affect a transportation facility. The opponents do not challenge this conclusion. Accordingly, Goal 12 is not implicated.

Goal 13: Energy Conservation

To conserve energy.

Land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based on sound economic principles.

Goal 13 is primarily directed towards the development of local government land management

implementation measures that maximize energy conservation.⁷ It is not directly applicable to this application for a site-specific plan and zone change.

Goal 14: Urbanization

To provide for an orderly and efficient transition from rural to urban land use.

The subject proposal keeps the parcel in Resource designation. There, there is no transition. This goal does not apply.

Goal 15: Willamette River Greenway

Goal 16: Estuarine Resources

Goal 17: Coastal Shorelands

Goal 18: Beaches and Dunes

Goal 19: Ocean Resources

These five goals are not applicable as they deal with resources that are not present on the subject property.

D. Rural Comprehensive Plan Policies

Any plan and zone change must comply with the relevant Rural Comprehensive Plan Policies. This requirement is based in statutes (ORS 197.175(2)), the Rural Comprehensive Plan Policies themselves (see, e.g. Rural Plan Policies at page 6), and the Lane Code (see, e.g., LC 16.400(6)(h)). This section, therefore, addresses the apparently relevant elements of the Rural Plan Policies. It is organized by Goal. Where possible to avoid duplicative discussion, reference is made to the discussion under the Statewide Planning Goals.

Goal Four: Forest Lands

Policy 1:

Conserve forest lands by maintaining the forest land base and protect the state’s forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.

Forest land shall include lands which are suitable for commercial forest uses including adjacent or nearby lands which are necessary to permit forest operations or practices and other forested lands that maintain soil, air, water, and fish and

⁷ See Brandt v. Marion County, 22 Or LUBA 473, 484 (1991), aff'd in part, rev'd in part, 112 Or App 30 (1992).

wildlife resources.

The Marginal Lands designation requested is consistent with this policy and reflects a determination that marginally productive forest land is more likely to be managed for forest use when smaller lot sizes are permitted. The Marginal Lands designation is still a resource designation and zone and supports farm and forest uses.

Policy 3:

Forest lands that meet the requirements of ORS 197.247 (1991 Edition), may be designated as Marginal lands and such designations shall also be made in accordance with other plan policies. Uses and land divisions allowed on Marginal Lands shall be those allowed by ORS 197247 (1991 Edition).

The applicant's proposal is consistent with ORS 197.247, as discussed elsewhere in this decision.

Goal Five: Opens Spaces, Scenic and Historic Areas and Natural Resources

Flora and Fauna Policy 1:

Implement construction development and other land use activities which significantly alter natural systems only after evaluating the effects on wildlife habitats and other areas.

See Findings under Statewide Planning Goal Five.

Flora and Fauna Policy 9:

Residential building permits issued within Major or Peripheral Big Game Range, as identified in the 1982 Lane County Working Paper on Flora and Fauna, and as revised and updated in 1983, shall include an indication of that Range and a note that compatibility problems, such as damage to vegetation, may occur.

Lane County staff notifies applicants of building permits within the Peripheral Big Game Range of potential compatibility problems, such as damage to vegetation, at time of permit submittal.

Flora and Fauna Policy 11:

Oregon Department of Fish and Wildlife recommendations on overall residential density for protection of big game shall be used to determine the allowable number of residential units within regions of the County. Any density above that limit shall be considered to conflict with Goal 5 and will be allowed only after resolution in accordance with OAR 660-16-000. The County shall work with Oregon Department of Fish and Wildlife officials to prevent conflicts between development and Big Game Range through land use regulation in resource areas, siting requirements and similar activities which are already a part of the County's rural resource zoning program.

In previous Marginal Lands applications, the Board found that the County and ODFW implemented Policy 11 through application of County land use regulations, siting requirements, and other elements of the County's rural resource zoning program. That is, residential densities that will be allowed by the Marginal Lands designation (one dwelling per 40 acres in this instance) will not exceed any limits recommended by ODFW.

However, beginning with the Suess Marginal Lands application in 2013 (Planning File No. 509-PA11-05502), an ESEE analysis was completed, and is now considered a normal requirement for Marginal Lands application in Lane County. An ESEE analysis was completed for this application, and the Goal 5 analysis was completed, as required by this Policy 11.

Flora and Fauna Policy 12:

If uses are identified (which were not previously identified in the Plan) which would conflict with a Goal 5 resource, an evaluation of the economic, social, environmental and energy consequences shall be used to determine the level of protection necessary for the resource. The procedure outlined in OAR 660-16-000 will be followed.

The applicant has conducted an ESEE analysis for this application. See Findings under Statewide Planning Goal 5.

Water Resources Policy 3:

Adequacy of water resources, particularly those relying on groundwater sources, shall be a major consideration when reviewing major land use changes. For the purpose of applying this policy, major land use change shall be any application reviewed by the hearings official or planning commission.

According to the definition supplied in this Policy 3, this application qualifies as a "major land use change." Accordingly, adequacy of water resources is a major consideration.

As mentioned elsewhere in this decision, the likely result of this amendment will be the eventual division of the subject property into a total of four lots: one 20-acre parcel and three approximately 10-acre parcels.

The public testimony and the supplemental information contain concerns about water quantity availability, including personal stories of wells going dry or very limited water supply. The applicant supplied a report prepared by a registered professional geologist who conducted an aquifer analysis. The analysis concludes that the aquifer that serves the subject property can accommodate four dwellings. No additional professional reports have been entered into the record by the opponents or to supplement the record by the applicant.

The neighboring Rural Residential zoned properties are deemed water quantity limited areas. These areas are designated in Lane Manual and only apply to specific developed and committed

areas. The standards that apply to water quantity limited areas do not apply to resource zoned land, marginal land, or even rural residential non-resource zoned land (i.e., property zoned rural residential that is not part of developed and committed exception area). The applicant has produced evidence of adequate water supply for the proposal to add the potential for three new dwellings on the subject property. If the subject property were in a water quantity limited area, at time of partition the applicant would be required to complete a full aquifer study, including drawn down and recovery tests (Lane Code 13.050(13)(c)(i)). The applicant's aquifer analysis does not comply fully with Lane Code 13.050(13)(c)(i) requirements, but it is not required to because the subject property is not in a water quantity limited area. The Board concludes that the evidence satisfies the level of detail required at this stage.

E. Lane Code Criteria for Plan Changes

LC 16.400(6)(h) sets out the criteria for amending the county plan designation. Each of the criteria is addressed here. Where a criterion incorporates a Statewide Planning Goal, LCDC Rule, or Rural Plan Policy, reference is made the relevant part of the narrative above so as to avoid repetition.

LC 16.400(6)(h): Method of Plan Adoption and Amendment.

- (iii) The Board may amend or supplement the Rural Comprehensive Plan upon making the following findings”**
 - (aa) For Major and Minor Amendments as defined in LC 16.400(8)(a) below, the Plan component or amendment meets all the applicable requirements of local and state law, including Statewide Planning Goals and Oregon Administrative Rules.**

This criterion makes general reference to other sources of standards that apply to plan changes. Those other standards are addressed elsewhere in this narrative.

- (bb) For Major and Minor Amendments as defined in LC 16.400(8)(a) below, the Plan amendment or component is:**
 - (i-i) necessary to correct an identified error in the application of the Plan; OR**
 - (ii-ii) necessary to fulfill an identified public or community need for the intended result of the component or amendment; OR**
 - (iii-iii) necessary to comply with the mandate of local, state or federal policy or law; OR**
 - (iv-iv) necessary to provide for the implementation of adopted Plan policy or elements; OR**
 - (v-v) otherwise deemed by the Board, for reasons briefly set forth in its decision, to be desirable, appropriate or proper.**

The proposal identifies and corrects an error in the Rural Comprehensive Plan: the land is currently designated as resource land (F-2); this designation is inconsistent with site capabilities and limitations. The subject property satisfies the definition of Marginal Lands and, as such, the F-2 zoning district is applied in error.

Item (iv-iv) allows a plan amendment that is necessary to implement an adopted plan policy or element. The marginal lands statute and RCP Goal 4, Policy 3 anticipate the redesignation of land zoned F-2 where such land is only marginally productive. Further, the description of the Marginal Lands plan designation, under RCP Goal 11 states: “Land that satisfy the requirements of ORS 197.247 may be designated Marginal Lands in accordance with other Plan policies.”

(cc) For Minor Amendments as defined in LC 16.400(8)(a) below, the Plan amendment or component does not conflict with adopted Policies of the Rural Comprehensive Plan, and if possible achieves policy support.

Compliance with individual policies in the Rural Plan Policies is discussed thoroughly above.

(dd) For Minor Amendments as defined in LC 16.400(8)(a) below, the Plan amendment or component is compatible with the existing structure of the Rural Comprehensive Plan, and is consistent with the unamended portions or elements of the Plan.

The existing structure of the plan anticipates Resource plan designations. As discussed above, this designation is also consistent with relevant policies in the Rural Comprehensive Plan Policies.

LC 16.400(8): Additional Amendment Provisions.

(a) Amendments to the Rural Comprehensive Plan shall be classified according to the following criteria:

(i) Minor Amendment. An amendment limited to the Plan Diagram only and, if requiring an exception to the Statewide Planning Goals, justifies the exception solely on the basis that the resource land is already built upon or is irrevocably committed to other uses not allowed by an applicable goal.

This is a minor amendment to the plan which requests a change to the Plan Diagram for the subject property – from Forest to Marginal Land. No goal exceptions are requested.

(c) Minor amendment proposals initiated by an applicant shall provide adequate documentation to allow complete evaluation of the proposal to determine if the findings required by LC 16.400(6)(h)(iii) above can be affirmatively made. Unless waived in writing by the Planning Director, the applicant shall supply documentation concerning the following:

(i) A complete description of the proposal and its relationship to the Plan.

This description has been provided throughout this supporting statement.

(ii) An analysis responding to each of the required findings of LC 16.400(6)(h)(iii) above.

The required analysis is provided above.

(iii) An assessment of the probable impacts of implementing the proposed amendment, including the following:

(aa) Evaluation of land use and patterns of the area of the amendment;

See detailed discussion in Section II, above. To summarize, the subject property is located in a sea of Residential land.

(bb) Availability of public and/or private facilities and services to the area of the amendment, including transportation, water supply, and sewage;

The public facilities and services available or to be provided to the site are discussed in detail above. For a discussion of each facility and service, see the Goal 11 discussion above. For a further discussion of transportation facilities, see the Goal 12 discussion above. In summary, because the site is already developed with a residence, and because it is in a highly developed area, all facilities and services are available to the site.

(cc) Impact of the amendment on proximate natural resources, resource lands or resource sites including a Statewide Planning Goal 5 “ESEE” conflict analysis where applicable;

This discussion appears in detail in other parts of this statement. The proximate natural resources to consider are those that are identified as Goal 5 resources in the comprehensive plan. The impact on these resources is discussed as part of the Goal 5 analysis above.

This proposal will have no adverse impact on proximate resource lands because the subject property will remain in resource designation and zoning.

(dd) Natural hazards affecting or affected by the proposal;

As discussed in connection with Goal 7, the subject property neither contains nor is threatened by any natural hazards.

(gg) For a proposed amendment to a nonresource designation or a Marginal Lands designation, an analysis responding to the criteria for

the respective request as cited in the Plan document entitled, “Working Paper: Marginal Lands” (Lane County, 1983).

This provision is not applicable.

F. Lane Code Criteria for Zone Changes

This proposal requests a change from F-2 zoning to ML zoning. LC 16.252 sets out standards for zone changes. The facts relevant to the zone change standards are largely redundant with the facts relevant to plan policies and the Statewide Planning Goals. The LC 16.252 standards are stated here and addressed, with appropriate references to other parts of this narrative.

LC 16.252(2): Criteria.

Zonings, rezonings and changes in the requirements of this Chapter shall be enacted to achieve the general purpose of this Chapter and shall not be contrary to the public interest. In addition, zonings and rezonings shall be consistent with the specific purposes of the zone classification proposed, applicable to Rural Comprehensive Plan elements and components, and Statewide Planning Goals for any portion of Lane County which has not been acknowledged by the Land Conservation and Development Commission. Any zoning or rezoning may be effected by Ordinance or Order of the Board of County Commissioners, the Planning Commission or the Hearings Official in accordance with the procedures of this section.

1. General purposes of Chapter 16:

LC 16.003 sets forth 14 broadly-worded purpose statements that include a provision to ensure that development is commensurate with the character and physical limitations of the land. LC 16.003(1). The subject property is marginally productive resource land as demonstrated by the soil types and timber productivity of the site. Rezoning from F-2 to ML implements the proposed plan amendment to the Marginal Land plan designation. The public interest is served by recognizing that the land has limited capabilities and planning and zoning it accordingly.

2. Purpose of Marginal Lands Zone:

The proposal is consistent with the purpose of the Marginal Lands zone which provides that the Marginal Lands zone is intended to make economically beneficial use of marginally productive lands and to allow people to reside in a rural environment. LC 16.214(1).

3. Rural Comprehensive Plan Criteria:

The Rural Plan Policies provide the policy basis for comprehensive plan and implementing regulations, provide direction for land use decisions, and fulfill LCDC planning requirements. Compliance with relevant Comprehensive Plan policies is addressed elsewhere in this narrative.

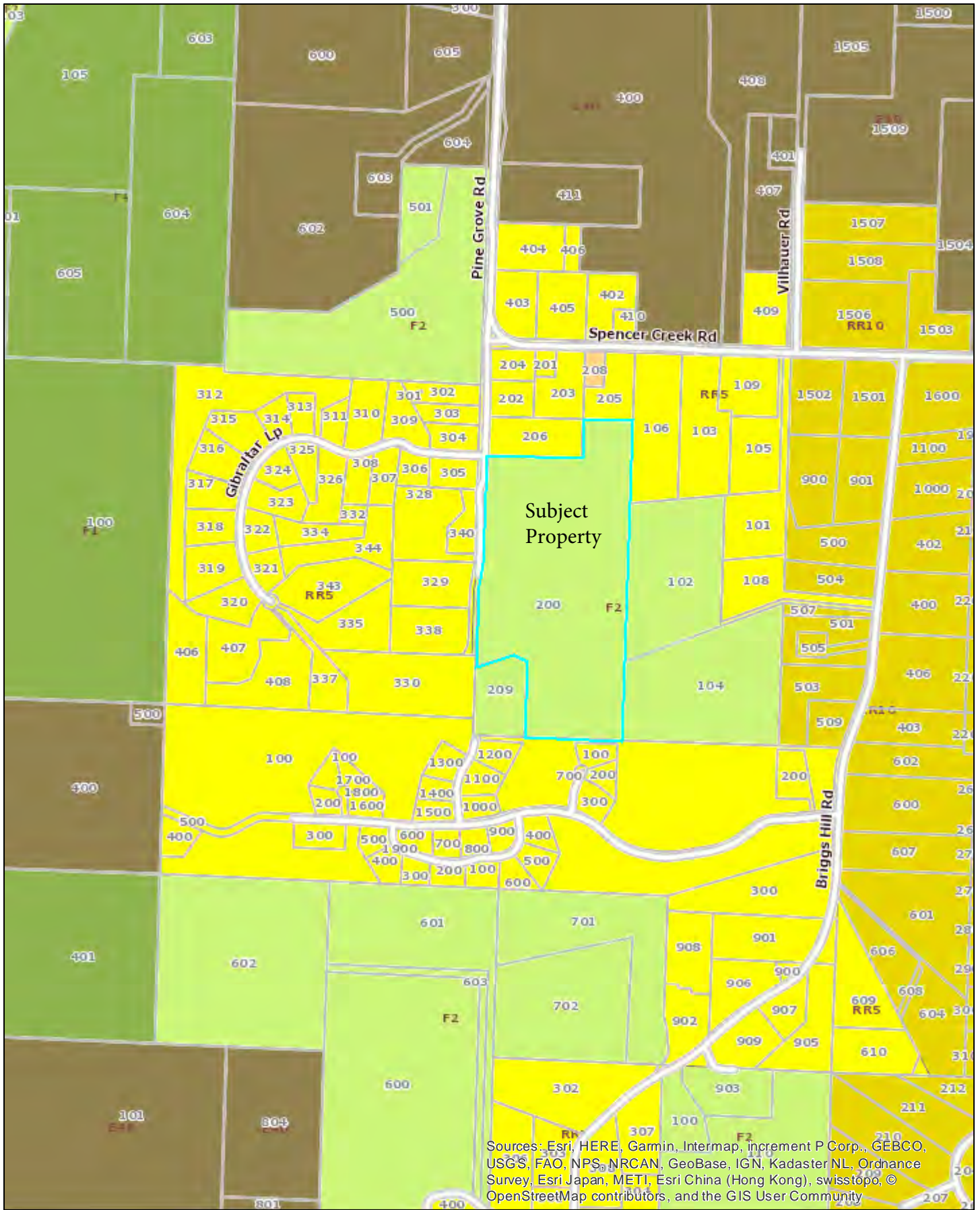
LC 16.004(4):

Prior to any rezoning that will result in the potential for additional parcelization, subdivision or water demands or intensification of uses beyond normal single-family residential water usage, all requirements to affirmatively demonstrate adequacy of long-term water supply must be met as described in LC 13.050(13)(a)-(d).

The request is a rezone from F-2 to ML. These zoning districts both implement resource designations. The rezone provides for potential further parcelization of as much as an additional 20-acre parcel and three 10-acre parcels, each qualifying for one single-family dwelling. The subject property is not within an area identified as a water quantity limited area. Accordingly, this approval criterion is complied with.

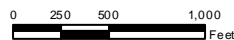
IV. CONCLUSION:

The subject property is rural resource land that is developed with a stick built single-family dwelling and is partially forested. The redesignating and rezoning of the subject property as Marginal Lands accurately reflects the most appropriate resource use of the site. The proposal conforms to Lane Code 16.400 and Lane Code 16.452 to allow the change in plan designation from “Forest” to “Marginal” and a change in zoning from “F-2” to “ML” for 54.04 acres of land. The Board of County Commissioners finds that the application to redesignate 54.04 acres from Forest Land to Marginal Land with a concurrent rezoning from F-2 to ML meets the applicable approval criteria and addresses with substantial evidence the statutory standards of Oregon Revised Statutes, Rural Comprehensive Plan Policies, Lane Code requirements, and Statewide Planning Goals. The Land County Planning Commission unanimously recommends approval of the request. Additionally, the Planning Director finds the applicable approval criteria have been met and recommends approval. Therefore, the Board of County Commissioners approves the application contained in Department File 509-PA16-05291.



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, © OpenStreetMap contributors, and the GIS User Community

The information on this map was derived from digital databases on the Lane County regional geographic information system. Care was taken in the creation of this map, but is provided "as is". Lane County cannot accept any responsibility for errors, omissions or positional accuracy in the digital data or the underlying records. Current plan designation, zoning, etc., for specific parcels should be confirmed with the appropriate agency. There are no warranties, expressed or implied, accompanying this product. However, notification of any errors will be appreciated.



LMD Viewer Web Map

Lane County, Oregon

197.247 Amendment of goals; marginal lands designation; effect on applicability of goals. (1) In accordance with ORS 197.240 and 197.245, the commission shall amend the goals to authorize counties to designate land as marginal land if the land meets the following criteria and the criteria set out in subsections (2) to (4) of this section:

(a) The proposed marginal land was not managed, during three of the five calendar years preceding January 1, 1983, as part of a farm operation that produced \$20,000 or more in annual gross income or a forest operation capable of producing an average, over the growth cycle, of \$10,000 in annual gross income; and

(b) The proposed marginal land also meets at least one of the following tests:

(A) At least 50 percent of the proposed marginal land plus the lots or parcels at least partially located within one-quarter mile of the perimeter of the proposed marginal land consists of lots or parcels 20 acres or less in size on July 1, 1983;

(B) The proposed marginal land is located within an area of not less than 240 acres of which at least 60 percent is composed of lots or parcels that are 20 acres or less in size on July 1, 1983; or

(C) The proposed marginal land is composed predominantly of soils in capability classes V through VIII in the Agricultural Capability Classification System in use by the United States Department of Agriculture Soil Conservation Service on October 15, 1983, and is not capable of producing fifty cubic feet of merchantable timber per acre per year in those counties east of the summit of the Cascade Range and eighty-five cubic feet of merchantable timber per acre per year in those counties west of the summit of the Cascade Range, as that term is defined in ORS 477.001 (21).

(2) For the purposes of subparagraphs (A) and (B) of paragraph (b) of subsection (1) of this section:

(a) Lots and parcels located within an urban growth boundary adopted by a city shall not be included in the calculation; and

(b) Only one lot or parcel exists if:

(A) A lot or parcel included in the area defined in subparagraph (A) of paragraph (b) of subsection (1) of this section is adjacent to one or more such lots or parcels;

(B) On July 1, 1983, greater than possessory interests are held in those adjacent lots or parcels by the same person, parents, children, sisters, brothers or spouses, separately or in tenancy in common; and

(C) The interests are held by relatives described in subparagraph (B) of this para-

graph, one relative held the interest in the adjacent lots or parcels before transfer to another relative.

(3) For the purposes of paragraph (b) of subsection (2) of this section:

(a) Lots or parcels are not "adjacent" if they are separated by a public road; and

(b) "Lot" and "parcel" have the meanings given those terms in ORS 92.010.

(4) For the purposes of subparagraph (B) of paragraph (b) of subsection (1) of this section, lots and parcels located within an area for which an exception has been adopted by the county shall not be included in the calculation.

(5) A county may use statistical information compiled by the Oregon State University Extension Service or other objective criteria to calculate income for the purposes of paragraph (a) of subsection (1) of this section.

(6) Notwithstanding the fact that only a certain amount of land is proposed to be designated as marginal for the purposes of establishing the test area under subparagraph (A) of paragraph (b) of subsection (1) of this section, any lot or parcel that is within the test area and meets the income test set out in paragraph (a) of subsection (1) of this section may be designated as marginal land.

(7) The amended goals shall permit counties to authorize the uses on and divisions of marginal land set out in ORS 215.317 and 215.327.

(8) The provisions of this section shall not affect the applicability of any goal, except the goals on agricultural and forest lands, to a land use decision.

(9) Any amendments to local government plans and regulations resulting from amendments to goals required by subsection (1) of this section shall become effective only after approval by the commission under ORS 197.251 or 197.610 to 197.855. [1983 c.826 §2]

197.250 Compliance with goals required. Except as otherwise provided in ORS 197.245, all comprehensive plans and land use regulations adopted by a local government to carry out those comprehensive plans and all plans, programs, rules or regulations affecting land use adopted by a state agency or special district shall be in compliance with the goals within one year after the date those goals are approved by the commission. [1973 c.80 §32; 1977 c.664 §19; 1981 c.748 §29a; 1983 c.827 §56a]

197.251 Compliance acknowledgment; commission review; rules; limited acknowledgment; compliance schedule. (1) Upon the request of a local government, the commission shall by order grant, deny or



LANE COUNTY PLANNING COMMISSION

STAFF REPORT

HEARING DATE: April 17, 2018

REPORT DATE: April 9, 2018

FILE No.: 509-PA16-05291

APPLICANT/OWNER:

Larry and Tommye Martinez
85517 Pine Grove Rd.
Eugene, OR 97402

AGENT:

Norman Waterbury
Land Use Planning Consultant
86131 Cherokee Rd.
Eugene, OR 97402

PRESENTED BY:

Anne Davies, LCOG
Lindsey Eichner, Senior Planner

DEPARTMENT: Lane County Land Management Division

PROPOSAL: Minor Amendment to the Rural Comprehensive Plan to re-designate a 54.04-acre property from Forest (F) to Nonresource (NR), and to change the zoning from Impacted Forest Land (F-2) to Marginal Land (ML).

I. MOTION

1. MOVE TO RECOMMEND THAT THE BOARD OF COMMISSIONERS NOT APPROVE THE REQUEST UNTIL SUCH TIME THAT APPLICANT HAS DEMONSTRATED SATISFACTION OF ONE OF THE PRODUCTIVITY TESTS SET FORTH IN ORS 197.247(1)(b) AND HAS SUFFICIENTLY ADDRESSED CRITERIA CONCERNING GOAL 5 BIG GAME HABITAT.

OR

2. RECOMMEND APPROVAL OF FILE 509-PA16-05041.

II. AGENDA ITEM SUMMARY

The Lane County Planning Commission is being asked to review a proposed amendment to the Lane County Rural Comprehensive Plan (RCP) for a Plan Amendment and Zone Change from Forest to Non-resource (Attachments 3 and 4, Existing Plan/Zone Maps) and from Impacted Forest (F-2) zone to Marginal Lands (ML) zone. The Planning Commission is being asked to make a recommendation to the Board of County Commissioners for their decision.

Approval of this application could enable the owner to subsequently subdivide the subject property into three parcels with two new residential dwellings on two vacant parcels and one developed parcel containing an existing dwelling. A land division application is not part of this application and would require a separate Director-level land use review application with public notice and opportunity to participate/comment.

III. BACKGROUND

On April 12, 2016, the application (Attachment 1) was submitted to the Lane County Land Management Division (LMD). Staff received supplemental information on June 13, 2017, November 27, 2017, and February 19, 2018. Notice of the request was sent to the Oregon Department of Land Conservation and Development Department (DLCD) on March 13, 2018. A legal-advertisement was published in the Register Guard newspaper and notices were mailed to adjacent property owners and agencies on March 27, 2018, and notice was posted on the subject property announcing the upcoming LCPC hearing on April 2, 2018.

A. Property Description and Surrounding Area

The subject property is comprised of one parcel, Assessor's Map 18-05-25, Tax Lot 200. The subject property located on Pine Grove Rd. just south of Spencer Creek Road southwest of Eugene. The subject property is approximately 54 acres in size and is generally rectangular in shape. (Attachment 2, Vicinity Map). The subject property is developed with one stick built single family dwelling, a septic system, seven out buildings, and a well. According to permit documents, the property previously contained a manufactured dwelling in addition to the stick built dwelling, but it is unclear when it was removed from the property. According to Assessment and Taxation records, there is not currently a manufactured dwelling located on the property.

The property is relatively flat with minor undulation in topography. LiDAR imagery shows significant areas of sloping in the southwestern portion of the property, with slopes from 20-40% in areas. It does not appear there are any major ravines or cliffs on the subject property. The northern half of the property appears fairly flat. (Attachment 5, LiDAR map). Aerial imagery demonstrates that the property is approximately 50% forested, with the remainder cleared surrounding the dwelling.

Properties in the surrounding area have a mixture of zoning designations (Attachment 2, Vicinity Map). Immediately to the north of the area proposed to be rezoned is land zoned RR-5 and developed with single family dwellings. Immediately to the east along most of the eastern boundary of the subject property are other F-2 zoned properties. A small portion of the eastern boundary lies adjacent to RR-5 zoned properties. Property to the south of the subject property are zoned RR-5 and developed with residences. Pine Grove Road abuts the northern portion of the property's western border. Across the road to the west are more RR-5 zoned properties developed with single family residences.

IV. CRITERIA AND STAFF REVIEW

ANALYSIS

A. Marginal Lands Evaluation

Marginal Land proposals are primarily governed by the 1991 version of ORS 197.247 (Attachment 9). To eliminate multiple interpretations and offer guidance, in March 1997 the Lane County Board of Commissioners issued a directive on how to interpret and administer Marginal Land applications. In addition, multiple Lane County Marginal Lands cases have been appealed to LUBA and beyond, often resulting in remands back to the County. Thus, the methodology of Marginal Land applications has been refined over the years and has been very well vetted by the courts, and has withstood subsequent appeals.

The Applicant's agent has recited and addressed the applicable standards, including ORS 197.247, utilized the March 1997 Board document, addressed State and local goals, and Lane Code requirements. Refer to the applicant's submittal, found as Attachment 1.

Essentially, qualification for a ML designation is a two-fold test. Any proposal for a ML designation must first comply with the "income test" requirement found in ORS 197.247(1)(a), recited below. It basically requires the Applicant to document that the proposed ML land is of less than "commercial-grade" for farm or forest use during a 5-year period preceding 1983. This examination must include any lands that might have been part of such farm or forest operation at that time.

The second part of the test contains three options, two of which are "parcelization tests", and one commonly known as the "productivity test." Under the productivity test, the Applicant is required to demonstrate that the farm soil capability is predominantly class V-VIII (on a I-VIII scale), and that per acre, the proposed land cannot produce, on average, more than 85 cubic feet of merchantable timber annually.

1. Income Tests:

ORS 197.247(1)(a) reads as follows:

The proposed marginal land was not managed, during three of the five calendar years preceding January 1, 1983, as part of a farm operation that produced \$20,000 or more in annual gross income or a forest operation capable of producing an average, over the growth cycle, of \$10,000 in annual gross income.

Board Direction from 1997 concludes:

No evidence of human activity on the land is required for forest land to be "managed". The conscious decision not to convert the land to another use is enough evidence of management to meet the statutory intent, provided there is a significant amount of merchantable or potentially merchantable trees on the property . . . **For farm land, no evidence of farm use during the five year statutory window would indicate the land was not managed for farm use.** (Board of County Commissioners Direction Regarding the Interpretation and Administration of Marginal Land, Supplement to Marginal Lands Information Sheet, 1997)

a. Farm Income standard

The Applicant provided a letter from Richard Walker, who lived on a neighboring property from the early 1970s until 2004. Mr. Walker noted that the only agricultural use he was aware of on the subject property was a very old apple orchard, of which only several trees remain on the property. Staff accepts this evidence as proof that the property was not managed for farm use during the five years preceding January 1, 1983, as required by the statute.

b. Forest Income standard

The forest income test requires that during the same time period, the proposed marginal land was not capable, by itself or in conjunction with other land, of generating over \$10,000 gross annual income from timber revenue using timber proceeds at that time. Refer to the Consulting Foresters Report (attached as Applicant's Exhibit 3). Mr. Setchko concludes that at best, the subject parcel was capable of generating \$2,639 in annual gross timber revenue during the period of 1978 and 1983. This is far less than the \$10,000 threshold set by ORS 197.247(1)(a). Based on this information, staff finds that the subject property complies with ORS 197.247(1)(a).

2. Productivity Test

In addition to the Income Test above, the land must meet one of the following tests:

- (A) At least fifty percent of the proposed marginal land plus the lots or parcels at least partially located within one-quarter mile of the perimeter of the proposed marginal land consists of lots or parcels 20 acres or less in size on July 1, 1983. [Lands within an adopted Urban Growth Boundary are not included in this calculation. Those lots or parcels which are adjacent and of common ownership are to be considered one lot or parcel (lots or parcels separated by a public road are not considered adjacent).]**
- (B) The proposed marginal land is located within an area of not less than 240 acres of which at least 60 percent [by area] is composed of lots or parcels that are 20 acres or less in size on July 1, 1983. [Lands within an adopted Urban Growth Boundary and/or lands within an area to which an exception has been adopted to Goal 3 or 4 (e.g., a developed and committed area), by the County are not to be included in the above calculation. Parcel ownership provisions as stated in "a" above also apply to this test.]**
- (C) The proposed marginal land is composed predominantly of soils in capability classes V through VIII in the Agricultural Capability Classification System in use by the United States Department of Agriculture Conservation Service on October 15, 1983, and is not capable of producing 85 cubic feet of merchantable timber per acre per year in those counties west of the summit of the Cascade Range.**

The applicant asserts that all three of these tests are satisfied, but focuses on subsection (C). The property is composed predominantly of soils in capability class III, based on the agricultural capability classes currently in use (Attachment 6, Soils Tables). The applicant does not assert that the agricultural soils classifications were different in 1983 than they are currently. The forestry report submitted by Marc Setchko only addresses the capability of the property to satisfy the Income Test discussed above; it does not provide evidence that ORS 197.247(1)(b)(C) is satisfied. Staff concludes that this requirement is not satisfied.

In order to determine compliance with subsections (A) or (B), the applicant must provide evidence as to the parcelization of properties in the area on July 1, 1983. It may be that applicant will be able to demonstrate compliance with one of those subsections, but the record does not currently contain sufficient evidence to make that conclusion.

B. Additional Plan Amendment and Zone Change Evaluation

In addition to ORS 197.247 (1991), any plan amendment must address local criteria and the Statewide Planning Goals. The majority of these criteria are recited and addressed in Applicant's submittal and are not repeated in detail here. The following highlights, however, are worth mentioning:

- Regarding Statewide Planning Goal 5 and RCP Goal 5, applicant acknowledges some isolated water features exist on the property. However, they assert that the ponds are designed to collect water runoff from the top of the property and are not considered natural resources for the purposes of Goal 5. While staff does not agree that the evidence in the record supports the conclusion that there are not Goal 5 wetlands on the property, given the sparse nature of any proposed development, staff believes any potential conflicts can be managed through the imposition of a condition of approval requiring development to comply with relevant Division of State Lands wetlands provisions.
- Further, the application does not mention whether Big Game habitat is involved. The map attached as Attachment 5 indicates that the subject property falls within the Peripheral Big Game Habitat. While the proposed plan and zone change could ultimately result in a maximum of four additional dwellings, Goal 5 require an ESEE analysis be done to demonstrate that the level of development proposed will not conflict with the Goal 5 resource. That analysis has not been adequately completed at the time of the writing of this report.

V. ALTERNATIVES/RECOMMENDATION

Staff proposes two alternative motions. See Page 1 of this Staff Report. The first is to recommend to the Board of Commissioners that, based on the record in its current status, the request should be denied. The Applicant has not demonstrated compliance with ORS The proposal to convert the 58.35 acre property from a Forest to an Agricultural designation and rezone the property from Impacted Forest Land (F-2) to Exclusive Farm Use (E-40) is supported, or in the least, raises no conflicts with, state and local goals and applicable approval criteria.

Another alternative under Option #1 is to close the public hearing and keep the record open to allow for additional materials to be submitted into the record, allowing applicant more time to address any deficiencies. The item would then need to return to the Planning Commission for final deliberations at a later time and date certain. Staff would prepare a supplemental staff report for Planning Commission review prior to final deliberations.

Staff recommends Option #1. Option #2 is not recommended.

VI. ATTACHMENTS

1. Applicant's Application with Supplemental Materials
2. Vicinity Map
3. Current and Proposed Rural Comprehensive Plan Maps

4. Current and Proposed Zoning Maps
5. LiDAR Map
6. Soils Tables
7. Big Game Map
8. Transportation Planning Comments
9. ORS 197.247 (1991 Edition)



LAND MANAGEMENT DIVISION

Date Received:

RECEIVED APR 12 2016

LAND USE APPLICATION - DIRECTOR
General Application Form

PLAN AMENDMENT MINOR W/EXCEPTION

PUBLIC WORKS DEPARTMENT 3050 N. DELTA HWY, EUGENE OR 97408 Planning: 541-682-3577

For Office Use Only:

FILE # 509-PA16-05291

FEE: \$12,900.00

RKS

Applicant (print name): Larry Martinez

Mailing address: See Attached

Phone: Email:

Applicant Signature:

Agent (print name): Norman Waterbury LLC

Mailing address: 86131 Cherokee Dr. Eugene OR 97402

Phone: 541-5103501 Email:

Agent Signature: [Signature]

Land Owner (print name): Larry Martinez

Mailing address: 85517 Pine Grove Rd Eug OR 97402

Phone: 541 953 2783 Email:

Through applying for this application I authorize the Lane County Planning Director, designee, or hearings official to enter upon the property subject of the application to conduct a site visit necessary for processing the requested application. Lane County shall contact the Land Owner prior to the site visit to arrange an appropriate time for the site visit.

Land Owner Signature: See Attached

LOCATION

18 - 05 - 25 - 200
Township - Range - Section - Taxlot

Site address

PROPOSAL. In one sentence, identify what you are proposing.

Marginal lands

DAVIES Anne C

From: Larry Martinez <lm@amaxnutrasource.com>
Sent: Monday, February 19, 2018 11:20 AM
To: DAVIES Anne C
Cc: EICHNER Lindsey A; Tommye Martinez
Subject: FWD: Re: Martinez Plan Amendment
Attachments: Anne Davies 021218.pdf

Dear Ms. Davies,

Thank you for taking the time to review our application and provide comments for improvement. Norm is a good friend of mine but is currently going through some health issues and ask me to respond to the questions in your e-mail. My wife and I are not land management experts but are pretty good researchers and we believe we have answered all the questions in your e-mail below. Please see our responses on the attached file.

If there are any additional questions or clarifications you need please not hesitate to e-mail or call me or my wife, Tommye.

Thank you and Best Regards,

Larry Martinez

541 953-2783 (cell)

Tommye Martinez

541 953-3593 (cell)

----- Forwarded Message -----

From: DAVIES Anne C <ADAVIES@Lcog.org>
To: 'Norman Waterbury' <nwaterbury@ymail.com>
Cc: EICHNER Lindsey A <Lindsey.EICHNER@co.lane.or.us>
Sent: Monday, February 12, 2018 9:05 AM
Subject: Martinez Plan Amendment

Dear Mr. Waterbury:

I am assisting Lane County, on a contract basis, with processing several plan amendment applications, including the Martinez application. On November 6, 2017,

Lane County planning staff sent you an e-mail, indicating several instances in the above referenced application that were in need of further attention. You then supplied supplemental material addressing some of those items. There are a few items still remaining that would assist staff greatly in being able to provide a positive recommendation to the Planning Commission.

Primarily, staff is struggling to locate the information within the application that addresses each specific approval criterion. For instance, on page 12 of the June 13th submittal, the language from LC 16.252 is provided, along with proposed findings that state: "This application meets all of these requirements." The ultimate decision maker must provide detailed findings supporting the ultimate decision (approval or denial), and those findings must demonstrate compliance with every applicable approval criterion. It is much easier to provide a positive recommendation for approval if the application itself separately lists out the approval criteria, and then provides findings explaining how each approval criterion is satisfied. If the explanation for a particular approval criterion is found elsewhere in the application, the statement should clearly direct the reader where to find that information.

1. Please address (i.e., provide findings or explanation) LC 16.400(6)(h)(iii).
2. Please ensure compliance with LC 16.400(8).
3. Item # 4 of staff's November 6, 2017 e-mail requested demonstration of compliance with specific Rural Comprehensive Plan policies. Your response (letter dated November 8, 2017) indicated that the first revision of the application addresses those policies. I have been unable to locate where in the application materials those RCP policies are specifically addressed.
4. Item # 6 of staff's November 6, 2017 e-mail identifies the required Goal 5 process for determining compliance with Goal 5. The summary fails to identify what, if any, Goal 5 resources are located on the property, or how any such resources will be protected.

Please understand that this follow-up letter is an attempt to provide your client with the best opportunity to obtain a positive recommendation from staff. You are in no way required to provide additional information responding to this letter, but a failure to specifically address each approval criterion could result in an unfavorable recommendation from staff.

For ease of reference:

LC 16.400(6)(h)(iii) provides: "The Board may amend or supplement the Rural Comprehensive Plan upon making the following findings:

(aa) For Major and Minor Amendments as defined in LC 16.400(8)(a) below, the Plan component or amendment meets all applicable requirements of local and state law, including Statewide Planning Goals and Oregon Administrative Rules.

(bb) For Major and Minor Amendments as defined in LC 16.400(8)(a) below, the Plan amendment or component is:

- (i-i) necessary to correct an identified error in the application of the Plan; or
- (ii-ii) necessary to fulfill an identified public or community need for the intended result of the component or amendment; or

(iii-iii) necessary to comply with the mandate of local, state or federal policy or law; or

(iv-iv) necessary to provide for the implementation of adopted Plan policy or elements; or

(v-v) otherwise deemed by the Board, for reasons briefly set forth in its decision, to be desirable, appropriate or proper.

(cc) For Minor Amendments as defined in LC 16.400(8)(a) below, the Plan amendment or component does not conflict with adopted Policies of the Rural Comprehensive Plan, and if possible, achieves policy support.

(dd) For Minor Amendments as defined in LC 16.400(8)(a) below, the Plan amendment or component is compatible with the existing structure of the Rural Comprehensive Plan, and is consistent with the unamended portions or elements of the Plan.”

LC 16.400(8) provides, in part:

“Unless waived in writing by the Planning Director, the applicant shall supply documentation concerning the following:

- (i) A complete description of the proposal and its relationship to the Plan.
- (ii) An analysis responding to each of the required findings of LC 16.400(6)(h)(ii) above.
- (iii) An assessment of the probable impacts of implementing the proposed amendment, including the following:
 - (aa) Evaluation of land use and ownership patterns of the area of the amendment;
 - (bb) Availability of public and/or private facilities and services to the area of the amendment, including transportation, water supply and sewage disposal;
 - (cc) Impact of the amendment on proximate natural resources, resource lands or resource sites, including a Statewide Planning Goal 5 ‘ESEE’ conflict analysis where applicable;
 - (dd) Natural hazards affecting or affected by the proposal;
 - (ee) For a proposed amendment to a nonresidential, nonagricultural or nonforest designation, an assessment of employment gain or loss, tax revenue impacts and public service/facility costs, as compared to equivalent factors for the existing uses to be replaced by the proposal;
 - (ff) For a proposed amendment to a nonresidential, nonagricultural or nonforest designation, an inventory of reasonable alternative sites now appropriately designated by the Rural Comprehensive Plan, within the jurisdictional area of the Plan and located in the general vicinity of the proposed amendment;
 - (gg) For a proposed amendment to a Non-resource designation or a Marginal Land designation, an analysis responding to the criteria for the respective request as cited in the Plan document entitled, ‘Working Paper: Marginal Lands’ (Lane County, 1983).”

Sincerely,

Anne Davies
Principal Attorney (LCOG)

Answers to Questions From Ms. Anne Davies (Principal Attorney (LCOG))

Dated February 12, 2018 regarding Marginal Land Application

**Property Owner: Larry & Tommye Martinez Property location: 85517 Pine Grove Road,
Eugene, OR 97402**

Applicant: Norm Waterbury, LLC

1. Please address (i.e., provide findings or explanation)) LC 166.400(6)(h)(iii)

LC 16.400(6) (h) (iii) provides: "The Board may amend or supplement the Rural Comprehensive Plan upon making the following findings:

(aa) For Major and Minor Amendments as defined in LC 16.400(8)(a) below, the Plan component or amendment meets all applicable requirements of local and state law, including Statewide Planning Goals and Oregon Administrative Rules.

(bb) For Major and Minor Amendments as defined in LC 16.400(8) (a) below, the Plan amendment or component is

(i-i) necessary to correct an error in the application of the plan; or

((ii-ij) necessary to fulfill an identified public or community need for the intended result of the component or amendment; or

(iii-ijj) necessary to comply with the mandate of local, state or federal policy or law; or

(iv-iv) necessary to provide for the implementation of adopted policy or elements or elements; or

(v-v) otherwise deemed by the Board, for reasons set forth in its decision to be desirable, appropriate or proper. (LC 16.400(6)(h))

In the applicant's view, this proposal is necessary to correct an error in the application of the plan in that the land is designated as resource land and zoned as F-2 and this designation is inconsistent with site capabilities and limitations. The soils on the subject property fail to meet the definition of agricultural land in Lane County; timber productivity on the site is poor and does not produce more than 49 cubic feet of timber per acre which is the determining factor used to define forest land (85 cubic feet is the F-2 standard) . Additionally, the F-2 determination is not necessary to prevent farm or forest practices on the adjacent lands which appears is nonexistent or would be unaffected should this proposal be granted since surrounding properties are all zoned as rural residential. In conclusion, the F-2 zoning district is not applicable to this property. This amendment attempts to correct that error.

The Marginal Lands designation will correct this error as it is the proper zone for the subject property. The Marginal Lands zone is a designation applied to marginally productive resource land, as described in the proposal, which can be made economically useful land in Lane County.

In regards to LC 16.400 (6) (h) this proposal will enhance the enjoyment of surrounding neighbors by enticing quality prospects to purchase, improve, and create additional taxable land in Lane County. It will turn unproductive land into opportunities for 2-3 additional families to enjoy Lane County in a rural setting while continuing to contribute to Lane County.

This proposed amendment is justified under LC 16.400(6).

2. Please ensure compliance with LC 16.400(8)

LC16.400 (8) provide, in part:

"Unless waived in writing by the Planning Director, the applicant shall supply documentation concerning the following:

(i)A complete description of the proposal and its relationship to the plan.

The applicant has supplied a complete description of the proposal which to request a minor amendment to the Rural Comprehensive Plan (RCP) which changes the Plan's designation of 54 acres from Impacted Forest to Marginal Lands. This minor amendment is in compliance with RCP policies and State Wide Goals as further described in answers to questions 3 and 4 below.

(ii)An analysis responding to each of the required findings of LC 16.400(6) (h) (ii) above.

The applicant has filed numerous exhibits, commentary, and third party analyses related to the error in classifying this property as Forest Land when it has no economic sustainability under that classification. The community as well as local and state policies would be better served if the applicant's property were reclassified as Marginal Lands where an additional two to three families could enjoy property that is currently unattended and unproductive and additional taxes could be collected by local and state agencies.

(iii)An assessment of the probable impacts of implementing the proposed amendment, including the following:

(aa)Evaluation of land use and ownership patterns in the area of the proposed amendment

The subject property is bordered on over three sides with Rural Residential zoning. There are 16 Rural Residential uses dominating all areas surrounding the property with just 2 F2 zoned properties on the South Corner of the Property which are both less than ½ the size of the subject parcel. As shown on the map there are over 100 single family homes within 2000 ft. of the subject property zoned Rural Residential with most being less than 5 acres in size.

The proposed amendment would create 3 additional parcels which would be larger in size (i.e. two 10 acres parcel and one 20 acre parcel) than most of the surrounding Rural Residential properties. Therefore the proposed densities would be consistent with the existing densities in the vicinity and entirely consistent with existing development patterns in the area.

(bb)Availability of public and/or private facilities and services to the area of the amendment, including transportation, water supply and sewage disposal.

The subject property has access to Pine Grove Road which is a public road that intersects with Spencer Creek Road, another public and well maintained road. Water will be supplied on the new proposed parcels by drilling new wells which are well supported by the well log survey provided in this application by EGR located in Exhibit 4.

The subject property has a surface area of approximately 54 acres and a proposed residential density of no more than one residence every 10 acres for 3 of the proposed parcels and one residence located on 20 acres. There is adequate on-site area to dispose of sewage.

Fire protection is provided by Lane County FD#1, the nearest station is on Spencer Creek and Pine Grove Road less than ¼ mile away. Ambulance Provider is Eugene Fire & EMS, Ambulance Service Area West/Central. The areas electrical service provider is Lane Electric. Soil and Water Cons. Zone Upper Willamette.

(cc)Impact of the amendment on proximate natural resources, resource lands or resource sites, including a statewide planning Goal 5 "ESEE" conflict analysis where applicable.

The subject property does not contain significant natural resources such as federal wild and scenic rivers, approved recreational trails, natural areas, wilderness areas,

mineral or aggregate resources, energy resources or scenic views or sites. The two ponds on the property are designed to collect water runoff from the top of the property during the rainy season but they would not be considered a natural resource in the context of Goal 5. In addition, with a minimum size of 10 acre lot in the Marginal Land Zone, the lot could be configured in a manner that would even leave the ponds unaffected.

Because there are no conflicts with the Statewide planning Goal 5 no "ESEE" conflict analysis is required.

Please see area map Exhibit 2 which shows that the development density of the subject property even with the proposed additional 3 parcels is 1/8th the density of neighboring parcels.

(dd)Natural Hazards affecting or affected by the proposal

The subject property is not at risk from any natural hazards that are not generally applicable area wide nor does the proposal appreciably increase the risk of any natural hazard or disaster.

(ee)For a proposed amendment to a non-residential...designation...an assessment of employment gain or loss...

This criterion is not applicable to proposed amendment

(ff)For a proposed amendment to a non-residential...designation...an inventory of reasonable alternative sites.

This criterion is not applicable to the proposed amendment.

(gg)For a proposed amendment to a Nonresource designation or a Marginal Land designation, an analysis to the criteria for the respective request as cited in the Plan document entitled "Working Paper: Marginal Lands" (Lane County, 1983).

The applicant has supplied the required analysis to the criteria cited in the applicable working paper. As described in Exhibit 6 and then further mentioned on Page 4 (1) the property was not managed as a farm operation as or a forest operation capable of generating ten thousand dollars in gross annual income. The subject property as analyzed by a consulting forester in Exhibit 3 is composed of inferior agricultural soils (Class IV or less) and is only capable of only producing 49.5 cubic feet of merchantable timber per year per acre.

The applicant has shown conclusively that the subject property will not support a merchantable stand of timber of sufficient production capability to meet or exceed

the Marginal Land Income threshold of 85 cubic feet per year per acre. Additionally the subject property has never been managed as a farm or forest operation.

The applicant has supplied the required analysis.

3. Item #4 of staff's November 6, 2017 e-mail requested demonstration of compliance with specific Rural Comprehensive Plan policies. Your response (letter dated November 8, 2017) indicated the first revision of the application addresses those policies. I have been unable to locate where in the application those RCP policies are specifically addressed.

Applicant's response:

The application is consistent with the Rural Comprehensive Plan. Consistency with the Rural Comprehensive Plan is one of the main criteria of approval set forth in LC.400(6). The proposed plan amendment and zone change complies with the Lane County Rural Comprehensive Plan. All applicable policies support the proposed amendment. No policies have identified that conflict with the applicant's proposal. Support for the proposal is found in Rural Comprehensive Plan Goal 4 Forest Lands Policy 3. Policy 3 states:

Forest lands that meet the requirements of ORS197.247 (1991 Edition), may be designated as Marginal Lands and such designations shall also be made in accordance with other plan policies. Uses and land divisions allowed on LC 197.247 (1991 Edition)

The applicant's proposal complies with ORS 197.247 as previously discussed in this application. The application also complies with Goal 4 policy 1 which states:

Conserve forest lands by maintaining the forest land base and protect the states forest economy by making possible economically efficient forest practices...

Forest land shall include lands which are suitable for commercial forest uses including adjacent or nearby lands which are necessary to permit forest operations or practices.

The Marginal Lands designation requested by the applicant is consistent with this policy and reflects a determination that marginally protected forest land such as this land is more likely to be managed for forest use when smaller lot sizes are permitted. This land is not necessary to permit nearby or adjacent forest in compliance with this policy.

The applicant's proposal is also consistent with those set forth in the Goal Five portion of the Rural Comprehensive Plan. The Statewide Planning Goals Five currently requires Lane County to comply with goal 5 requirements for wetlands, riparian corridors and wildlife habitat as well as other natural resources.

This plan amendment complies with Flora and Fauna policy 1 which states:

Implement construction development and other land use activities which significantly alter natural systems only after evaluating the effects on wildlife habitats and other areas.

There is no evidence to suggest that development at the proposed density would significantly alter natural systems and the county has considered the effects of this type development on those systems. Lane County has adopted the State/National Wetlands inventory and there are no Inventoried Wetlands on the subject property. The county has also considered impacts through the adoption of the significant riparian corridors map. There are no significant riparian corridors present on the development site as evidenced by the adopted map. Finally there is in incidence of documented or rare species utilizing the subject property and the subject property does not contain significant wildlife habitat. (These maps can be found Lane County's website located at lcog.org and are titled "Land County Statewide Planning Goal 5 Compliance for Wetland, Riparian Corridor, and Wildlife Habitat). The subject property does not appear on any acknowledged resource lists.

Recognize existing federal and state programs protecting threatened or endangered fish and wildlife species.

There is no riparian habitat implicated in the development request.

Through the use of county regulations including zoning, seek to minimize adverse impacts of land use changes on sensitive species (those susceptible to significant population declines).

There are no rare or sensitive species present on the subject property or any known occurrences of rare or sensitive species on the subject property. The Marginal Lands zoning district and development at the density proposed here shall have no impact on sensitive species. The substantial limitations placed on development in the Marginal Lands zone minimize the adverse impacts of this proposed change.

Sensitive fish and waterfowl areas shall be identified and protected...

No such areas are present on the subject property.

The application also complies with Goal 11 Public Facilities and Services which sets forth the required level of service in a Marginal Lands zoning district:

Marginal Lands

Service Level: Consistent with service levels for Rural Residential outside a community designation.

The applicant's amendment proposal complies with the appropriate and required level of rural service. Goal 11, Policy (6) (e) sets forth the appropriate service level:

Rural Residential (RR-1, RR-2, RR-5, RR-10) (Outside Communities)

Service Level: schools, on-site sewage disposal, individual water supply system, electrical service, and telephone service, and rural level fire and police protection, reasonable access to solid waste disposal facility.

The subject property has service levels consistent with Rural Residential service levels outside of communities. The property is in the Eugene 4 J School District. There was an approved on-site drain field. The subject property is fifty four acres in size and sewage disposal at the contemplated density shall not be problematic. Additionally, the appropriate time to deal with the specifics of sighting a drain field is during the land development process. There is an existing well on-site evidenced by the well log contained in Well Log report in Exhibit 4. Electrical utility service is provided by Lane Electric and telephone service is provided by Century Link. There is reasonable access to solid waste disposal. The designation of the subject property as Marginal Land is consistent with the minimum service levels established for the Rural Residential category.

- 4. Item #6 of staff's November 6, 2017 e-mail identifies the required Goal 5 process for determining compliance with Goal 5. The summary fails to identify what, if any, resources are located on the property, or how any such resources will be protected.**

Adequacy of water resources, particularly those relying on groundwater sources, shall be a major consideration when reviewing major land use changes. For the purpose of applying this policy, major land use change shall be any application reviewed by the hearing official or planning commission.

For the purpose of this policy, this application qualifies as a major land use change. The Planning Commission review is required; hence the availability and adequacy for groundwater supplies is a major consideration.

The groundwater supply is adequate to support development for the type and density facilitated by this application. If the applicant's request to designate the subject property as Marginal Land is granted, the most likely result of this amendment is the eventual partition of the subject property into no more than 4 lots with the smallest lot consisting of no less than 10 acres. Therefore the densest development that may result from this application is an eventual residential density of four homes on approximately 59 acres. There are sufficient groundwater resources to support development at this density.

The first evidence supporting that assertion is the existing well on-site with a flow rate of 30 gpm from a well which is less than 100 ft. deep. (See Exhibit 4 Availability of Water EGR report). A well producing at 30 gpm is considered to be an extremely productive well. The second piece of evidence is the numerous residences in the near vicinity which all produce at very high gpm levels. The applicant has supplied the well log query results that show every well in the vicinity of the subject property and the flow rates associated with those wells (Exhibit 4). In conclusion, the applicant has provided sufficient documentation to ensure the adequacy of the water supply on the subject property.

The primary means of evaluation groundwater resources for the purpose of planning purposes shall be through the land division process...

This application is consistent with this policy. The adequacy of the water supply shall be considered at this time as well as during the land division/development process.

Land use designations in the Comprehensive Plan and implementing zoning shall be commensurate with groundwater aquifer capacities.

The proposed land use designation is commensurate with groundwater aquifer capabilities. The proposed designation could result in four residences on the subject property with a minimum residential density of one dwelling unit on a lot or parcel no less than ten acres in size.

Additional Information Submitted

ATTACHMENT 4

Date Stamp
RECEIVED NOV 27 2017

Submitted By: Norman Waterbury LLC
Phone Number: 541-510-3501
Email Address: nwaterbury@ymail.com
Project Address: 85517 Pine Grove Rd



Permit No. (BP,PA,SI,SP): PA 16-05291
Submittal Description: Re-zone application revised.

Type of submittal:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Additional Information | <input type="checkbox"/> Deferred Submittal |
| <input checked="" type="checkbox"/> Response to Plan Review Comments | Value of deferred work: _____ |
| <input type="checkbox"/> Revisions to Approved Plans | <input type="checkbox"/> Other: _____ |

Office Use:

- | | |
|--|--|
| Route to: _____ | Amount Due: _____ |
| <input type="checkbox"/> Approved | <input type="checkbox"/> Applicant Contacted |
| <u>How will additional fees be Paid:</u> | |
| <input type="checkbox"/> In Person | <input type="checkbox"/> By Phone |
| <input type="checkbox"/> Online | |

APPLICATION

FOR

**MINOR AMENDMENT OF THE LANE COUNTY
RURAL COMPREHENSIVE PLAN**

AND

ZONE CHANGE FROM IMPACTED FOREST LAND, F-2

TO

MARGINAL LAND

PA 16-05291

Larry and Tommye Martinez

85517 Pine Grove Rd.

Eugene OR 97402

Submitted By:

Norman Waterbury LLC

Land Use Planning Consultant

86131 Cherokee Dr.

Eugene OR 97402

Page 1**Proposal Applicant: Norman Waterbury LLC****Property Owners: Larry & Tommye Martinez****Property Location: 85517 Pine Grove Rd.
Eugene OR 97402****Assessors Map and Lot: 18-05-25, Lot 200****Current County Zoning: F-2, Impacted Forest Land**

The proposed minor amendment to the Rural Comprehensive Plan (RCP) changes the plan designation of 54 acres from Impacted Forest to Marginal Lands in compliance with ORS 197.247 (1991) edition and applicable Lane County RCP policies and State Wide Goals. Approval of the plan amendment would allow the subject property 18-05-25, Lot 200, PA 16-0591 to be developed into as many as three, 10 acre and one 20 acre parcel as provided by the Marginal Lands Zone LC 16.214(6) in these findings.

Marginal Lands Zone (ML-RCP) Rural Comprehensive Plan. (1) Purpose. The Marginal Lands Zone (ML-RCP) is intended to:

- (a). Provide an alternative to more restrictive farm and forest zoning.**
- (b). Provide opportunities for persons to live in a rural environment and to conduct intensive or part time farm or forest operations.**
- (c). Be applied to specific properties consistent with the requirements of ORS 197.005 to 197.430 and the policies of the Lane County Rural Comprehensive Plan.**

As shown within this application Lane Code 16.214 (a-c), above this property meets the specific requirements to qualify for Marginal Lands.

Sit location and description:

The subject property is located at the South end of Pine Grove Rd. The property can generally be described as rectangular with open pasture and partially forested with mixed Doug Fir poplar maple and ash which follows the existing stream bed. Currently the property has one single family dwelling with and 3 barns. A well and standard septic system serve the existing home. See Area Zoning Map in Exhibit 2. The subject property is entirely within the jurisdiction of Lane County

Page 2

Site Location and description:

The subject property is located at the South end of Pine Grove Rd. and near the West end of Spencer Creek Rd approximately 3 miles from the city limits of Eugene. The property is characterized by mix of uses with Rural Residential dominate to the area.

The subject property is bordered on over three sides with Rural Residential zoning. There are 16 Residentially zoned properties which border the property. The South East of the property is bordered by 2, F2 zoned parcels, both less than ½ the size of the subject parcel. There is also a small lot zoned F2 which is less than 4 acres on the South West corner of the property. As shown on the map there are over 100 single family homes within 2,000 Ft. of the subject property zoned Rural Residential most of which are under 5 acres in size. There is a pond on the property as well as a stream running from South to North. Access is provided from Pine Grove Rd. which dead ends at the property midway to the North West. The property is fenced into 4 separate pasture areas. The subject property slopes to the North with the South portion steep along the creek bed.

Evidence supporting these claims shall be supplied within this application.

The proposal is also consistent with the Lane County comprehensive Plan, specifically goal 4 Forest Land Policy (1), (3), RCP Goal (5), Water Resources Policies (3), (4), and (5), Goal 4 Forest Land Policies (1), (2), (3), (8), (11), (12): and Goal 11 Policy (6),(i), (6)(e).

The application is also consistent with the Board of County Commissioners interpretation and administration of Marginal Lands applications, specifically, Lane County Working Paper: Marginal Land 1983: Lane County Information Sheet: requirements for Marginal Lands information sheet 1997. the proposal is consistent with the State requirements set forth in ORS 197.247 as embodies in LC 16.214 and complies with ORS 15.327. The subject property satisfies all the statutory criteria for a Marginal Land designation.

Page 3**Public Facilities and Services**

Fire protection is provided by Lane County FD#1, the nearest station is just around the corner on Spencer Creek Rd. less than 1/4 mile away. Ambulance Provider is Eugene Fire & EMS, Ambulance Service Area West/Central. There is no LTD service. The areas electrical service provider is Lane Electric. Soil and Water Cons. Zone Upper Willamette.

List of Exhibits for the Martinez Marginal Lands Application

- Exhibit 1. RLID Property report & preliminary title report & authorization.
- Exhibit 2. Air photo showing subject property, Zone Map, Area Map & Assessors Map, USDA Soils Map.
- Exhibit 3. Report of Consulting Forester
- Exhibit 4. Availability of Water EGR Report
- Exhibit 5. Addressing State Wide Goals and Guidelines.
Goals 1-19
- Exhibit 6. History of the subject lot between 1978 and 1983 addressing the issue of farmed. Letter by Richard Walker. NRCS pasture report. Ariel map showing grazing area.

Additional Background Information

In order for property to receive the designation and the zoning district of "Marginal Lands", it must meet the following test:

1. The land must not have been managed during three of the five calendar years between January 1, 1978 and January 1, 1983, as part of a farming operation which produced \$ 20,000 or more in annual gross income, or as part of a forest operation capable of producing an average, over the growth cycle, of \$ 10,000 in annual gross income. Statistical information compiled by Oregon State University Extension Service or other similar empirical data may be used to demonstrate income capability.

Data from Lane County Deeds and records indicate that the property was owned by Haldor Torkelsen until 1977. At that time the property was partially used for grazing and also had a small orchard. Mr. Torkelsen lived in a small one room dwelling adjacent to the orchard. Because of his age, the property was for the most part not employed for any significant agricultural use at this time. The property was then purchased and partially inherited in 1978 by Carl and Joanne Stallings as shown in Lane County Deeds and Records 7944725.

According to the neighbors of Mr. & Mrs. Stallings, Mr. Richard Walker, the only significant farming activity that was done during their ownership of the property was a small vegetable garden and an old orchard. (See Exhibit 9 NRCS data & Note from Richard Walker). The Stallings did however try to develop the property as evidenced by a partition filed, Lane County Records CS File 23316, in Aug. 31, 1979. This effectively split the property into 6 tax lots. The subject lot Parcel 2 of this partition containing 54.6 acres which is the subject of this application. This was during the time frame of a major recession when very little was being done with property development or building of any kind. Also Mrs Stallings health problems which resulted in her death was a contributing factor which led to foreclosure. By July 9th. 1985 various parties who were creditors foreclosed on the property for a balance of \$ 122,500 as shown in the Sheriff's Deed, Lane County Deeds 8724923. At that time none of the 6 parcels contained in the partition had been sold. The Administrative Service Company then completed the sale of the subject property and distributed the money to the creditors. By 1987 the property was purchased by Joseph and Julianne Arnold for \$ 85,000.

The subject property satisfies this first part (income requirement) of the two part test. As shown on the report provided showing the production of Doug Fir is half the

Page 5

productivity rating required for a Marginal Lands standard. The subject property is only capable of producing 49.5 cubic feet per acre per year. This is less than 85 cu.ft.yr. of merchantable timber production. See Setchko Report enclosed.

As shown on the aerial map only a portion of the subject property was available for grazing and a large percentage of that open land could not be bailed because of the slopes. During this time frame the price of beef was not sufficient enough to bring in \$ 20,000 per year. (See Exhibit 6). Particular attention should be reviewed in the pasture report provided by the NCRS publication.

In addition to the above, the land must meet one of the following test:

- A. At least 50% of the area of the proposed Marginal Land, plus the lots or parcels all or partially located within 1/4 mile of the perimeter of the proposed Marginal Land, consist of lots or parcels 20 acres or less in size as of July 1, 1983. Lands within an adopted urban Growth Boundary are not to be included in this calculation. Those lots or parcels which are adjacent and of common ownership are to be considered one lot or parcel (lots or parcels separated by a public road are not considered adjacent).**
- B. The proposed Marginal Land is located within an area of not less than 240 acres of which at least 60% is composed of lots or parcels that are 20 acres or less in size on July 1st. 1983; or**
- C. The proposed Marginal Lands is composed predominately (more than 50%), by area of soils in capability classes V through VIII in the Agricultural Capability Classification System used by the U.S. Department of Agriculture Capability Classification System used by the U.S. Department of Agriculture Soil Conservation Service, and is not capable of producing 85 cubic feet of merchantable timber per acre per year. In those Counties East of the summit of the Cascade range and eighty five cubic feet of merchantable timber per year in those Counties West of the summit of the Cascade Range, as that term is defined in ORS 477.001 (21).**
- (2). For the purpose of subparagraphs (A) and (B) of paragraph (b) of subsection (1) of this section:**
- (a) Lots and parcels located within an urban growth adopted by a city shall not be included in the calculation; and**
- (b) Only one lot or parcel exist if:**

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(A) A lot or parcel included in the area defined in subparagraph (A) of paragraph

(b) of subsection (1) of this section is adjacent to one or more such lots or parcels;

(B) On July 1, 1983, greater than possessory interest are held in those adjacent lots of parcels by the same person, parents, children, sisters or in tenancy in common; and.

(C) The interest are held by relatives described in subparagraph (B) of this paragraph, one relative held the interest in the adjacent lot or parcel before transfer to another relative.

(3) For the purposes of paragraph (b) of subsection 2 of this section;

(a) Lots of parcels are not "adjacent" if they are separated by a public road; and.

(b) "Lot and parcel have the meanings given to those terms in ORS 92.010

(4) For the purposes of subparagraph (B) of paragraph (b) of subsection (1) of this section, lots of parcels located within an area for which an exception has been adopted by the County shall not be included in the calculation.

(5) The County may use statistical information compiled by Oregon State University Extension Service or other objective criteria to calculate income for the purposes of paragraph (a), of subsection (1) of this section.

(6) Notwithstanding the fact that only a certain amount of land is proposed to be designated by the test area under subparagraph.

Page 5

(7) The amended goals shall permit Counties to authorize the uses on and divisions of marginal Land set out in ORS 215.317 and 215.317.

(8) The provision of this section shall not affect the applicability of any goal except the goals on agricultural and forest lands, to a land use decision.

Exhibit (A)

The request for re-zoning the subject property from F2 (Impacted Forest), to ML (Marginal Lands), is supported by all of the requirements stated within the Marginal Lands 1983 document and ORS 197.247 in addition to the first criteria.

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As noted above **“the land must meet one of the following test:”** We believe that all three of the qualifying requirements, are all met. The soils productivity ratings are in the 49 BF per acre range and the property is surrounded by rural residential development. Conditions a, b, and c all are met with this application however the main focus of this application will be on condition (c).

Requirement (c) is supported by forester Marc Setchkos' report on the subject property along with the soils report provided by the US Department of Agriculture Soils Survey which is included within this report. See Exhibit (3), forestry report.

An evaluation of the site from a timber productivity and income standpoint, is presented in this analysis to determine if the parcel meets the criteria for a Marginal Lands designation. The analysis demonstrates that the subject property qualifies for the following reasons:

1. The subject property is not capable of producing 85 cu. ft./ acre/yr of merchantable timber volume. This has been determined by Lane County and the State of Oregon, to be the measuring parameter for Marginal soils west of the Cascade Range; as defined in ORS 197.247 (1)(b)(C).
2. The income generated from the subject property averages less than \$ 10,000/year, based on 1978 through 1982 log prices. This level of income meets the following statutory test for Marginal Lands. ORS 197,247 (1)(a): The proposed Marginal Land was not managed during 3 of the five calendar years preceding January 1, 1983 as a forest operation capable of producing an average over the growth cycle of \$ 10,000 in annual gross income.

Site Information:

The subject property is 53.95 acres in size and is composed of five soil types. Bellpine silty clay loam type 11C&D covers 8 % of the parcel. Hazelair silty clay loam (soil type 52 B&D) covers 50% of the parcel. Steiwer loam (soil type 125 C&D) covers 23 % of the parcel. Panther silty clay loam (soil type 102C) covers 15 % and the remaining 4% is Witzel very Cobbly loam (138E).

Bellpine is a highly productive forest soil. Conifers are growing on all of the area underlain by the Bellpine soil. All of the other types covering the majority of the property, are poor forestland soils. While conifers are growing on a portion of these soils the trees are slow growing and yearly productivity from a growth standpoint is slow.

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By summing up the cubic foot per acre per year productivity (growth of the timber stand). Of each soil type and dividing by the total acreage, an average per acre productivity figure for the entire parcel can be calculated. See details within the forestry report.

The conclusions are that the parcel can produce 49.5 cubic ft per acre per year nearly half of the thresholds of 85 cf/ac/yr. While there are conifers growing on the parcel, growth is extremely slow. Even if the entire property was fully stocked with Douglas Fir, it is incapable of producing 85 cf/ac/yr.

This report says it all. Either the condition of the productive requirements are met or they are not. This is not good agricultural land and that is what Marginal Lands is all about. See Exhibit (3).

In conclusion this report shows conclusively that this property will not support a merchantable stand of timber of sufficient production capability, to meet or exceed the Marginal Lands Income and cubic foot Productivity States (ORS 197.247). All of the data used in these analyses are from Oregon Department of Forestry approved sources. The findings presented here met all of the parameters for marginal land designation as outlined by Lane County Statutes. Several of the parameters, such as the 50 year growth cycle to harvest have been reaffirmed by LUBA. The bottom line here is that the subject property produces 49.5 cubic feet per acre per year. This is less than the 85 cu/ft/ac/yr merchantable timber production the parameter used in Counties West of the Cascade Range as defined in ORS 477.001(21). (SEE EXHIBIT 3)

**PROCEDURES FOR ZONING, REZONING AND AMENDMENTS TO
REQUIREMENTS RURAL COMPREHENSIVE PLAN**

16.252 (2). Procedures for zoning rezoning and Amendments to requirements. (2) Criteria. Zonings rezoning and changes in the requirements of this chapter shall be enacted to achieve the general purpose of this chapter and shall not be contrary to the public interest. In addition, zonings and rezoning s shall be consistent with the specific purpose of the zone classification purposed, applicable rural comprehensive Plan elements and components, and State Wide Planning

Goals for any portion of Lane County which has not been acknowledged for compliance with the State Wide Planning Goals by the Land Conservation and Development Commission. Any zoning or rezoning may be affected by ordinance or order of the Board of County Commissioners or the hearings Official in accordance with the procedures of this section.

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All of the procedures above are addressed within the following application and are within the public interest including adherence to the Statewide Goals and Guidelines set forth by the State of Oregon. Option 16.252 (3) (c), By applicant. Application for the zoning or rezoning may be made by any person as provided in LC 14.050.

16.252 (8) Additional Amendment Provisions: In addition to the general procedures set forth in Lane Code 16.400(6) above the following provisions shall apply to any amendment of Rural Comprehensive Plan components.

16.252(8)(a)(i) shall apply to this application as listed as a Minor Amendment which would be limited to the Plan Diagram only, resource to resource and does not require an exemption to the Statewide Planning Goals, which justify the current use of the subject property on the basis that the resource land is already built upon and surrounded and committed to other uses. As shown on the map the subject property is surrounded by smaller parcels with houses on them. (All of Them), Here we will let the map do the talking. This is by far the most obvious, rural (In Fill), that I have ever seen. To the South are 3 lots consisting of just a few acres and they are zoned RR5. To the West there are 8 lots also zoned RR5. To the North: More RR5 lots and a fire station. This is in an area that it is well served with emergency and rapid access to town. By normal Land Use Law Nationally this parcel should be zoned RR5. But, we all recognize that we are not normal here in Lane County.

State Wide Goals And Guidelines:

Goal 1, Citizen Involvement; To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process. Widespread citizen involvement is well established and a normal aspect of land planning here in Lane County. Neighboring property owners will be notified in a timely manor concerning the proposal itself as well as hearing dates and have the ability to respond to this planning action. Built into Lane Counties application processes are notification procedures which are sent to reliant service providers as well as other groups with an interest in rural Lane County. Of all the Counties in Oregon, that I have worked in, Lane County offers the most comprehensive citizen involvement standards.

Goal 2, Land Use Planning; Part 1 Planning; to establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual basis for such decisions and actions. Part 2 of goal 2 authorizes exceptions to the goals- land use decisions that are not in compliance with the goals under certain circumstances. Statutes also describe when exemptions are authorized. (ORS 197.732).

Lane County Planning has a well established planning process and policy framework as a basis for all decisions and actions related to the uses of the land and to ensure an objective factual basis for such actions. Exceptions to these Goals are Minor changes which allow for a Minor Plan Amendment to more closely identify the correct zoning due to conditions of the property. The guidelines for Minor Plan Amendments are clearly stated within the Lane County Code. The Minor Plan Amendment we are requesting is supported by the application of plan and map preparation, conformance with State and Federal plan, factual basis for the plan and the elements of the plan which are being filed. Issues related to the property infrastructure will be reviewed and will become reliant during the partitioning process under conditions of approval. This application complies with goal 2 because no exception to the resource goal is required.

Goal 3, Agricultural Lands: To preserve and maintain agricultural lands. Agricultural lands shall be reserved and maintained for farm use, consistent with existing and future needs for agricultural products, forest and open space and with the States agricultural land use policy expressed in ORS 215.213 and 215.700.

The subject property is currently zoned F2 and is not listed as an agricultural zone other than forestry. Also there are no adjacent properties zoned EFU. The vast majority of the property surrounding the subject property are small lots zoned for residential use, RR5. The remainder of the surrounding properties are zoned F2. Because of the location there is no impact on properties zoned for agricultural use. Also marginal lands is a resource designation. Land that is designated Marginal Land is consistent with Goal 3 or Goal 4 or both. (See Zoning Map Exhibit 2).

Goal 4, Forest Land: A. Planning, 1. Forest lands should be inventoried so as to provide for the preservation of such lands for forest uses. To conserve forest lands by maintaining the forest land base and to protect the States forest economy by making possible economically efficient forest practices that assure the continual US growing and harvesting forest tree species as the leading use on forest land consistent with sound management of soil, air, water and fish and wildlife resources and to provide for recreational opportunities and agriculture.

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They are. See Lane County Department of Taxation. Plans providing for the preservation of forest lands for forest uses should consider as a major determinant the carrying capacity of the air, land and water resources of the planning area. As noted above, Marginal Land is a resource designation that is consistent with Goal 3 or Goal 4.

Goal 5. Open Spaces: Scenic and Historic and Natural Resources: To conserve open space and protect natural and scenic resources.

When considering the neighboring developments the conclusion is to allow for a very low density of development for rural residential use. The proposed potential development density is less than 1/8 of what already exist with neighboring parcels. (See area map Exhibit 2). Isolated water features on the subject property are protected by State and Federal Law. With a minimum size of 10 acre lots the in the marginal land zone, it is feasible to configure any future lots in a manner that could accommodate allowable development while leaving wet areas undisturbed.

Goal 6. Air Water and Land Resource Quality. To maintain and improve the quality of the air, water and land resources of the State. All waste and process discharges from future development, when combined with such discharges from existing developments shall not threaten to violate, or violate applicable State and Federal environmental quality statutes, rules and standards. With respect to the air water and land resources of the applicable air sheds and river basins described or included in State environmental quality statutes rule standards and implementation plans, such discharges shall not (1) exceed the carrying capacity of such resources, considering long range needs: degrade such resources: or (3) threaten the availability of such resources.

All waste and discharges from future development shall not threaten or violate applicable State or Federal environmental quality standards. With respect to air, water such discharges shall not exceed the carrying capacity of the land. Goal 6 protects air and water resources. The focus is on discharges from future development in conjunction with existing development. State and federal environmental standards are the bulwark for protection. Existing County State and Federal regulations cover and address the carrying capacity of the land. Two to four additional residential developments would generate septic waste. A pre condition to any residential use will be the development of individual septic systems meeting County and State standards. The soils on the subject property are suitable for one or more types of septic systems that meet these standards. This insures that future use of the land will comply with Goal 6. Also see Exhibit 4, water report.

Goal 7. Areas Subject to Natural Disasters of Hazards: To protect life and property from natural disasters and hazards. Developments subject to damage or that could result in loss of life shall not be planned nor located in known areas of natural disasters and hazards without appropriate safe guards. Plans shall be based on an inventory of known areas of natural disaster and hazards that are subject to natural events that are known to result in death or endanger the works of man, such as stream flooding, ocean flooding, ground water erosion and deposition, landslides, earthquakes, weak foundation soils and other hazards unique to local and regional areas.

There are no such areas known to exist on the subject property. The elevation of the subject property would eliminate any possible flood hazard and the soil conditions in the area are relatively stable and not prone to land slides. (See soils survey). The stream that runs through is quite small and has never flooded.

Goal 8. Recreational Needs. To satisfy the recreational needs of the citizens of the State and visitors and where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

Goal 8 Is not directly applicable to this proposal. No destination resort is proposed. The subject property is not used for recreational purposes and is not designated on the County Plan as intended for that purpose. However raising animals gardening and other uses of the land may be considered recreational to most of us living on small acreages. The proposed plan amendment and zone change has no impact on this goal.

Goal 9. Economy of the State. To provide adequate opportunities throughout the State for a variety of economic activities vital to the health, welfare and prosperity of Oregon Citizens.

Goal 9 is primarily focused on commercial and Industrial development within urban growth boundaries. The goal does not apply to rural residential uses allowed on Marginal Lands.

Goal 10: Housing: To provide for the housing needs of the citizens of the State.

Build able lands for residential use shall be inventoried and plans shall encourage the availability of adequate numbers of needed housing units at price ranges and rent levels which are commensurate with the financial capabilities of Oregon households and allow for flexibility of housing location, type and density. Goal 10 is geared primarily to the housing issues inside urban growth boundaries. The goals definition of build able lands

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is limited to lands in urban and urbanization areas. The subject property is located outside of the UBG.

Goal 11. Public Facilities and Services: To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development. Urban and rural development shall be guided and supported by types and levels of urban and rural public facilities and services appropriate for but not limited to the needs and requirements of the urban and the organizable and rural areas to be served. A provision for key facilities shall be included in each plan.

A full range of rural services exist to serve and support the subject property. The existing public facilities and services are in line with County Policy's. No additional services would be required with a property density of one house for every 10 acres.

Goal 12 To provide and encourage a safe, convenient and economic transportation system.

Goal 12 addresses facilities and services in urban and rural areas. The subject property is rural land and will remain rural after this approval, as discussed in connection with the area development. It is intended to consider area wide modes of transportation and is implemented at the comprehensive plan stage. The question is whether the residential development allowed by this application would significantly affect the transportation facility. The rule spells out clearly what constitutes a "significant affect".

A land use amendment significantly affects a transportation facility if it:

- (a). Changes the functional classification of an existing or planned transportation facility.
- (b). Changes standards implementing a functional classification system.
- (c). Allows types or levels of land uses which would result in levels of travel or access which are inconsistent with the functional classification of a transportation facility; or
- (d). Would reduce the level of service of the facility below the minimum acceptable level identified in the TSP.

The proposed Marginal Land designation would not exceed any of the above standards listed above. Consequently, the proposed application complies with Goal 12.

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Pine Grove Road is a very well maintained Local Access Road that borders the property and dead ends on the Western boundary of the property. Very light traffic is observed from the subject property all of the way to Crow Road where Pine Grove Road ends. Or taking the other rout from Spencer Creek Rd. and left on Bailey hill Rd. would put in the city limits of Eugene in under 4 minutes. Visibility is good the road is straight and well maintained. The number of trips per day would increase slightly with the addition of 3 more houses. This would result in approximately 8 trips per day, not a significant amount.

Goal 13 Energy conservation: To conserve energy. This goal is more appropriately applied at the comprehensive plan phase and is not applicable to this Marginal Lands request. However, the subject property is only about 4 miles from the city limits of Eugene. Compared to living further out this proposal is well within the current technology to use electric vehicles.

Goal 14. Urbanization; To provide an orderly and efficient transition from urban and rural land.

Goals 15 to 19. These goals are not applicable to this application they are geographically oriented and apply to the Willamette River Greenway and costal resources that are not anywhere near the subject property.

This application can be regarded as "RURAL INFILL". As shown of the maps presented the subject property is surrounded by small lots zoned as Rural Residential and a few zoned F2. This is the largest lot in the entire area. Just look at it, just look at it, **just look at it.**

A Table of Existing and Proposed Facilities

Service	Provider_
Police	Lane Co Sheriff / Oregon State Police
Fire	Lane Co FD # 1
Schools	Eugene School District 4J
Ambulance	Eugene Fire & EMS
Electrical Service	Lane Electric
Soil & Water Cons.	Upper Willamette
Phone	Century Link / Others
Water	Private
Sewer	Individual on Site Stems
Solid Waste	Private
Access	Pine Grove Rd.

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History of the subject lot between 1978 and 1983.

1. The land must not have been managed during three of the five calendar years Between January 1, 1978 and January 1, 1983 as part of a farming operation which produced \$ 20,000 or more in annual gross income, or as part of a forest operation capable of producing an average over the growth cycle of \$ 10,000 in annual gross income. Statistical empirical data may be used to demonstrate income capability.

According to the neighbors of Mr. & Mrs. Stallings, Mr. Richard Walker, the only significant farming activity that was done during their ownership of the property was a small vegetable garden and an old orchard. (See Exhibit 9 NRCS data & Note from Richard Walker). The Stallings did however try to develop the property as evidenced by a partition filed, Lane County Records CS File 23316, in Aug. 31, 1979. This effectively split the property into 6 tax lots. The subject lot Parcel 2 of this partition containing 54.6 acres which is the subject of this application. This was during the time frame of a major recession when very little was being done with property development. As shown on the aerial map only a portion of the subject property was available for grazing and a large percentage of that open land could not be bailed because of the slopes. During this time frame the price of beef was not sufficient enough to bring in \$ 20,000 per year. (See Exhibit 6). Particular attention should be reviewed in the pasture report provided by the NCRS publication.

Norman Waterbury LLC
Land Use Planning Consultant
86131 Cherokee Dr.
Eugene OR 97402

11-8-17

Lindsey Eichner / Planner
Lane County LMD
Planning Department
3060 N. Delta Hwy
Eugene OR 97408

Greetings:

RE: 509-PA16-05291

In response to your letter dated Nov, 2017.

Item 1. Oregon Revised Statutes, specifically the 1991 edition of ORS 197.247 (As required by LC 16.400(6)(h)(iii)(aa): and LC 16.252(2) As noted on page 6 of the application, all of the procedures above are addressed within the existing application and are within the public interest including adherence to the Statewide Goals and Guidelines set forth by the State of Oregon. Since this is a minor amendment because the property is being re-zoned from resource to resource. There are no exceptions noted within the application. As clearly shown on the map this property is virtually surrounded by development. If approved the possible lot configuration of 4 lots all would be significantly larger than the neighboring parcels. This is rural infill in terms of the optimum use of the land.

Item 2 16.252 is referred to several times within the application SEE Page 6 paragraphs 3 and 4.

Item 3. Has been addressed

Item 4. Consistency with Rural Comprehensive Plan Policy's: Goal 4,5 and 11 are addressed within the first revision of the application of the application. You are reading from the first copy. Throw that one out.....

Item 5. Has been excepted as complete.

Item 6. Oregon Administrative Rule Lane Code 16.400(6)(h)(ii)(aa), and RCP Goal 5 16.252 and RCP policies 11 and 12. Back to item 2 which has been addressed.

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Item 7. Lane Code 16.003 Accepted by material provided.

Item 8. Purpose statement of the Marginal Lands Zone: 16.214(1) as required by LC 16.252(2). The statement is clear that a less restrictive zone be allowed for development on land for housing that has less than the productivity levels considered to make a living off the land or subtract from our agricultural uses. This is about highest and best use. See page 1

Item 9. Plan Amendment Standards: 12.050, Provisions noted within LC 16.400 We believe that the re-zone requirements have been met and that this property qualifies for a re-zone under Lane Code and State Guidelines.

This is a good planning application and is supported by the facts.

Thank you for your time,

Norman Waterbury LLC



Marc E. Setchko
CONSULTING FORESTER

870 Fox Glenn Avenue
Eugene, Oregon 97405
Phone: (541) 344-0473
FAX: (541) 344-7791

FOREST PRODUCTIVITY AND INCOME ANALYSIS

for

Larry Martinez

OCTOBER 19, 2015

SUBJECT PARCEL: PINE GROVE ROAD : ASSESSORS MAP NO. 18-05-25
Tax Lot #200 - ±53.95 acres

I. INTRODUCTION

An evaluation of the site, from a timber productivity and income producing standpoint, is presented in this analysis, to determine if the parcel meets the criteria for a marginal lands designation. The analysis demonstrates that the subject property qualifies for the following reasons:

1. The subject property is not capable of producing 85 cu.ft./ac./yr. of merchantable timber volume. This has been determined by Lane County, and the State of Oregon, to be the measuring parameter for marginal soils west of the Cascade Range; as defined in ORS 197.247 (1)(b)(C).
2. The income generated from the subject property averages less than \$10,000/year, based on 1978 through 1982 log prices. This level of income meets the following statutory test for Marginal Lands: ORS 197.247 (1)(a): The proposed marginal land was not managed, during three of the five calendar year preceding January 1, 1983, as a forest operation capable of producing an average, over the growth cycle, of \$10,000 in annual gross income.

II. SITE INFORMATION

The subject parcel is ±53.95 acres in size (see Exhibits 1&2) and is composed of five soil types (see Exhibits 3&4). Bellpine silty clay loam (Soil Type 11C&D) covers approximately 8% of the parcel. Hazelair silty clay loam (Soil Type 52B&D) covers 50% of the parcel. Steiwer loam (Soil Type 125C&D) covers 23% of the parcel. Panther silty clay loam (Soil Type 102C) covers 15% and the remaining 4% is Witzel very cobbly loam (138E).

Bellpine is a highly productive forest soil. Conifers are growing on all of the area underlain by the Bellpine soil. All of the other soil types, covering the majority of the property, are poor forestland soils. While conifers are growing on a portion of these soils, the trees are slow growing, and yearly productivity (from a growth standpoint) is low.

The property has a north aspect and gentle slopes. The southern portion of the property, where all of the Bellpine soil is located, is primarily conifer, with some scattered hardwoods. The primary species is Douglas-fir with a few scattered ponderosa pine, incense cedar, grand fir and Christmas tree sized noble fir which were planted. The northern portion of the property is a mix of pasture and scattered hardwood trees, including chestnut, oak, black locust, ash, cottonwood, willow and old apple trees which were planted in a small orchard sometime in the past. There is a pond in the northern portion of the property along the eastern edge.



III. RESULTS OF PRODUCTIVITY AND INCOME CALCULATIONS

PRODUCTIVITY – Cubic feet per acre per year growth.

The timber productivity (cu.ft./ac./yr.) figures for Douglas-fir were obtained from the August 2011 (with June 2012 Revisions) *Lane County Soil Ratings for Forestry and Agriculture* produced by the Lane County Council of Governments. No further review or approval of site productivity determinations are needed when this data source is used.

By summing up the cubic foot per acre, per year productivity (growth of the timber stand), of each soil type, and dividing by the total acreage, an average per acre productivity figure for the entire parcel can be calculated.

Douglas-fir was used because it is the dominant conifer species on the property and will grow in pure stands. All of the productivity figures shown on the source listed above assume a fully stocked stand of the tree species being measured. There are a few scattered ponderosa pine, incense cedar and grand fir, as well as some escaped noble fir Christmas trees growing on the parcel. However, grand fir does not grow in pure stands; it is a minor species which grows intermixed with Douglas-fir. Incense cedar does not grow as fast as Douglas-fir, or produce anywhere near the volume per acre as Douglas-fir, therefore it was not considered. Ponderosa pine, which will grow in pure stands, was not considered because there are no credible growth tables for Willamette Valley Pine (see Exhibit 5, page 3). In western Oregon locations, such as the parcel in question, Douglas-fir is the dominant species, even though ponderosa pine is growing on the site. Noble fir will not do well on the site because it is a high elevation tree too far out of its' natural habitat. Many of the trees are beginning to die. Hardwood species, such as oak and madrone are slow growing; alder, which is a fast growing tree, will not grow on the site due to moisture (rainfall) constraints.

Therefore, Douglas-fir shall be used for productivity calculations.

Douglas-fir cubic foot productivity numbers are available for all of the above listed soils. The numbers shown below were obtained from the aforementioned table (see above).

SOIL RATINGS for Douglas-fir (see Exhibit 6)

Soil Unit	Acres	Site Index	Cf/Ac Per Yr	Total Cu.Ft. Productivity
11C Bellpine silty clay loam	1.08	115	163	176.04
11D Bellpine silty clay loam	3.24	115	163	528.12
52B Hazelair silty clay loam	9.17	NA	40	366.80
52D Hazelair silty clay loam	17.80	NA	40	712.00
102C Panther silty clay loam	8.09	NA	45	364.05
125C Steiwer loam	0.54	NA	30	16.20
125D Steiwer loam	11.87	NA	30	356.10
138E Witzel very cobbly loam	<u>2.16</u>	NA	70	<u>151.20</u>
	53.95			2,670.51

Total – 2,670.51 cu.ft. ÷ 53.95 acres = 49.50 cubic feet per acre per year

While there are conifers growing on the parcel, growth is extremely slow. Even if the entire property was fully stocked (with Douglas-fir), it is incapable of producing 85 cf/ac/yr.

INCOME TEST – Average revenue per year over the growth cycle.

The income test must be calculated for the parcel as it existed for the five calendar years preceding January 1, 1983. The income is based on the value of the **potential volume** that the parcel can produce. This is determined by the total board feet in the timber stands on the parcel at 50 years of age. This time span was adopted as the standard, by a consensus of the Marginal Lands Information Sheet. **This time span has been reaffirmed by LUBA.**

Merchantable timber volume, in board feet per acre, for each soil type is needed for the income test. Income calculations are based on **dollars per thousand scaled board feet, not cubic feet.** That is the manner in which the vast majority of conifer and hardwood logs are purchased. An exception to this is the junk wood or tops that are purchased by the ton (at a lower price than scaled wood), which is a weight, not a scaled measurement. Hardwoods sold for pulp are also purchased by the ton as well. Currently, there is no mill in the northwest purchasing anything based on cubic foot measurements.

Douglas-fir is the only species considered for the income test, because it is the most valuable **merchantable** tree species which will grow on this site. It is also the predominant species on the parcel. Alder, red and incense cedar have values similar to, or higher than Douglas-fir; incense cedar is the only one of these species present on the parcel. Neither red or incense cedar grow in pure stands; they grow intermixed with other species. Even if they did grow in pure stands, cedar trees have such a high taper (the trees grow like upside carrots, rather than poles), that each individual tree will not produce the measured board foot, or cubic foot, volume that a Douglas-fir tree will. While alder will grow in pure stands it does not produce anywhere near the volume per acre that Douglas-fir will. Even planted, and managed, red alder stands will not produce anywhere near the volume per acre that Douglas-fir will.

Measured, or scaled, board foot volume is the number a mill uses for payment when purchasing logs. Therefore, even if these species were used to calculate income for the parcel, the considerably lower volumes per acre would result in a lower total dollar figure.

For all of the above reasons Douglas-fir is used for the income test.

VOLUME CALCULATIONS – Douglas-fir board foot volumes per acre, for fully stocked stands at 50 years, were used. Empirical Yield Tables, calculated using King's 50 year site class index, were used to obtain a scribner board foot volume, per acre, for each soil type. Adding all the soil types together will give a total volume for the entire parcel. A total value is calculated using these total volume figures; then divided by 50 (fifty year rotation) to obtain the average income per year that the parcel is capable of generating. For a soil with a known site index number this is simply a matter of using the tables to obtain a board foot per acre volume.

The approved tables (discussed earlier) show Site Index numbers for many of the Lane County soil types. However, no site index numbers are shown for any soils with productivity ratings of 100 cf/ac/yr or less; which includes all but one of the soils on the subject parcel. The lowest site index shown for a soil in the tables is S1100 (Soil Type 37). The corresponding cubic foot production is 136 cf/ac/yr. This soil has the lowest cubic foot productivity number shown with a corresponding site index number. Any soil with a lower cubic foot productivity number will not show a site index number in the tables. The productivity numbers for better soils increase geometrically, not linearly. Therefore, a soil with the lowest cubic foot productivity number, which also has a corresponding site index number, is the most appropriate to use when looking at soils with even lower productivity numbers.

A proportion ratio can then be calculated, by comparing the cubic foot production of the soils on the subject parcel with the above cubic foot production. Even this number will err on the high side from a productivity standpoint, due to the geometric nature of the productivity curve. The calculated proportion ratio can then be applied to the volume obtained from site index 100 in the Empirical Yield Tables. In this manner a board foot volume per acre can be calculated for the soils in question.

Cupola cobbly loam (Soil Type 37) with a site index of 100 (see Exhibit 6) will produce 19,972 board feet per acre at 50 years of age (see Exhibit 7), assuming fully stocked stands. The corresponding cubic foot production is 136 cf/ac/yr. The calculations for obtaining a volume per acre at 50 years, for the soils on the subject property, are shown below.

52B&D – Hazelair	$40 \text{ cf/ac/yr} \div 136 \text{ cf/ac/yr} = .294 \times 19,972 \text{ bf/ac} = 5,872 \text{ bf/ac}$
102C – Panther	$45 \text{ cf/ac/yr} \div 136 \text{ cf/ac/yr} = .331 \times 19,972 \text{ bf/ac} = 6,611 \text{ bf/ac}$
125C&D – Steiwer	$30 \text{ cf/ac/yr} \div 136 \text{ cf/ac/yr} = .221 \times 19,972 \text{ bf/ac} = 4,414 \text{ bf/ac}$
138E – Witzel	$70 \text{ cf/ac/yr} \div 136 \text{ cf/ac/yr} = .515 \times 19,972 \text{ bf/ac} = 10,286 \text{ bf/ac}$

Bellpine silty clay loam (Soil Type 11), with a site index of 115 (see Exhibit 6), will produce 27,219 board feet per acre at 50 years of age (see Exhibit 7).

The total potential volume, at 50 years, can now be calculated for the entire parcel.

POTENTIAL VOLUME

Total for 53.95 acres

		Total Volume (Board Feet)
11C – Bellpine silty clay loam	1.08 ac @ 27,219 bf/ac	29,397
11D – Bellpine silty clay loam	3.24 ac @ 27,219 bf/ac	88,190
52B - Hazelair silty clay loam	9.17 ac @ 5,872 bf/ac	53,846
52D - Hazelair silty clay loam	17.80 ac @ 5,872 bf/ac	104,522
102C - Panther silty clay loam	8.09 ac @ 6,611 bf/ac	53,483
125C - Steiwer loam	0.54 ac @ 4,414 bf/ac	2,384
125D - Steiwer loam	11.87 ac @ 4,414 bf/ac	52,394
138E – Witzel very cobbly loam	2.16 ac @ 10,286 bf/ac	22,218
Totals	53.95 acres	406,434

INCOME PROJECTIONS YEAR BY YEAR

The following calculations will show the average gross income for each year from 1978 through 1982, as well as the average price for those five years. The highest log prices occurred from the first quarter of 1980 and continued through the third quarter of 1981 (see Exhibit 8).

The calculations presented below will show that the **highest** possible average gross income per year would be obtained using 1980 log prices. Furthermore, since the log prices remained the same throughout the entire year, the calculations for 1980 would also show the highest possible average gross income if only the highest quarters were used.

A 50 year old stand on good site ground should have approximately 40% 2 SAW, 50% 3 SAW and 10% 4 SAW. On poor sites the percentage of 2 SAW would most likely be 30% or less. However, for the following calculations these percentages will be used; in order to err on the high (or optimistic) side. See Exhibit 8 for the prices shown below.

1978 Total Volume – 406.4 MBF (thousand board feet)

162.6 MBF of 2 SAW @ \$276/MBF	\$ 44,878
203.2 MBF of 3 SAW @ \$235/MBF	47,752
40.6 MBF of 4 SAW @ \$190/MBF	<u>7,714</u>

Total Projected Gross Revenue \$100,344

AVERAGE GROSS INCOME -- \$100,344 ÷ 50 YEARS = \$2,007/YEAR

1979 Total Volume – 406.4 MBF (thousand board feet)

162.6 MBF of 2 SAW @ \$338/MBF	\$ 54,959
203.2 MBF of 3 SAW @ \$296/MBF	60,147
40.6 MBF of 4 SAW @ \$269/MBF	<u>10,921</u>

Total Projected Gross Revenue \$115,106

AVERAGE GROSS INCOME -- \$115,106 ÷ 50 YEARS = \$2,302/YEAR

1980 Total Volume – 406.4 MBF (thousand board feet)

162.6 MBF of 2 SAW @ \$354/MBF	\$ 57,560
203.2 MBF of 3 SAW @ \$310/MBF	62,992
40.6 MBF of 4 SAW @ \$281/MBF	<u>11,409</u>

Total Projected Gross Revenue \$131,961

AVERAGE GROSS INCOME -- \$131,961 ÷ 50 YEARS = \$2,639/YEAR

1981 Total Volume – 406.4 MBF (thousand board feet)

162.6 MBF of 2 SAW @ \$346/MBF	\$ 56,260
203.2 MBF of 3 SAW @ \$292/MBF	59,334
40.6 MBF of 4 SAW @ \$263/MBF	<u>10,678</u>

Total Projected Gross Revenue \$126,272

AVERAGE GROSS INCOME -- \$126,272 ÷ 50 YEARS = \$2,525/YEAR

1982 Total Volume – 406.4 MBF (thousand board feet)

162.6 MBF of 2 SAW @ \$267/MBF	\$43,414
203.2 MBF of 3 SAW @ \$208/MBF	42,266
40.6 MBF of 4 SAW @ \$174/MBF	<u>7,064</u>

Total Projected Gross Revenue \$92,744

AVERAGE GROSS INCOME -- \$92,744 ÷ 50 YEARS = \$1,855/YEAR

1978-1982 AVERAGE Total Volume – 406.4 MBF (thousand board feet)

162.6 MBF of 2 SAW @ \$316/MBF	\$ 51,382
203.2 MBF of 3 SAW @ \$268/MBF	54,458
40.6 MBF of 4 SAW @ \$235/MBF	<u>9,541</u>

Total Projected Gross Revenue \$115,381

AVERAGE GROSS INCOME -- \$115,381 ÷ 50 YEARS = \$2,308/YEAR

All of these calculations show that the property is incapable of producing more than \$10,000 per year in income.

IV. CONCLUSION

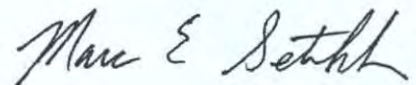
The analyses presented show conclusively that this property will not support a merchantable stand of timber, of sufficient production capability, to meet or exceed the Marginal Lands Income and Cubic Foot Productivity Statutes (ORS 197.247).

- 1) The subject property produces **49.50 cubic feet per acre per year**. This is less than 85 cu.ft./ac./yr. of merchantable timber production, the parameter used in those counties west of the summit of the Cascade Range, as that term is defined in ORS 477.001(21).
- 2) The estimated gross income would have ranged from a low of \$92,744 in 1982 to a high of \$131,961 in 1980. **The average annual gross income would have ranged from a low of \$1,855/year in 1982 to a high of \$2,639/year in 1980. These figures are based on a 50 year rotation of fully stocked stands of timber covering the entire parcel.** All of the above figures are less than \$10,000/year, therefore the property meets the statutory test for Marginal Lands: ORS 197.247(1)(a) "The proposed marginal land was not managed during three of the five calendar years preceding January 1, 1983, as part of a forest operation capable of producing an average, over the growth cycle, of \$10,000 in annual gross income".

All of the data used in these analyses are from Oregon Department of Forestry approved sources. The findings presented here meet all of the parameters for marginal land designation, as outlined by Lane County statutes. Several of the parameters, such as the 50 year growth cycle to harvest, have been reaffirmed by LUBA.

In summary, I find from the specific site conditions present, empirical yield tables, NRCS data, Lane County data, Oregon Department of Forestry data and experience with similar lands, that this property is poorly suited to the production of merchantable timber and use as land for forestry purposes. The parcel is marginal from a forest production standpoint.

Sincerely,



Certified Forester #2953

2014 NAIP IMAGERY

National Agricultural
Imagery Program



United States Department of the Interior
Bureau of Land Management
Eugene District Office
3106 Pierce Parkway, Suite E
Springfield, OR, 97477
Phone: 541-851-5600
Fax: 541-853-6981
E-mail: BLM_OR_EU_Mail@blm.gov
Website: www.blm.gov/or/district/eugene

EXHIBIT 1

MARTINEZ PARCEL
T18S-R5W-Section25
TL #200 - ±53.95 acres

Legend

- Township and Range
- Sections

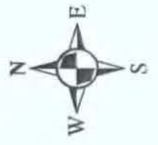


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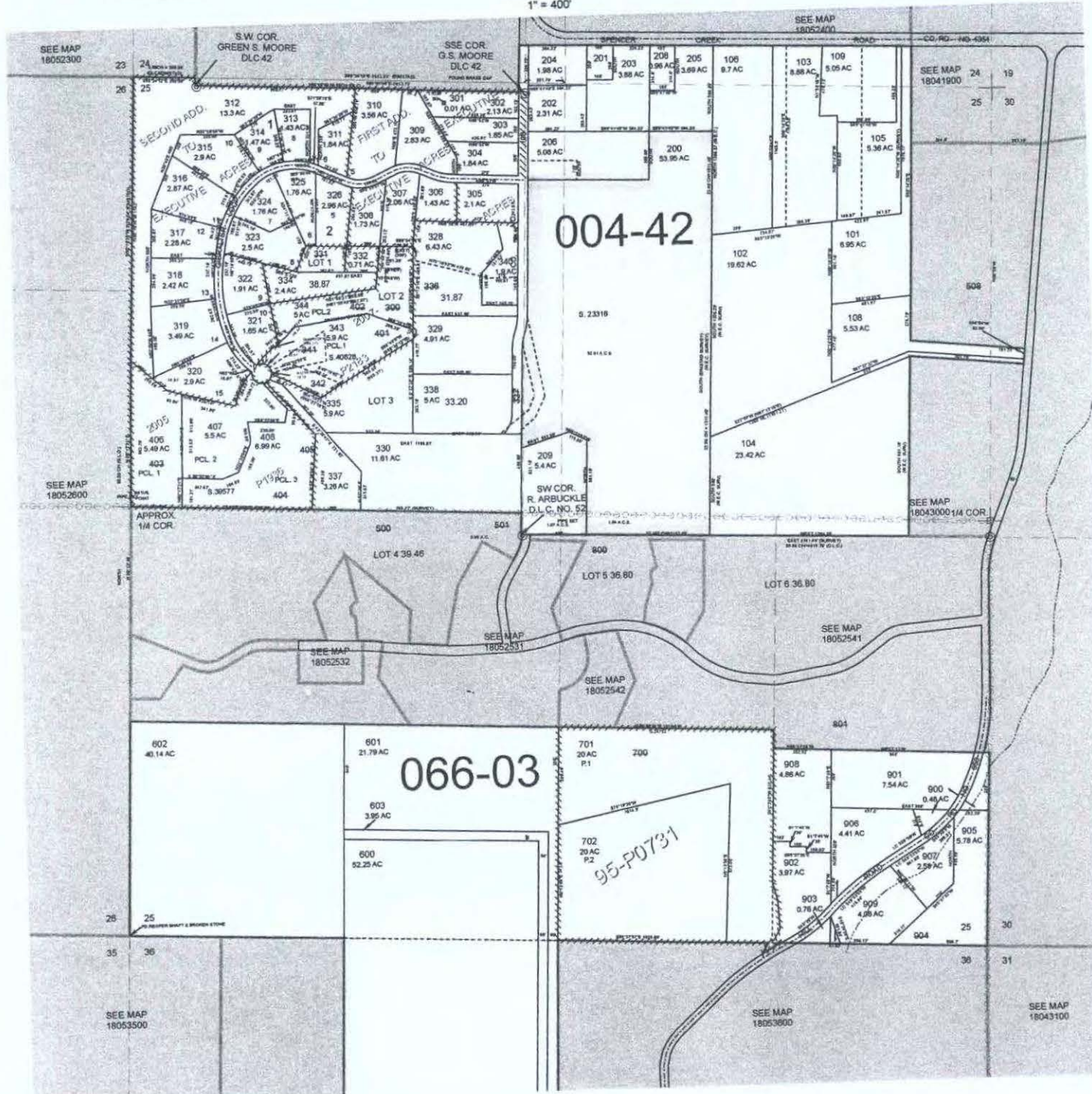
FOR ASSESSMENT AND TAXATION ONLY

SECTION 25 T.18S. R.5W. W.M.

Lane County

1" = 400'

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CANCELLED

- 327
- 331
- 501
- 500
- 700
- 800
- 801
- 904
- 100
- 400
- 402
- 401
- 107
- 207
- 333
- 336
- 403
- 404
- 405
- 341
- 342
- 300

MARTINEZ PARCEL
EXHIBIT 2

REVISIONS
 1/12/2008 - LCAT/AG - CONC. 341 INTO 350
 1/12/2008 - LCAT/AG - CONC. 350 INTO 352
 1/12/2008 - LCAT/AG - CONC. 352 INTO 354
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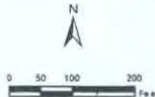
EXHIBIT 3

SOIL TYPE

- 11C/D**
Bellpine silty clay loam
- 52B/D**
Hazelair silty clay loam
- 102C**
Panther silty clay loam
- 125C/D**
Steiber loam
- 138E**
Witzel very cobbly loam



The information on this map was derived from digital databases on the Lane County regional geographic information system. Care was taken in the creation of this map, but it is provided "as is". Lane County cannot accept any responsibility for errors, omissions or positional accuracy in the digital data or the underlying records. Current plan designation, zoning, etc., for specific parcels should be confirmed with the appropriate agency. There are no warranties, expressed or implied, accompanying this product. However, notification of any errors will be appreciated.



4/7/2015

Regional Land Information Database: Detailed Property Report

Post-FIRM Date 12/18/1985
 Panel Printed? Yes

Soils

Soil Map Unit#	Soil Type Description	% of Taxlot	Ag Class	Hydric %
52D	Hazelair silty clay loam, 7 to 20 percent slopes	33%	4	3
125D	Steiwer loam, 12 to 20 percent slopes	22%	4	0
52B	Hazelair silty clay loam, 2 to 7 percent slopes	17%	3	4
102C	Panther silty clay loam, 2 to 12 percent slopes	15%	6	85
11D	Bellpine silty clay loam, 12 to 20 percent slopes	6%	3	0
138E	Witzel very cobbly loam, 3 to 30 percent slopes	4%	6	0
11C	Bellpine silty clay loam, 3 to 12 percent slopes	2%	3	0
125C	Steiwer loam, 3 to 12 percent slopes	1%	3	0

Schools

	Code	Name
School District	4J	EUGENE
Elementary School	530	Twin Oaks
Middle School	519	Kennedy
High School	540	Churchill

Political Districts

Election Precinct	718	State Representative District	8
City Council Ward	N/A	State Representative	Paul R. Holvey
City Councilor	N/A	State Senate District	4
County Commissioner District	5 (East)	State Senator	Floyd Prozanski
County Commissioner	Faye Stewart		
EWEB Commissioner	N/A		
LCC Board Zone	4		

Liens**Building Permits****Land Use Applications****Petitions**

EXHIBIT 4

EXHIBIT 5



Oregon

Theodore R. Kulungoski, Governor

November 21, 2008

Mr. Kent Howe
Lane County Land Management Division
125 E 8th Street
Eugene, Oregon 97401

Department of Forestry

State Forester's Office

2600 State Street

Salem, OR 97310

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TTY 503-945-7213 / 800-437-4490

<http://www.odf.state.or.us>



STEWARDSHIP IN FORESTRY

Dear Mr. Howe:

I am writing to clarify the Oregon Department of Forestry's responsibilities related to specific elements of Oregon Administrative Rule 660-006-0005 (2) and (3). This letter is intended to address recent Lane County public inquiries regarding this administrative rule and was developed following consultations with the Oregon Department of Land Conservation and Development and the Oregon Department of Justice.

Please note that previous Department of Forestry policy position statements or technical findings contained in the May 23, 2008, letter from former Department of Forestry Private Forests Chief Ted Lorensen to Goal One Coalition Executive Director Jim Just that are in conflict with this letter are hereby rescinded and replaced with the policy statements and technical findings articulated here. All other statements in that correspondence remain valid.

Applicable Administrative Rule Language:

OAR 660-006-0005 (2) and (3) state:

2) "Cubic Foot Per Acre" means the average annual increase in cubic foot volume of wood fiber per acre for fully stocked stands at the culmination of mean annual increment as reported by the USDA Natural Resource Conservation Service (NRCS) soil survey information, USDA Forest Service plant association guides, Oregon Department of Revenue western Oregon site class maps, or other information determined by the State Forester to be of comparable quality. Where such data are not available or are shown to be inaccurate, an alternative method for determining productivity may be used. An alternative method must provide equivalent data as explained in the Oregon Department of Forestry's Technical Bulletin entitled "Land Use Planning Notes Number 3 dated April 1998" and be approved by the Oregon Department of Forestry."

(3) "Cubic Foot Per Tract Per Year" means the average annual increase in cubic foot volume of wood fiber per tract for fully stocked stands at the culmination of mean annual increment as reported by the USDA Natural Resource Conservation Service (NRCS) soil survey information, USDA Forest Service plant association guides, Oregon Department of Revenue western Oregon site class maps, or other information determined by the State Forester to be of comparable quality. Where such data are not available or are shown to be inaccurate, an alternative method for determining productivity may be used. An alternative method must provide equivalent data as explained in the Oregon Department of Forestry's Technical Bulletin entitled "Land Use Planning Notes Number 3 dated April 1998" and be approved by the Oregon Department of Forestry." (Emphasis added)

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Using the Best Possible Forest Site Productivity Information:

The administrative rule, in combination with *Land Use Planning Technical Note Number 3*, establishes a hierarchy of forest site productivity information that should be considered in land use decisions subject to the rule. Listed in order of preference, the information sources are:

1. Data sources cited specifically in the administrative rule;
2. Other existing data sources determined by the State Forester to be of comparable quality to the data sources cited specifically in the administrative rule;
3. Alternate methods to develop site productivity data based on direct tree measurements and calculations using applicable Douglas-fir, western hemlock, or ponderosa pine site tables, with priority given to the species among these three that dominates the area being evaluated;
4. Alternate methods based on direct tree measurements and calculations using other native forest tree species site tables; or
5. Site-specific soil surveys.

Applicable existing data from USDA Natural Resource Conservation Service (NRCS) soil survey information, USDA Forest Service plant association guides, Oregon Department of Revenue western Oregon site class maps should always be consulted and used first (Tier 1). If these three data sources are determined by the county and/or NRCS to be inaccurate or do not exist, only then should other applicable, existing data sources determined to be of comparable quality by the State Forester be consulted (Tier 2). Alternate methods for collecting new site productivity data are only needed when data from these first two tiers are determined by the county and/or NRCS to be inaccurate or do not exist. To be approved by the Department of Forestry such alternate methodologies must be consistent with the methodologies described or contemplated in the technical note. Alternate methods based on direct tree measurements and calculations using applicable Douglas-fir, western hemlock, or ponderosa pine site tables (Tier 3) should be considered before using site tables for other tree species (Tier 4) or site-specific soil surveys without direct tree measurements (Tier 5).

Consistent and credible site productivity determinations should be an important facet of the land use planning process. To meet that objective, this hierarchy should be adhered to. Attempts to consider a variety of methods simultaneously in hope of finding a "preferred" site productivity determination should be avoided.

Lane County Data Sources of Comparable Quality

The State Forester has determined the following existing site productivity data sources to be of comparable quality to the data sources cited specifically in the administrative rule when applied on appropriate locations in Lane County:

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1. February 8, 1990, *Forest Lands Soils Ratings – Revisions* produced by the Oregon Department of Forestry
2. Undated *Lane County Forest Soils Ratings* based on published Soil Conservation Service data and the February 9, 1990, Oregon Department of Forestry report
3. August 1997 *Lane County Soil Ratings for Forestry and Agriculture* produced by the Lane County Council of Governments

No further Department of Forestry review or approval of site productivity determinations are needed when these data sources are used.

Ponderosa Pine in the Willamette Valley

In most western Oregon locations where both Douglas-fir and ponderosa pine are present, Douglas-fir will be the dominant species and, therefore, whenever possible that species should be used for selecting site trees. In infrequent cases where ponderosa pine is the dominant species in western Oregon, *Land Use Planning Technical Note Number 3* states that Meyer's ponderosa pine site table may be used in calculations of site productivity. However, the technical note also states Meyer's site table must not be used for ponderosa pine in the Willamette Valley. For the purpose of implementing this section of the technical note, the Department of Forestry will rely on the definition provided in OAR 660-033-0020 (12) in which "Willamette Valley" means "Clackamas, Linn, Marion, Multnomah, Polk, Washington and Yamhill Counties and that portion of Benton and Lane Counties lying east of the summit of the Coast Range."

The Department of Forestry has not been able to locate credible site index or yield tables for ponderosa pine applicable in the Willamette Valley. In a May 23, 2008, letter, Ted Lorensen noted that the department had used tables for ponderosa pine from Douglas County for the Forest Resource Trust, and that in the current absence of standard tables, ODF "would likely approve of methodology using the pine tables for Douglas County and appropriate interpolation." However, the Department of Forestry has since determined that interpolation of either Douglas County or Eastern Oregon ponderosa pine yield tables for the more highly productive Willamette Valley would not be technically sound.

Instead, energy should be focused on obtaining or developing, if possible, technically credible Willamette Valley-specific ponderosa pine site index tables. The Department of Forestry is willing to work cooperatively with county governments, Oregon State University Forestry Extension, forest landowners, and other parties to develop such information. Until a credible Willamette Valley ponderosa pine site table becomes available and is acknowledged in a revised ODF Technical Note, the Department of Forestry's position is that it is inappropriate to use ponderosa pine to determine site productivity for under OAR 660-006-0005

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(2) and (3) in the Willamette Valley and use of such methodologies cannot be approved by the agency.

Outside the Willamette Valley, Meyer's ponderosa pine site table may continue to be used on sites where ponderosa pine is the dominate species and the Tier 1 and Tier 2 site productivity data sources cited above are determined by the county and/or NRCS to be inaccurate or do not exist.

Stockable Area

Cubic foot site productivity determinations assume fully stocked stands. In this context, "stockable area" means the proportion of an area that can be physically stocked with trees. Rock outcrops, impervious soils, or high water tables are examples of factors that may result in less than 100 percent of the site being stockable. The technical note anticipates this issue by referencing the USDA Forest Service Pacific Northwest Research Station *Field instructions for forest surveys in Washington, Oregon, and Northern California* where consideration of stockable area factors are addressed. Upon request by a county government, the Department of Forestry will evaluate and consider approval of reductions in site productivity from fully stocked stand levels based on such factors.

Limits on Department of Forestry Approvals

As stated in the technical note, the Department of Forestry does not measure site productivity for landowners. The Department of Forestry's involvement in site productivity determinations applicable to Oregon Administrative Rule 660-006-0005 (2) and (3) is in evaluating the quality of existing data sources other than those cited in the rule and evaluating alternative methodologies with respect to the technical note. The Department of Forestry will not issue findings on whether these data sources or alternate methodologies have been employed correctly or if the resulting site productivity determination are accurate. The Department of Forestry is not responsible for verifying field measurements.

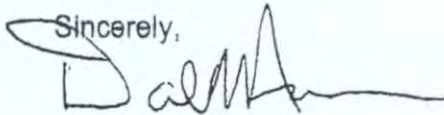
Oregon Forest Practices Act Minimum Site Productivity Requirements for Reforestation

While not directly applicable to land use planning decisions, Department of Forestry believes it is important to note the Oregon Board of Forestry has established that all forestlands with a site productivity of at least 20 cubic feet per acre per year shall be subject to the reforestation requirements of the Oregon Forest Practices Act. Other technical references use 20 cubic feet per acre per year as the minimum threshold for defining commercial forestland. Local governments are encouraged to consider this information when establishing site productivity standards for land use planning processes.

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November 21, 2008
Page 5

In summary, the content of this letter is intended to further explain, and not alter, the requirements of Oregon Administrative Rule 660-006-0005 (2) and (3) and *Land Use Planning Technical Note Number 3*. Please contact me if you have any questions. If unresolved issues continue to arise, clarifying changes to the administrative rule and/or the Technical Note may eventually be necessary and the Department of Forestry will work together with county governments, the Oregon Department of Land Conservation and Development, and other interested parties on such changes.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Morman", with a long horizontal flourish extending to the right.

David Morman, Director
Forest Resources Planning Program

cc: Katherine Daniels, DLCD
Carmel Bender, DLCD
Michele Logan, DOJ

EXHIBIT 6



**Lane County
Land Management Division**

August 2011 Update

PREPARED BY
LCOG
LANE COUNCIL OF GOVERNMENTS

Lane County Soil Ratings for Forestry
August 2011 Update

Map Symbol	Soil Map Unit	NRCS Site Index	NRCS Cu. Ft./ Acre/Year	ODOF Cu. Ft./ Acre/Year	Notes
01A	Abiqua silty clay loam, 0 - 3% slopes	135	203	---	
01B	Abiqua silty clay loam, 3 - 5% slopes	135	203	---	
02E	Astoria silt loam, 5 - 30% slopes	130	193	---	
03E	Astoria Variant silt loam, 3 - 30% slopes	No rating	---	181	
03G	Astoria Variant silt loam, 30 - 60% slopes	No rating	---	181	
04G	Atring-Rock outcrop complex, 30 - 60% slopes	No rating	---	86	
05	Awbrig silty clay loam	No rating	---	est. 40	
06	Awbrig-Urban land complex	No rating	---	est. 20	
07B	Bandon sandy loam, 0 - 7% slopes	105	145	---	
07C	Bandon sandy loam, 7 - 12% slopes	105	145	---	
07F	Bandon sandy loam, 12 - 50% slopes	105	145	---	
08	Bashaw clay	No rating	---	est. 30	
09	Bashaw-Urban land complex	No rating	---	est. 20	
10	Beaches	No rating	---	---	No trees expected
11C	Bellpine silty clay loam, 3 - 12% slopes	115	163	---	
11D	Bellpine silty clay loam, 12 - 20% slopes	115	163	---	
11E	Bellpine silty clay loam, 20 - 30% slopes	115	163	---	
11F	Bellpine silty clay loam, 30 - 50% slopes	115	163	---	
12E	Bellpine cobbly silty clay loam, 2 - 30% slopes	115	163	---	
13A	Nekoma-Fluvaquents complex, 0 - 3% slopes	No rating	---	No rating	Highly variable; on-site determination
13F	Blachly clay loam, 30 - 50% slopes	119	173	---	
13G	Blachly clay loam, 50 - 70% slopes	119	173	---	
14E	Blachly silty clay loam, 3 - 30% slopes	125	184	---	
14F	Blachly silty clay loam, 30 - 50% slopes	125	184	---	
15E	Blachly-McCully clay loam, 3 - 30% slopes	No rating	---	155	
16D	Bohannon gravelly loam, 3 - 25% slopes	118	171	---	
16F	Bohannon gravelly loam, 25 - 50% slopes	118	171	---	
16H	Bohannon gravelly loam, 50 - 90% slopes	118	171	---	
17	Brallier muck, drained	No rating	---	---	No trees expected
18	Brallier Variant muck	No rating	---	---	No trees expected
19	Brenner silty clay loam	No rating	---	---	No Douglas-fir expected
20B	Briedwell cobbly loam, 0 - 7% slopes	103	141	---	
21B	Bullards-Ferrelo loams, 0 - 7% slopes	No rating	---	est. 80	
21C	Bullards-Ferrelo loams, 7 - 12% slopes	No rating	---	est. 80	

Lane County Soil Ratings for Forestry
August 2011 Update (with June 2012 revision)

Map Symbol	Soil Map Unit	NRCS Site Index	NRCS Cu. Ft./Acre/Year	ODOF Cu. Ft./Acre/Year	Notes
50G	Formader-Hembre-Klickitat complex, 50 - 80% slopes	No rating	---	170	
51B	Haflinger-Jimbo complex, 0 - 5% slopes	No rating	---	161	
52B	Hazelair silty clay loam, 2 - 7% slopes	No rating	---	est. 40	
52D	Hazelair silty clay loam, 7 - 20% slopes	No rating	---	est. 40	
53	Heceta fine sand	No rating	---	est. 20	
54D	Hembre silt loam, 5 - 25% slopes	127	188	---	
54G	Hembre silt loam, 25-60% slopes	127	188	---	
55E	Hembre-Klickitat complex, 3 - 30% slopes	No rating	---	170	
55G	Hembre-Klickitat complex, 30 - 60% slopes	No rating	---	168	
56	Holcomb silty clay loam	No rating	---	est. 100	
58D	Honeygrove silty clay loam, 3 - 25% slopes	122	178	---	
58F	Honeygrove silty clay loam, 25 - 50% slopes	122	178	---	
59E	Hullt loam, 2 - 30% slopes	121	176	---	
59G	Hullt loam, 30 - 60% slopes	121	176	---	
61	Jimbo silt loam	121	176	---	
62B	Jimbo-Haflinger complex, 0 - 5% slopes	No rating	---	167	
63C	Jory silty clay loam, 2 - 12% slopes	122	178	---	
63D	Jory silty clay loam, 12 - 20% slopes	122	178	---	
63E	Jory silty clay loam, 20 - 30% slopes	122	178	---	
65G	Kilchis stony loam, 30 - 60% slopes	90	116	---	
65H	Kilchis stony loam, 60 - 90% slopes	90	116	---	
66D	Kinney cobbly loam, 3 - 20% slopes	122	178	---	
67F	Kinney cobbly loam, 20 - 50% north slopes	122	178	---	
67G	Kinney cobbly loam, 50 - 70% north slopes	122	178	---	
68F	Kinney cobbly loam, 20 - 50% south slopes	122	178	---	
68G	Kinney cobbly loam, 50 - 70% south slopes	122	178	---	
69E	Kinney cobbly loam, slump, 3 - 30% slopes	122	178	---	
70E	Klickitat stony loam, 3 - 30% slopes	112	158	---	
71F	Klickitat stony loam, 30 - 50% north slopes	112	158	---	
71G	Klickitat stony loam, 50 - 75% north slopes	112	158	---	
72F	Klickitat stony loam, 30 - 50% south slopes	112	158	---	
72G	Klickitat stony loam, 50 - 75% south slopes	112	158	---	
73	Linslaw loam	No rating	---	est. 80	
74B	Lint silt loam, 0 - 7% slopes	117	169	---	
74C	Lint silt loam, 7 - 12% slopes	117	169	---	
74D	Lint silt loam, 12 - 20% slopes	117	169	---	
74E	Lint silt loam, 20 - 40% slopes	117	169	---	
75	Malabon silty clay loam	No rating	---	est. 65	
76	Malabon-Urban land complex	No rating	---	est. 50	

Lane County Soil Ratings for Forestry
August 2011 Update

Map Symbol	Soil Map Unit	NRCS Site Index	NRCS Cu. Ft./ Acre/Year	ODOF Cu. Ft./ Acre/Year	Notes
101	Oxley-Urban land complex	No rating	---	est. 60	
→ 102C	Panther silty clay loam, 2 - 12% slopes	No rating	---	est. 45	
103C	Panther-Urban land complex, 2 - 12% slopes	No rating	---	est. 40	
104E	Peavine silty clay loam, 3 - 30% slopes	125	184	---	
104G	Peavine silty clay loam, 30 - 60% slopes	125	184	---	
105A	Pengra silt loam, 1 - 4% slopes	No rating	---	est. 45	
106A	Pengra-Urban land complex, 1 - 4% slopes	No rating	---	est. 30	
107C	Philomath silty clay, 3 - 12% slopes	No rating	---	est. 45	
108C	Philomath cobbly silty clay, 3 - 12% slopes	No rating	---	est. 45	
108F	Philomath cobbly silty clay, 12 - 45% slopes	No rating	---	est. 45	
109F	Philomath-Urban land complex, 12 - 45% slopes	No rating	---	est. 20	
110	Pits	No rating	---	---	No trees expected
111D	Preacher loam, 0 - 25% slopes	128	190	---	
111F	Preacher loam, 25 - 50% slopes	128	190	---	
112G	Preacher-Bohannon-Slickrock complex, 50 - 75% slopes	No rating	---	185	
113C	Ritner cobbly silty clay loam, 2 - 12% slopes	107	149	---	
113E	Ritner cobbly silty clay loam, 12 - 30% slopes	107	149	---	
113G	Ritner cobbly silty clay loam, 30 - 60% slopes	107	149	---	
114	Riverwash	No rating	---	---	Highly variable; on-site determination required
115H	Rock outcrop-Kilchis complex, 30 - 90% slopes	No rating	---	34	
116G	Rock outcrop-Witzel complex, 10 - 70% slopes	No rating	---	21	
117E	Salander silt loam, 12 - 30% slopes	125	184	---	
118	Salem gravelly silt loam	No rating	---	est. 130	
119	Salem-Urban land complex	No rating	---	est. 100	
120B	Salkum silt loam, 2 - 6% slopes	116	167	---	
121B	Salkum silty clay loam, 2 - 8% slopes	116	167	---	
121C	Salkum silty clay loam, 8 - 16% slopes	116	167	---	
122	Saturn clay loam	123	180	---	
123	Sifton gravelly loam	124	182	---	
124D	Slickrock gravelly loam, 3 - 25% slopes	137	209	---	
124F	Slickrock gravelly loam, 25 - 50% slopes	137	209	---	
→ 125C	Steiwert loam, 3 - 12% slopes	No rating	---	est. 30	

Lane County Soil Ratings for Forestry
August 2011 Update

Map Symbol	Soil Map Unit	NRCS Site Index	NRCS Cu. Ft./ Acre/Year	ODOF Cu. Ft./ Acre/Year	Notes
→ 125D	Steiwer loam, 12 - 20% slopes	No rating	---	est. 30	
125F	Steiwer loam, 20 - 50% slopes	No rating	---	est. 30	
126F	Tahkenitch loam, 20 - 45% slopes	124	182	---	
126G	Tahkenitch loam, 45 - 75% slopes	124	182	---	
127C	Urban land-Hazelair-Dixonville complex, 3 - 12% slopes	No rating	---	est. 45	
128B	Veneta loam, 0 - 7% slopes	108	150	---	
129B	Veneta Variant silt loam, 0 - 7% slopes	124	182	---	
130	Waldo silty clay loam	No rating	---	est. 45	
131C	Waldport fine sand, 0 - 12% slopes	No rating	---	29	
131E	Waldport fine sand, 12 - 30% slopes	No rating	---	29	
131G	Waldport fine sand, 30 - 70% slopes	No rating	---	29	
132E	Waldport fine sand, thin surface, 0 - 30% slopes	No rating	---	29	
133C	Waldport-Urban land complex, 0 - 12% slopes	No rating	---	est. 20	
134	Wapato silty clay loam	No rating	---	---	
135C	Willakenzie clay loam, 2 - 12% slopes	110	154	---	
135D	Willakenzie clay loam, 12 - 20% slopes	110	154	---	
135E	Willakenzie clay loam, 20 - 30% slopes	110	154	---	
135F	Willakenzie clay loam, 30 - 50% slopes	110	154	---	
136	Willanch fine sandy loam	No rating	---	est. 40	
→ 138E	Witzel very cobbly loam, 3 - 30% slopes	No rating	---	70	
138G	Witzel very cobbly loam, 30 - 75% slopes	No rating	---	70	
139	Woodburn silt loam	No rating	---	est. 170	
140	Yaquina loamy fine sand	No rating	---	---	
141	Yaquina-Urban land complex	No rating	---	est. 45	
2024A	Malabon silty clay loam, rarely flooded, 0 - 3% slopes	123	180	---	Best available data
2025A	Coburg silty clay loam, rarely flooded, 0 - 3% slopes	No rating	Est. 100	---	No data available; the estimate is for Coburg map unit 31, a similar soil
2208B	McAlpin silty clay loam, 3 - 6% slopes	144	222	---	
2718E	Jory-Nekia complex, 20 - 30% slopes	122	178	---	Data is for the Jory component only
2733C	Willakenzie loam, 2 - 12% slopes	112	158	---	
2733E	Willakenzie loam, 2 - 12% slopes	110	157	---	

EXHIBIT 7

DOUGLAS FIR EMPIRICAL YIELD TABLE

TABLE 5
SITE 100

Total Age	Normal Basal Area	Mean Diameter	CVTS	CV4	SV6(32')	C/SCR Ratio
20	17	8.53	85	85	335	.254
26	70	9.33	1,324	1,236	2,561	.483
30	97	9.85	2,130	1,913	4,601	.416
40	146	11.14	4,071	3,703	11,450	.323
41	150	11.27	4,259	3,886	12,248	.317
50	181	12.39	5,909	5,541	19,972	.277
60	209	13.59	7,643	7,325	29,247	.250
70	232	14.71	9,273	8,982	38,528	.233
80	252	15.75	10,799	10,468	47,294	.221
90	269	16.69	12,222	11,750	55,131	.213
100	284	17.53	13,541	12,805	61,760	.207
110	297	18.24	14,756	13,624	66,922	.204
120	310	18.81	15,867	14,190	70,448	.201
130	321	19.24	16,875	14,502	72,234	.201

TABLE 6
SITE 110

Total Age	Normal Basal Area	Mean Diameter	CVTS	CV4	SV6(32')	C/SCR Ratio
20	30	8.74	327	327	666	.491
26	83	9.63	1,688	1,494	3,299	.453
30	109	10.23	2,574	2,253	5,812	.388
40	158	11.69	4,717	4,275	14,125	.303
41	162	11.83	4,926	4,482	15,074	.297
50	194	13.11	6,757	6,345	24,305	.261
60	222	14.47	8,693	8,344	35,244	.237
70	245	15.76	10,525	10,200	46,141	.221
80	264	16.97	12,253	11,863	56,425	.210
90	281	18.09	13,878	13,304	65,675	.203
100	296	19.09	15,398	14,503	73,549	.197
110	310	19.97	16,815	15,448	79,636	.193
120	322	20.72	18,129	16,126	84,358	.191
130	333	21.31	19,338	16,528	86,957	.190

TABLE 7
SITE 120

Total Age	Normal Basal Area	Mean Diameter	CVTS	CV4	SV6(32')	C/SCR Ratio
20	51	9.11	819	770	1,355	.568
26	101	10.10	2,294	1,961	4,810	.408
30	126	10.77	3,257	2,821	7,992	.353
40	173	12.39	5,592	5,093	18,116	.281
41	177	12.55	5,820	5,324	19,255	.277
50	208	13.98	7,823	7,389	30,132	.245
60	235	15.50	9,951	9,588	42,783	.224
70	258	16.96	11,974	11,611	55,265	.210
80	277	18.33	13,894	13,424	66,954	.200
90	294	19.60	15,710	14,992	77,437	.194
100	309	20.76	17,423	16,297	86,410	.189
110	322	21.80	19,031	17,334	93,643	.185
120	334	22.70	20,536	18,091	98,946	.183
130	345	23.45	21,937	18,561	102,187	.182

SITE INDEX IIS 27,219
BD FT

EXHIBIT 8

DOUGLAS FIR LOG PRICES 1978-1982, 1983

REGION 1 - WESTERN OREGON UNIT

Reporting format: ODF reporting as of 4th quarter 1981

Source: Oregon Department of Forestry Forest Management Division

http://www.odf.state.or.us/divisions/management/asset_management/logprices/logP483.HTM

Domestically Processed Logs (Delivered to a mill; "Pond Value")

1978

Douglas-Fir Grade		Quarter				Average
		1st	2nd	3rd	4th	
#1P	\$	460	475	475	475	471
#2P	\$	415	435	435	435	430
#3P	\$	358	389	389	389	381
SM	\$	283	338	338	338	324
#2S	\$	242	287	287	287	276 -
#3S	\$	191	250	250	250	235
#4S	\$	161	200	200	200	190
SC	\$	125	157	157	157	149
Utility	\$	70	80	80	80	78

1979

Douglas-Fir Grade		Quarter				Average
		1st	2nd	3rd	4th	
#1P	\$	531	531	584	584	555
#2P	\$	476	476	523	523	500
#3P	\$	425	425	467	467	446
SM	\$	385	385	423	423	404
#2S	\$	322	322	354	354	338 -
#3S	\$	282	282	310	310	296
#4S	\$	256	256	281	281	269
SC	\$	160	160	176	176	168
Utility	\$	90	90	99	99	95

1980

Douglas-Fir Grade		Quarter				Average
		1st	2nd	3rd	4th	
#1P	\$	584	584	584	584	584
#2P	\$	523	523	523	523	523
#3P	\$	467	467	467	467	467
SM	\$	423	423	423	423	423
#2S	\$	354	354	354	354	354 -
#3S	\$	310	310	310	310	310 .
#4S	\$	281	281	281	281	281
SC	\$	176	176	176	176	176
Utility	\$	99	99	99	99	99

Douglas-fir prices

DOUGLAS FIR LOG PRICES 1978-1982, 1983

DF Grade	1978-1982 Average	1983 Average	%+	% -
1P	\$ 558	507		- 9.1%
2P	\$ 492	425		-13.6%
3P	\$ 423	343		-18.9%
SM	\$ 379	290		-23.5%
2S	\$ 316	255		-19.3%
3S	\$ 268	211		-21.3%
4S	\$ 235	191		-18.7%
SC	\$ 170	144		-15.3%
Utility	\$ 97	87		-10.3%
CR (2S & better)	\$ 303	303		n/c
CR (2S, 3S, and 4S)	\$ 243	241		- 0.8%
Average*	\$ 326	273	19.4**	-16.3

*In the absence of information concerning distribution of grades, it is not possible to assign the different grades their proper weight in calculating an overall average. This calculation assigns each grade equal weight, with the exception of the CR grades which were used only during the years 1982 and 1983 years and are not included.

** % by which 1978-82 prices exceed 1983 prices

Additional Information Submitted

ATTACHMENT 4

Date Stamp
RECEIVED
JUN 13 2017

Submitted By: Norman Waterbury Me
Phone Number: 541-5103501
Email Address: nwaterbury@ymail.com
Project Address: 85517 Pine Grove Rd



Permit No. (BP,PA,SI,SP): PA 16-05291
Submittal Description: Application more complete

Type of submittal:

- | | |
|--|---|
| <input type="checkbox"/> Additional Information | <input type="checkbox"/> Deferred Submittal |
| <input checked="" type="checkbox"/> Response to Plan Review Comments | Value of deferred work: _____ |
| <input type="checkbox"/> Revisions to Approved Plans | <input type="checkbox"/> Other: _____ |

Office Use:

- | | |
|------------------------------------|--|
| Route to: _____ | Amount Due: _____ |
| <input type="checkbox"/> Approved | <input type="checkbox"/> Applicant Contacted |
| How will additional fees be Paid: | |
| <input type="checkbox"/> In Person | <input type="checkbox"/> By Phone |
| <input type="checkbox"/> Online | |

APPLICATION

FOR

**MINOR AMENDMENT OF THE LANE COUNTY
RURAL COMPREHENSIVE PLAN**

AND

ZONE CHANGE FROM IMPACTED FOREST LAND, F-2

TO

MARGINAL LAND

PA 16-05291

Larry and Tommye Martinez

85517 Pine Grove Rd.

Eugene OR 97402

Submitted By:

Norman Waterbury LLC

Land Use Planning Consultant

86131 Cherokee Dr.

Eugene OR 97402

Page 1**Proposal Applicant: Norman Waterbury LLC****Property Owners: Larry & Tommye Martinez****Property Location: 85517 Pine Grove Rd.
Eugene OR 97402****Assessors Map and Lot: 18-05-25, Lot 200****Current County Zoning: F-2, Impacted Forest Land**

The proposed minor amendment to the Rural Comprehensive Plan (RCP) changes the plan designation of 54 acres from Impacted Forest to Marginal Lands in compliance with ORS 197.247 (1991) edition and applicable Lane County RCP policies and State Wide Goals. Approval of the plan amendment would allow the subject property to be developed into as many as three, 10 acre and one 20 acre parcel as provided by the Marginal Lands Zone LC 16.214(6).

The subject property is located at the South end of Pine Grove Rd. The property can generally described as rectangular with open pasture and partially forested with mixed Doug Fir poplar maple and ash which follows the existing stream bed. Currently the property has one single family dwelling with and 3 barns. A well and standard septic system serve the existing home.

The subject property is bordered on over three sides with Rural Residential zoning. There are 16 Residentially zoned properties which border the property. The South East of the property is bordered by 2, F2 zoned parcels, both less than ½ the size of the subject parcel. There is also a small lot zoned F2 which is less than 4 acres on the South West corner of the property. As shown on the map there are over 100 single family homes within 2,000 Ft. of the subject property zoned Rural Residential most of which are under 5 acres in size. There is a pond on the property as well as a stream running from South to North. Access is provided from Pine Grove Rd. which dead ends at the property midway to the North West. The property is fenced into 4 separate pasture areas. The subject property slopes to the North with the South portion steep along the creek bed.

Public Facilities and Services

Fire protection is provided by Lane County FD#1, the nearest station is just around the corner on Spencer Creek Rd. less than 1/4 mile away. Ambulance Provider is Eugene Fire & EMS, Ambulance Service Area West/Central. There is no LTD service. The areas electrical service provider is Lane Electric. Soil and Water Cons. Zone Upper Willamette.

Page 2.

List of Exhibits for the Martinez Marginal Lands Application

- Exhibit 1. RLID Property report & preliminary title report & authorization.
- Exhibit 2. Air photo showing subject property, Zone Map, Area Map & Assessors Map, USDA Soils Map.
- Exhibit 3. Report of Consulting Forester
- Exhibit 4. Availability of Water EGR Report
- Exhibit 5. Addressing State Wide Goals and Guidelines.
Goals 1-19
- Exhibit 6. History of the subject lot between 1978 and 1983 addressing the issue of farmed. Letter by Richard Walker. NRCS pasture report. Ariel map showing grazing area.

Background Information and General Description:

Agricultural Forest lands that satisfy the requirements of ORS 197.247 may be designated as Marginal Lands and such designations shall also be made in accordance with other plan policies. Uses and Land Divisions allowed on Marginal Lands shall be those allowed by ORS 197.247 (Agricultural Policy # 14, forest policy # 3).

In order for property to receive the designation and the zoning district of "Marginal Lands", it must meet the following test:

1. The land must not have been managed during three of the five calendar years between January 1, 1978 and January 1, 1983, as part of a farming operation which produced \$ 20,000 or more in annual gross income, or as part of a forest operation capable of producing an average, over the growth cycle, of \$ 10,000 in annual gross income. Statistical information compiled by Oregon State University Extension Service or other similar empirical data may be used to demonstrate income capability.

In addition to the above, the land must meet one of the following test:

- A. At least 50% of the area of the proposed Marginal Land, plus the lots or parcels all or partially located within 1/4 mile of the perimeter of the proposed Marginal Land, consist of lots or parcels 20 acres or less in size as of July 1, 1983. Lands within an adopted urban Growth Boundary are not to be included in this calculation. Those lots or parcels which are adjacent and of common ownership are to be considered one lot or parcel (lots or parcels separated by a public road are not considered adjacent).
- B. The proposed Marginal Land is located within an area of not less than 240 acres of which at least 60% is composed of lots or parcels that are 20 acres or less in size on July 1st. 1983; or.
- C. The proposed Marginal Lands is composed predominately (more than 50%), by area of soils in capability classes V through VIII in the Agricultural Capability Classification System used by the U.S. Department of Agriculture Capability Classification System used by the U.S. Department of Agriculture Soil Conservation Service, and is not capable of producing 85 cubic feet of merchantable timber per acre per year. In those Counties East of the summit of the Cascade range and eighty five cubic feet of merchantable timber per year in those Counties West of the summit of the Cascade Range, as that term is defined in ORS 477.001 (21).

Page 4

(2). For the purpose of subparagraphs (A) and (B) of paragraph (b) of subsection (1) of this section:

(a) Lots and parcels located within an urban growth adopted by a city shall not be included in the calculation; and

(b) Only one lot or parcel exist if:

(A) A lot or parcel included in the area defined in subparagraph (A) of paragraph

(b) of subsection (1) of this section is adjacent to one or more such lots or parcels;

(B) On July 1, 1983, greater than possessory interest are held in those adjacent lots of parcels by the same person, parents, children, sisters or in tenancy in common; and.

C) The interest are held by relatives described in subparagraph (B) of this paragraph, one relative held the interest in the adjacent lot or parcel before transfer to another relative.

(3) For the purposes of paragraph (b) of subsection 2 of this section;

(a) Lots of parcels are not "adjacent" if they are separated by a public road; and.

(b) "Lot and parcel have the meanings given to those terms in ORS 92.010

(4) For the purposes of subparagraph (B) of paragraph (b) of subsection (1) of this section, lots of parcels located within an area for which an exception has been adopted by the County shall not be included in the calculation.

(5) The County may use statistical information compiled by Oregon State University Extension Service or other objective criteria to calculate income for the purposes of paragraph (a), of subsection (1) of this section.

(6) Notwithstanding the fact that only a certain amount of land is proposed to be designated by the test area under subparagraph.

(7) The amended goals shall permit Counties to authorize the uses on and divisions of marginal Land set out in ORS 215.317 and 215.317.

(8) The provision of this section shall not affect the applicability of any goal except the goals on agricultural and forest lands, to a land use decision.

Page 5

Exhibit (A)

The request for re-zoning the subject property from F2 (Impacted Forest), to ML (Marginal Lands), is supported by all of the requirements stated within the Marginal Lands 1983 document and ORS 197.247 in addition to the first criteria.

As noted above “**the land must meet one of the following test:**” We believe that all three of the qualifying requirements, are all met. The soils productivity ratings are in the 49 BF per acre range and the property is surrounded by rural residential development. Conditions a, b, and c all are met with this application however the main focus of this application will be on condition (c).

Requirement (c) is supported by forester Marc Setchkos' report on the subject property along with the soils report provided by the US Department of Agriculture Soils Survey which is included within this report. See Exhibit (3), forestry report. This report says it all. Either the condition of the productive requirements are met or they are not. This is not good agricultural land and that is what Marginal Lands is all about. See Exhibit (3). In conclusion this report shows conclusively that this property will not support a merchantable stand of timber of sufficient production capability, to meet or exceed the Marginal Lands Income and cubic foot Productivity States (ORS0 197.247). All of the data used in these analyses are from Oregon Department of Forestry approved sources. The findings presented here met all of the parameters for marginal land designation as outlined by Lane County Statutes. Several of the parameters, such as the 50 year growth cycle to harvest have been reaffirmed by LUBA. The bottom line here is that the subject property produces 49.5 cubic feet per acre per year. This is less than the 85 cu/ft/ac/yr merchantable timber production the parameter used in Counties West of the Cascade Range as defined in ORS 477.001(21). (SEE EXHIBIT 3)

State Wide Goals And Guidelines:

Goal 1, Citizen Involvement; To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process. Widespread citizen involvement is well established and a normal aspect of land planning here in Lane County. Neighboring property owners will be notified in a timely manor concerning the proposal itself as well as hearing dates and have the ability to respond to this planning action. Built into Lane Counties application processes are notification procedures which are sent to reliant service providers as well as other groups with an interest in rural Lane County. Of all the Counties in Oregon, that I have worked in, Lane County offers the most comprehensive citizen involvement standards.

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Goal 2, Land Use Planning; Part 1 Planning; to establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual basis for such decisions and actions. **Part 2 of goal 2 authorizes exceptions to the goals- land use decisions that are not in compliance with the goals under certain circumstances. Statutes also describe when exemptions are authorized. (ORS 197.732).**

Lane County Planning has a well established planning process and policy framework as a basis for all decisions and actions related to the uses of the land and to ensure an objective factual basis for such actions. Exceptions to these Goals are Minor changes which allow for a Minor Plan Amendment to more closely identify the correct zoning due to conditions of the property. The guidelines for Minor Plan Amendments are clearly stated within the Lane County Code. The Minor Plan Amendment we are requesting is sported by the application of plan and map preparation, conformance with State and Federal plan, factual basis for the plan and the elements of the plan which are being filed. Issues related to the property infrastructure will be reviewed and will become reliant during the partitioning process under conditions of approval. This application complies with goal 2 because no exception to the resource goal is required.

Goal 3, Agricultural Lands: To preserve and maintain agricultural lands. Agricultural lands shall be reserved and maintained for farm use, consistent with existing and future needs for agricultural products, forest and open space and with the States agricultural land use policy expressed in ORS 215.213 and 215.700.

The subject property is currently zoned F2 and is not listed as an agricultural zone other than forestry. Also there are no adjacent properties zoned EFU. The vast majority of the property surrounding the subject property are small lots zoned for residential use, RR5. The remainder of the surrounding properties are zoned F2. Because of the location there is no impact on properties zoned for agricultural use. Also marginal lands is a resource designation. Land that is designated Marginal Land is consistent with Goal 3 or Goal 4 or both. (See Zoning Map Exhibit 2).

Goal 4, Forest Land: A. Planning, 1. Forest lands should be inventoried so as to provide for the preservation of such lands for forest uses. To conserve forest lands by maintaining the forest land base and to protect the States forest economy by making possible economically efficient forest practices that assure the continual US growing and harvesting forest tree species as the leading use on forest land consistent with sound management of soil, air, water and fish and wildlife resources and to provide for recreational opportunities and agriculture.

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They are. See Lane County Department of Taxation. Plans providing for the preservation of forest lands for forest uses should consider as a major determinant the carrying capacity of the air, land and water resources of the planning area. As noted above, Marginal Land is a resource designation that is consistent with Goal 3 or Goal 4.

Goal 5. Open Spaces: Scenic and Historic and Natural Resources: To conserve open space and protect natural and scenic resources.

When considering the neighboring developments the conclusion is to allow for a very low density of development for rural residential use. The proposed potential development density is less than 1/8 of what already exist with neighboring parcels. (See area map Exhibit 2). Isolated water features on the subject property are protected by State and Federal Law. With a minimum size of 10 acre lots the in the marginal land zone, it is feasible to configure any future lots in a manner that could accommodate allowable development while leaving wet areas undisturbed.

Goal 6. Air Water and Land Resource Quality. To maintain and improve the quality of the air, water and land resources of the State. All waste and process discharges from future development, when combined with such discharges from existing developments shall not threaten to violate, or violate applicable State and Federal environmental quality statutes, rules and standards. With respect to the air water and land resources of the applicable air sheds and river basins described or included in State environmental quality statutes rule standards and implementation plans, such discharges shall not (1) exceed the carrying capacity of such resources, considering long range needs: degrade such resources: or (3) threaten the availability of such resources.

All waste and discharges from future development shall not threaten or violate applicable State or Federal environmental quality standards. With respect to air, water such discharges shall not exceed the carrying capacity of the land. Goal 6 protects air and water resources. The focus is on discharges from future development in conjunction with existing development. State and federal environmental standards are the bulwark for protection. Existing County State and Federal regulations cover and address the carrying capacity of the land. Two to four additional residential developments would generate septic waste. A pre condition to any residential use will be the development of individual septic systems meeting County and State standards. The soils on the subject property are suitable for one or more types of septic systems that meet these standards. This insures that future use of the land will comply with Goal 6. Also see Exhibit 4, water report.

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Goal 7. Areas Subject to Natural Disasters of Hazards: To protect life and property from natural disasters and hazards. Developments subject to damage or that could result in loss of life shall not be planned nor located in known areas of natural disasters and hazards without appropriate safe guards. Plans shall be based on an inventory of known areas of natural disaster and hazards that are subject to natural events that are known to result in death or endanger the works of man, such as stream flooding, ocean flooding, ground water erosion and deposition, landslides, earthquakes, weak foundation soils and other hazards unique to local and regional areas.

There are no such areas known to exist on the subject property. The elevation of the subject property would eliminate any possible flood hazard and the soil conditions in the area are relatively stable and not prone to land slides. (See soils survey). The stream that runs through is quite small and has never flooded.

Goal 8. Recreational Needs. To satisfy the recreational needs of the citizens of the State and visitors and where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

Goal 8 Is not directly applicable to this proposal. No destination resort is proposed. The subject property is not used for recreational purposes and is not designated on the County Plan as intended for that purpose. However raising animals gardening and other uses of the land may be considered recreational to most of us living on small acreages. The proposed plan amendment and zone change has no impact on this goal.

Goal 9. Economy of the State. To provide adequate opportunities throughout the State for a variety of economic activities vital to the health, welfare and prosperity of Oregon Citizens.

Goal 9 is primarily focused on commercial and Industrial development within urban growth boundaries. The goal does not apply to rural residential uses allowed on Marginal Lands.

Goal 10: Housing: To provide for the housing needs of the citizens of the State.

Build able lands for residential use shall be inventoried and plans shall encourage the availability of adequate numbers of needed housing units at price ranges and rent levels which are commensurate with the financial capabilities of Oregon households and allow for flexibility of housing location, type and density. Goal 10 is geared primarily to the housing issues inside urban growth boundaries. The goals definition of build able lands

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is limited to lands in urban and urbanization areas. The subject property is located outside of the UBG.

Goal 11. Public Facilities and Services: To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development. Urban and rural development shall be guided and supported by types and levels of urban and rural public facilities and services appropriate for but not limited to the needs and requirements of the urban and the organizable and rural areas to be served. A provision for key facilities shall be included in each plan.

A full range of rural services exist to serve and support the subject property. The existing public facilities and services are in line with County Policy's. No additional services would be required with a property density of one house for every 10 acres.

Goal 12 To provide and encourage a safe, convenient and economic transportation system.

Goal 12 addresses facilities and services in urban and rural areas. The subject property is rural land and will remain rural after this approval, as discussed in connection with the area development. It is intended to consider area wide modes of transportation and is implemented at the comprehensive plan stage. The question is whether the residential development allowed by this application would significantly affect the transportation facility. The rule spells out clearly what constitutes a "significant affect".

A land use amendment significantly affects a transportation facility if it:

- (a). Changes the functional classification of an existing or planned transportation facility.
- (b). Changes standards implementing a functional classification system.
- (c). Allows types or levels of land uses which would result in levels of travel or access which are inconsistent with the functional classification of a transportation facility; or
- (d). Would reduce the level of service of the facility below the minimum acceptable level identified in the TSP.

The proposed Marginal Land designation would not exceed any of the above standards listed above. Consequently, the proposed application complies with Goal 12.

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Pine Grove Road is a very well maintained Local Access Road that borders the property and dead ends on the Western boundary of the property. Very light traffic is observed from the subject property all of the way to Crow Road where Pine Grove Road ends. Or taking the other rout from Spencer Creek Rd. and left on Bailey hill Rd. would put in the city limits of Eugene in under 4 minutes. Visibility is good the road is straight and well maintained. The number of trips per day would increase slightly with the addition of 3 more houses. This would result in approximately 8 trips per day, not a significant amount.

Goal 13 Energy conservation: To conserve energy. This goal is more appropriately applied at the comprehensive plan phase and is not applicable to this Marginal Lands request. However, the subject property is only about 4 miles from the city limits of Eugene. Compared to living further out this proposal is well within the current technology to use electric vehicles.

Goal 14. Urbanization; To provide an orderly and efficient transition from urban and rural land.

Goals 15 to 19. These goals are not aplicable to this applicationas they are geographically oriented and apply tp the Wollamette River Greenway and costal resources that are not anywhere near the subject property.

This application can be regarded as "RURAL INFILL". As shown of the maps presented the subject property is surrounded by small lots zoned as Rural Residential and a few zoned F2. This is the largest lot in the entire area. Just look at it, just look at it, **just look at it.**

A Table of Existing and Proposed Facilities

Service	Provider_
Police	Lane Co Sheriff / Oregon State Police
Fire	Lane Co FD # 1
Schools	Eugene School District 4J
Ambulance	Eugene Fire & EMS
Electrical Service	Lane Electric
Soil & Water Cons.	Upper Willamette
Phone	Century Link / Others
Water	Private
Sewer	Individual on Site Stems
Solid Waste	Private
Access	Pine Grove Rd.

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History of the subject lot between 1978 and 1983.

1. The land must not have been managed during three of the five calendar years Between January 1, 1978 and January 1, 1983 as part of a farming operation which produced \$ 20,000 or more in annual gross income, or as part of a forest operation capable of producing an average over the growth cycle of \$ 10,000 in annual gross income. Statistical empirical data may be used to demonstrate income capability.

Data from Lane County Deeds and records indicate that the property was owned by Haldor Torkelsen until 1977. At that time the property was partially used for grazing and also had a small orchard. Mr. Torkelsen lived in a small one room dwelling adjacent to the orchard. Because of his age, the property was for the most part not employed for any significant agricultural use at this time. The property was then purchased and partially inherited in 1978 by Carl and Joanne Stallings as shown in Lane County Deeds and Records 7944725.

According to the neighbors of Mr. & Mrs. Stallings, Mr. Richard Walker, the only significant farming activity that was done during their ownership of the property was a small vegetable garden and an old orchard. (See Exhibit 9 NRCS data & Note from Richard Walker). The Stallings did however try to develop the property as evidenced by a partition filed, Lane County Records CS File 23316, in Aug. 31, 1979. This effectively split the property into 6 tax lots. The subject lot Parcel 2 of this partition containing 54.6 acres which is the subject of this application. This was during the time frame of a major recession when very little was being done with property development or building of any kind. Also Mrs Stallings health problems which resulted in her death was a contributing factor which led to foreclosure. By July 9th. 1985 various parties who were creditors foreclosed on the property for a balance of \$ 122,500 as shown in the Sheriff's Deed, Lane County Deeds 8724923. At that time none of the 6 parcels contained in the partition had been sold. The Administrative Service Company then completed the sale of the subject property and distributed the money to the creditors. By 1987 the property was purchased by Joseph and Julianne Arnold for \$ 85,000.

As shown on the aerial map only a portion of the subject property was available for grazing and a large percentage of that open land could not be bailed because of the slopes. During this time frame the price of beef was not sufficient enough to bring in \$ 20,000 per year. (See Exhibit 6). Particular attention should be reviewed in the pasture report provided by the NCRS publication.

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Zone change standards in Lane Code: LC 16.252

(2) Criteria. Zonings rezoning and changes in the requirements of this chapter shall be enacted to achieve the general purpose of this chapter and shall not be contrary to the public interest. In addition, zonings and rezoning shall be consistent with the specific purpose of the zone classification proposed, applicable Rural Comprehensive Plan elements and components, and Statewide Planning Goals for any portion of Lane County which has not been acknowledged for compliance with the Statewide Planning Goals by the Land Conservation and Development Commission. Any zoning or rezoning may be affected by Ordinance or Order of the Board of Commissioners or the hearings Official in accordance with the procedures in this section.

This application meets all of these requirements.

LAND MANAGEMENT DIVISION



LAND USE APPLICATION - DIRECTOR
General Application Form

PLAN AMENDMENT MINOR W/ EXCEPTION

PUBLIC WORKS DEPARTMENT 3050 N. DELTA HWY, EUGENE OR 97408 Planning: 541-682-3577

For Office Use Only, FILE #

509-PA16-05291

FEE: \$12,900.00

RKS

Applicant (print name): Larry Martinez

Mailing address: See Attached

Phone: _____ Email: _____

Applicant Signature: _____

Agent (print name): Norman Waterbury LLC

Mailing address: 86131 Cherokee Dr. Eugene OR 97402

Phone: 541-5103501 Email: _____

Agent Signature: *Norm Waterbury LLC*

Land Owner (print name): Larry Martinez

Mailing address: 85517 Pine Grove Rd Eug OR 97402

Phone: 541 953 3783 Email: _____

Through applying for this application I authorize the Lane County Planning Director, designee, or hearings official to enter upon the property subject of the application to conduct a site visit necessary for processing the requested application. Lane County shall contact the Land Owner prior to the site visit to arrange an appropriate time for the site visit.

Land Owner Signature: See Attached

LOCATION

18 - 05 - 25 - 200
Township - Range - Section - Taxlot

Site address _____

PROPOSAL. In one sentence, identify what you are proposing.

Marginal lands

NOTICE: The Applicant is responsible for providing enough information in this application for staff to make reasonable findings.

ADJOINING OWNERSHIP Is any adjacent property under the same ownership as the subject property? List the map and tax lot(s).

SITE PLAN A site plan must be included. Refer to the handout entitled "How to prepare your plot plan". Identify nearby driveways. Driveways spacing standards are contained in Lane Code 15.138.

ZONING: _____

ACREAGE: _____

DESCRIBE THE ACCESS TO THE PROPERTY (circle the answer):

State Hwy County Rd Public Rd Private Easement (provide a copy)

Road name: _____

NUMBER OF EXISTING DWELLINGS ON PARCEL: _____

EXISTING IMPROVEMENTS: What structures or development does the property contain? Will any structure be removed/demolished?

PHYSICAL FEATURES: Describe the site.

▪ The Vegetation on the property: _____

▪ The Topography of the property: _____

▪ Any Significant Features of the property (steep slopes, water bodies, etc.): _____



LANE COUNTY PUBLIC WORKS

Property Owner Authorization Form

LAND MANAGEMENT DIVISION 3050 N. DELTA HWY, EUGENE OR 97408

I hereby affirm that I am the owner of the property located at:

Property Address/Location: 85517 PINE GROVE ROADCity: EUGENE State: OR Zip Code: 97405Tax Map and Parcel Number: 18 - 05 - 25 - 00 - 200

By signing below, I authorize the individual identified in the following section to act as my authorized agent with regard to any and all application(s) made to Lane County Land Management Division for the activities described. The individual identified below shall remain in this capacity with regard to any applications and subsequently issued permits related to these activities indefinitely unless an express written request to terminate this authorization, signed by me, is submitted to Lane County Land Management Division.

Project/Activity for which Application is being made: Marginal Lands Re-zone
From F2

Signature of Owner: Larry Martinez Date: 4-8-16Printed Owner Name: LARRY MARTINEZPrinted Name of Permit Applicant/
Owner's Authorized Agent: Norman Waterbury LLCAddress: 86131 Cherokee DrCity: Eugene State: OR Zip Code: 97402Telephone Number: 541-510-3501Signature of Applicant/Agent: Norm Waterbury Date: 5-11-16

Once completed, please return this form to Lane County Land Management Division.

LANE CO. POAF Rev. 01-15-08 BDC

LAND MANAGEMENT DIVISION / PUBLIC WORKS DEPARTMENT / 3050 N. DELTA HWY / EUGENE, OR 97408 / FAX 541/682-3947
BUILDING (541) 682-4651 / PLANNING (541) 682-3577 / COMPLIANCE (541) 682-3724 / ON-SITE SEWAGE (541) 682-3754

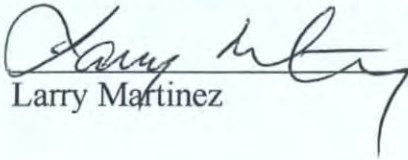
OWNER AND AGENT CONSENT TO FILE LAND USE APPLICATION

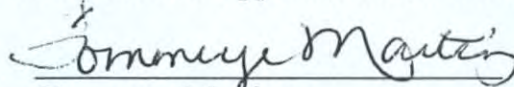
Owner Authorization:

Larry and Tommye Martinez are the principles in the entities that own the following properties that may be the subject of land use application before Lane County. The imminent filings are for Marginal Land Plan and zone designations. The properties are:

Identified as 18-05-25, Tax Lot 200, Also known as 85517 Pine Grove Rd. Eugene OR 97405

Norman Waterbury LLC is my agent for all land use applications related to the above.


Larry Martinez


Tommye Martinez

APPLICATION

FOR

**MINOR AMENDMENT OF THE LANE COUNTY
RURAL COMPREHENSIVE PLAN**

AND

ZONE CHANGE FROM IMPACTED FOREST LAND, F-2

TO

MARGINAL LAND

**Larry and Tommye Martinez
85517 Pine Grove Rd.
Eugene OR 97402**

**Submitted By:
Norman Waterbury LLC
Land Use Planning Consultant
86131 Cherokee Dr.
Eugene OR 97402**

Page 1

Proposal

Applicant: Norman Waterbury LLC

Property Owners: Larry & Tommye Martinez

**Property Location: 85517 Pine Grove Rd.
Eugene OR 97402**

Assessors Map and Lot: 18-05-25, Lot 200

Current County Zoning: F-2, Impacted Forest Land

Page 2.

List of Exhibits for the Martinez Marginal Lands Application

Exhibit 1. RLID Property report & preliminary title report & authorization.

Exhibit 2. Air photo showing subject property, Zone Map, Area Map & Assessors Map, USDA Soils Map.

Exhibit 3. Report of Consulting Forester

Exhibit 4. Availability of Water EGR Report

Exhibit 5. Addressing State Wide Goals and Guidelines.
Goals 1-19

Exhibit 6. History of the subject lot between 1978 and 1983 addressing the issue of farmed. Letter by Richard Walker. NRCS pasture report. Ariel map showing grazing area.

Background Information and General Description:

Agricultural Forest lands that satisfy the requirements of ORS 197.247 may be designated as Marginal Lands and such designations shall also be made in accordance with other plan policies. Uses and Land Divisions allowed on Marginal Lands shall be those allowed by ORS 197.247 (Agricultural Policy # 14, forest policy # 3).

In order for property to receive the designation and the zoning district of "ML", it must meet the following test:

1. The land must not have been managed during three of the five calendar years between January 1, 1978 and January 1, 1983, as part of a farming operation which produced \$ 20,000 or more in annual gross income, or as part of a forest operation capable of producing an average, over the growth cycle, of \$ 10,000 in annual gross income. Statistical information compiled by Oregon State University Extension Service or other similar empirical data may be used to demonstrate income capability.

In addition to the above, the land must meet one of the following test:

- a. At least 50% of the area of the proposed Marginal Land, plus the lots or parcels all or partially located within 1/4 mile of the perimeter of the proposed Marginal Land, consist of lots or parcels 20 acres or less in size as of July 1, 1983. Lands within an adopted urban Growth Boundary are not to be included in this calculation. Those lots or parcels which are adjacent and of common ownership are to be considered one lot or parcel (lots or parcels separated by a public road are not considered adjacent).
- b. The proposed Marginal Land is located within an area of not less than 240 acres, of which at least 60% (by area) is made up of lots or parcels of 20 acres or less in size as of July 1, 1983. Lands within an adopted Urban Growth Boundary and/or lands within an area to which an exception has been adopted to goal 3 or 4 (e.g. a developed and committed area), by the County are not to be included in the above calculation. Parcel ownership provisions as stated in "a" above also apply to this test.
- c. The proposed Marginal Lands is composed predominately (more than 50%), by area of soils in capability classes V through VIII in the Agricultural Capability Classification System used by the U.S. Department of Agriculture Capability Classification System used by the U.S. Department of Agriculture Soil Conservation Service, and is not capable of producing 85 cubic feet of merchantable timber per acre per year.

Page 4

Exhibit (A)

The request for re-zoning the subject property from F2 (Impacted Forest), to ML (Marginal Lands), is supported by all of the requirements stated within the Marginal Lands 1983 document and ORS 197.247 in addition to the first criteria.

As noted above the land must meet **one** of the following test: We believe that all three of the qualifying requirements, are all met. The soils productivity ratings are in the 49 BF per acre range and the property is surrounded by rural residential development. Conditions a, b, and c all are met with this application however the main focus of the application will be on condition (c).

Requirement (c) is supported by forester Marc Setchkos' report on the subject property along with the soils report provided by the US Department of Agriculture Soils Survey which is included within this report. See Exhibit (3), forestry report.

Goal 1, State Wide Goals and Guidelines; Widespread citizen involvement is well established and a normal aspect of land planning here in Lane County. Neighboring property owners will be notified in a timely manner concerning the proposal itself as well as hearing dates and have the ability to respond to this planning action. Built into Lane County's application processes are notification procedures which are sent to reliant service providers as well as other groups with an interest in rural Lane County. Of all the Counties in Oregon, that I have worked in, Lane County offers the most comprehensive citizen involvement standards.

Goal 2, State Wide Goals and Guidelines: Planning, Lane County has a well established planning process and policy framework as a basis for all decisions and actions related to the uses of the land and to ensure an objective factual basis for such actions.

Exceptions to these Goals are Minor changes which allow for a Minor Plan Amendment to more closely identify the correct zoning due to conditions of the property. The guidelines for Minor Plan Amendments are clearly stated within the Lane County Code.

The Minor Plan Amendment we are requesting is supported by the application of plan and map preparation, conformance with State and Federal plan conformance, the factual basis for the plan and the elements of the plan which are being filed. Issues related to the property infrastructure will be reviewed and will become reliant during the partitioning process under conditions of approval.

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Goal 3, Agricultural Lands, The subject property is currently zoned F2 and is not listed as an agricultural zone other than forestry. Also there are no adjacent properties zoned EFU. The vast majority of the property surrounding the subject property are small lots zoned for residential use, RR5. The remainder of the surrounding properties are zoned F2. Because of the location there is no impact on properties zoned for agricultural use. Also marginal lands is a resource designation. Land that is designated Marginal Land is consistent with Goal 3 or Goal 4 or both. (See Zoning Map Exhibit 2).

Goal 4, Forest Lands, A. Planning, 1. Forest lands should be inventoried so as to provide for the preservation of such lands for forest uses. They are. See Lane County Department of Taxation. 2. Plans providing for the preservation of forest lands for forest uses should consider as a major determinant the carrying capacity of the air, land and water resources of the planning area. As noted above, Marginal Land is a resource designation that is consistent with Goal 3 or Goal 4.

Goal 5. Open Spaces, Scenic and Historic and Natural Resources: To preserve open space and protect natural and scenic resources. When considering the neighboring developments the conclusion is to allow for a very low density of development for rural residential use. The proposed potential development density is less than ½ of what already exist with neighboring parcels. (See area map Exhibit 2).

Goal 6. Air Water and Land Resource Quality. To maintain and improve the quality of the air, water and land resources of the State.

All waste and discharges from future development shall not threaten or violate applicable State or Federal environmental quality standards. With respect to air, water such discharges shall not exceed the carrying capacity of the land. Goal 6 protects air and water resources. The focus is on discharges from future development in conjunction with existing development. State and federal environmental standards are the bulwark for protection. Existing County State and Federal regulations cover and address the carrying capacity of the land.

Two to four additional residential developments would generate septic waste. A pre condition to any residential use will be the development of individual septic systems meeting County and State standards. The soils on the subject property are suitable for one or more types of septic systems that meet these standards. This insures that future use of the land will comply with Goal 6. Also see Exhibit 4, water report.

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Developments subject to damage or that could result in loss of life shall not be planned nor located in known areas of natural disasters and hazards without appropriate safe guards. Plans shall be based on an inventory of known areas of natural disaster and hazards.

Areas of natural disasters and hazards means areas that are subject to natural events that are known to result in death or endanger the work of humans such as flooding, land slides, unstable soil conditions and other hazards unique to specific areas. There are no such areas known to exist on the subject property. The elevation of the subject property would eliminate any possible flood hazard and the soil conditions in the area are relatively stable and not prone to land slides. (See soils survey).

Goal 8. Recreational Needs. To satisfy the recreational needs of the citizens of the State and visitors and where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

Goal 8 Is not directly applicable to this proposal. No destination resort is proposed. The subject property is not used for recreational purposes and is not designated on the County Plan as intended for that purpose.

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Build able lands for residential use shall be inventoried and plans shall encourage the availability of adequate numbers of needed housing units at price ranges and rent levels which are commensurate with the financial capabilities of Oregon households and allow for flexibility of housing location, type and density.

Goal 10 is geared primarily to the housing issues inside urban growth boundaries. The goals definition of build able lands is limited to lands in urban and urbanization areas. The subject property is located outside of the UBG.

Page 7

Goal 11. Public Facilities and Services. To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

Urban and rural development shall be guided and supported by types and levels of urban and rural public facilities and service appropriate for, but limited to the needs and requirements of the urban and urbanization, and rural areas to be served. A provision for the facilities shall be included in each plan. Cities or Counties shall develop and adopt a public facility plan for areas within an urban growth boundary containing a population greater than 2,500 persons. To meet current and long range needs, a provision for solid waste disposal sites, including sites for inert waste, shall be included in each plan. In accordance with ORS 197.180 and Goal 2, State agencies that provide funding for transportation, water supply, sewage and solid waste facilities shall identify in their coordination programs how they will coordinate that funding with other State agencies and with the public facility plans of cities and counties.

Goal 12 addresses facilities and services in urban and rural areas. The subject property is rural land and will remain rural after this approval, as discussed in connection with

Goal 14.

Public services and facilities is defined in the Statewide Planning Goals to include projects activities and facilities which the planning agency determines to be necessary to the public health, safety and welfare. The Goal 11 rule defines a public facility. A public facility includes water, sewer, and transportation, but does not include buildings, structures or equipment incidental to the direct operation of those facilities.

The Rural Plan Polices describe the minimum level of services for Marginal Land areas in rural Lane County. The services are, schools, on site sewerage disposal, individual water supply system, electrical service, telephone service, rural level of fire and police protection, and reasonable access to solid waste disposal. Those services are proposed to be developed or are developed as a condition of approval for this zone change.

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A Table of Existing and Proposed Facilities

Service	Provider_
Police	Lane Co Sheriff / State Police
Fire	Lane Co FD # 1
Schools	Eugene School District 4J
Ambulance	Eugene Fire & EMS
Electrical Service	Emerald Peoples Utility District
Soil & Water Cons.	Upper Willamette
Phone	Century Link / Others
Water	Private
Sewer	Individual on Site Stems
Solid Waste	Private
Access	Pine Grove Rd.
LTD Service	None

Goal 12. Transportation. To provide and encourage a safe, convenient and economic transportation system.

A transportation plan shall (1) consider all modes of transportation including mass transit, air water pipeline, rail, highway, bicycle and pedestrian; (2) be based upon an inventory of local, regional and State transportation needs; (3) consider the differences in social consequences that would result from the utilizing different combinations of transportation modes; (4) avoid principal reliance on any one mode of transportation; (5) minimize adverse social, economic and environmental impacts and cost; (6) Conserve energy; (7) meet the needs of the transportation disadvantaged by improving transportation services, (8) facilitate the flow of goods and services so as to strengthen the local and regional economy; and conform with regional and comprehensive land use plans. Each plan shall include a provision for transportation as a key facility.

The Goal 12 rule has a section that specifically addresses proposals such as this one. The rule states that that any such amendments that, “significantly affect a transportation facility shall assure that allowed land uses are consistent with the identified function, capacity and level of service of the facility”.

Page 9

The question is whether the residential development allowed by this application would significantly affect the transportation facility. The rule spells out clearly what constitutes a “significant affect”.

A land use amendment significantly affects a transportation facility if it:

- (a). Changes the functional classification of an existing or planned transportation facility.
- (b). Changes standards implementing a functional classification system.
- (c). Allows types or levels of land uses which would result in levels of travel or access which are inconsistent with the functional classification of a transportation facility; or
- (d). Would reduce the level of service of the facility below the minimum acceptable level identified in the TSP.

The proposed Marginal Land designation would not exceed any of the above standards listed above. Consequently, the proposed application complies with Goal 12. Pine Grove Road is a very well maintained Local Access Road that borders the property and dead ends on the Western boundary of the property. Very light traffic is observed from the subject property all of the way to Crow Road where Pine Grove Road ends. Visibility is good the road is straight and well maintained.

Goal 13. Energy Conservation. To conserve energy.

Land and uses developed on the land shall be managed and controlled as to maximize the conservation of all forms of energy, based on sound economic principles.

This goal is not directly applicable to this land use decision, other that it may be noted that newer housing standards of insulation requirements are much more energy efficient than they were in the past.

Goal 14. Urbanization. To provide for an orderly and efficient transition from rural to urban land use.

Because the Marginal Lands designation is a resource zone and is being requested to be changed from another resource zone, F2 Goal 14 is not applicable. However some of the same principles apply such as infill rather than creating urban sprawl. One could look at this property and notice that it is surrounded by much smaller parcels in most cases 1/10 the size of the subject parcel. This could be called (rural infill). (See map).

Page 10

Goals 15 to 19 Willamette Greenway and Coastal Goals

These goals are not applicable because they do not exist on or near the subject property.

History of the subject lot between 1978 and 1983.

1. The land must not have been managed during three of the five calendar years Between January 1, 1978 and January 1, 1983 as part of a farming operation which produced \$ 20,000 or more in annual gross income, **or** as part of a forest operation capable of producing an average over the growth cycle of \$ 10,000 in annual gross income. Statistical empirical data may be used to demonstrate income capability.

Data from Lane County Deeds and records indicate that the property was owned by Haldor Torkelsen until 1977. At that time the property was partially used for grazing and also had a small orchard. Mr. Torkelsen lived in a small one room dwelling adjacent to the orchard. Because of his age, the property was for the most part not employed for any significant agricultural use at this time. The property was then purchased and partially inherited in 1978 by Carl and Joanne Stallings as shown in Lane County Deeds and Records 7944725.

According to the neighbors of Mr. & Mrs. Stallings, Mr. Richard Walker, the only significant farming activity that was done during their ownership of the property was a small vegetable garden and an old orchard. (See Exhibit 9 NRCS data & Note from Richard Walker). They Stallings did however try to develop the property as evidenced by a partition filed, Lane County Records CS File 23316, in Aug. 31, 1979. This effectively split the property into 6 tax lots. The subject lot Parcel 2 of this partition containing 54.6 acres which is the subject of this application. This was during the time frame of a major recession when very little was being done with property development or building of any kind. Also Mrs Stallings health problems which resulted in her death was a contributing factor which led to foreclosure. By July 9th. 1985 various parties who were creditors foreclosed on the property for a balance of \$ 122,500 as shown in the Sheriff's Deed, Lane County Deeds 8724923. At that time none of the 6 parcels contained in the partition had been sold. The Administrative Service Company then completed the sale of the subject property and distributed the money to the creditors. By 1987 the property was purchased by Joseph and Julianne Arnold for \$ 85,000.

As shown on the aerial map only a portion of the subject property was available for grazing and a large percentage of that open land could not be bailed because of the slopes. During this time frame the price of beef was not sufficient enough to bring in \$ 20,000 per year. (See Exhibit 9).

Zone change standards in Lane Code: LC 16.252

(2) Criteria. Zonings rezoning and changes in the requirements of this chapter shall be enacted to achieve the general purpose of this chapter and shall no be contrary to the public interest. In addition, zonings and rezoning shall be consistent with the specific purpose of the zone classification proposed, applicable Rural Comprehensive Plan elements and components, and Statewide Planning Goals for any portion of Lane County which has not been acknowledged for compliance with the Statewide Planning Goals by the Land Conservation and Development Commission. Any zoning or rezoning may be affected by Ordinance or Order of the Board of Commissioners or the hearings Official in accordance with the procedures in this section.

The general purpose of this chapter: LC 16.003

16.003 Purpose

This chapter is designed to provide and coordinate regulations in Lane County governing the development and use of lands to implement the Lane County Rural Comprehensive Plan. To these ends it is the purpose of this chapter to:

- (1) Insure that the development of property within the County is commensurate with the character and physical limitations of the land and, in general to promote and protect the public health, safety, convenience, and welfare.
- (2) Protect and diversify the economy of the county.
- (3) Conserve the limited supply of prime industrial lands to provide sufficient space for existing industrial enterprises and future industrial growth.
- (4) Conserve farm and forest land for the production of crops, livestock and timber products.
- (5) Encourage the provision of affordable housing in quantities sufficient to allow all citizens some reasonable choice in the selection of a place to live.
- (6) Conserve all forms of energy through sound economical use of the land and land uses developed on the land.
- (7) Provide for an orderly and efficient transition from rural to urban land use.
- (8) Provide for the ultimate development and arrangement of efficient public services.

Page 12

(9) Provide for and encourage a safe, convenient and economic transportation system within the County.

(10) Protect the quality of the air, water and land resources of the County.

(11) Protect life and property in areas subject to floods, landslides, and other natural disasters and hazards.

(12) Provide for the recreational needs of residents of Lane County and visitors to the County.

(13) Conserve open space and protect historic and cultural, natural and scenic resources.

(14) Protect, maintain and where appropriate, develop and restore the estuaries, coastal shore lands, coastal beach and dune areas and to conserve the nearshore ocean and continental shelf of Lane County.

The approval of this application does not conflict with with the 14 general goals. The proposal meets the standards of these goals and should be regarded as rural infill. This occurs when a fairly large portion of land is nearly surrounded by smaller lot sizes of which 70% are zoned for rural residential development. It also should be noted that the remaining 3 adjacent parcels also zoned F2 are less than ½ the size of the subject parcel. Since this application meets the specific standards that apply, then it is fair to conclude that it is consistent with the general purpose and be in the public interest.

The Marginal Lands Zone is intended to: Provide an alternative to more restrictive farm and forest zoning, Provide opportunities for persons to live in a rural environment and to conduct intensive or part time farm or forest operations, and conform with the requirements of ORS 197.005 to 197.430 and the Lane County Rural Comprehensive Plan.

Site Address N/A
Map & Taxlot# 18-05-25-00-00200
SIC N/A
Tax Account# 1600384

Property Owner 1
 MARTINEZ LARRY W & TOMMYE L
 85517 PINE GROVE RD
 EUGENE, OR 97405
 Tax account acreage 1.94
 Mapped taxlot acreage[†] 54.04

[†] Mapped Taxlot Acreage is the estimated size of a taxlot as derived from the county GIS taxlot layer, and is not to be used for legal purposes.

Code Split - Other land tax account(s) associated with this taxlot 0750909 1377488

Maps

Map & Taxlot # 18-05-25-00-00200



Business Information

Improvements

Site Address Information

General Taxlot Characteristics

▪ Geographic Coordinates
X 4200637 **Y** 854295 (State Plane X,Y)
Latitude 43.9784 **Longitude** -123.2380

▪ Zoning

Zoning Jurisdiction Lane County

Lane County

Parent Zone F2 IMPACTED FOREST
Overlay CAS Commercial Airport Safety Zone

▪ Land Use

General Land Use

Code Description

A Agriculture
 S Single Family

Detailed Land Use

Code Description

1111 Single Family Housing
 8199 Other Agricultural & Related Activities

Taxlot Characteristics

Incorporated City Limits none
 Urban Growth Boundary none
 Year Annexed N/A
 Annexation # N/A
 Approximate Taxlot Acreage 54.04
 Approx Taxlot Sq Footage 2,353,982
 2010 Census Tract 1002
 2010 Census Block Group 1
 Plan Designation FOREST
 Eugene Neighborhood N/A
 Metro Area Nodal Dev Area No
 Historic Property Name N/A
 City Historic Landmark? No
 National Historical Register? No

Service Providers

Fire Protection Provider Lane County FD #1
 Ambulance Provider Eugene Fire & EMS
 Ambulance District WC
 Ambulance Service Area West/Central
 LTD Service Area? No
 LTD Ride Source? No
 Soil Water Cons. Dist/Zone UPPER WILLAMETTE / data not available
 Emerald People's Utility District N

Environmental Data

FEMA Flood Hazard Zone

Code Description

X Areas determined to be outside of 500-year flood.

FIRM Map Number 41039C1625F
 Community Number 415591
 Post-FIRM Date 12/18/1985
 Panel Printed? Yes

Soils

Soil Map Unit#	Soil Type Description	% of Taxlot	Ag Class	Hydric %
52D	Hazelaire silty clay loam, 7 to 20 percent slopes	33%	4	3
125D	Steiner loam, 12 to 20 percent slopes	22%	4	0
52B	Hazelaire silty clay loam, 2 to 7 percent slopes	17%	3	4
102C	Panther silty clay loam, 2 to 12 percent slopes	15%	6	85
11D	Bellpine silty clay loam, 12 to 20 percent slopes	6%	3	0
138E	Witzel very cobbly loam, 3 to 30 percent slopes	4%	6	0
11C	Bellpine silty clay loam, 3 to 12 percent slopes	2%	3	0
125C	Steiner loam, 3 to 12 percent slopes	1%	3	0

Schools

	Code	Name
School District	4J	EUGENE
Elementary School	530	Twin Oaks
Middle School	519	Kennedy
High School	540	Churchill

Political Districts

Election Precinct	718	State Representative District	8
City Council Ward	N/A	State Representative	Paul R. Holvey
City Councilor	N/A	State Senate District	4
County Commissioner District	5 (East)	State Senator	Floyd Prozanski
County Commissioner	Faye Stewart		
EWEB Commissioner	N/A		
LCC Board Zone	4		

Liens

Building Permits

Land Use Applications

Petitions

Tax Statements (current and previous tax years)

ACCOUNT#: 1600384

View tax statement(s) for:

[2015](#)
[2014](#)

Owner/Taxpayer

Owners

Owner MARTINEZ LARRY W & TOMMYE L	Address 85517 PINE GROVE RD	City/State/Zip EUGENE, OR 97405
---	---------------------------------------	---

Taxpayer

Party Name MARTINEZ LARRY W & TOMMYE L	Address 85517 PINE GROVE RD	City/State/Zip EUGENE, OR 97405
--	---------------------------------------	---

Data source: Lane County Assessment and Taxation

Account Status

Status Active Account Current Tax Year

Code Split - Other land tax account(s) associated with this taxlot [0750909 1377488](#)

Account Status	none
Remarks	Potential Additional Tax
Special Assessment Program	N/A

Data source: Lane County Assessment and Taxation

General Tax Account Information

Tax Account Acreage	1.94
Fire Acres	N/A
Property Class	641 FOREST, DEFERRAL BY APPLICATION, IMPROVED
Statistical Class	N/A
Neighborhood Code	424500
Category	Land and Improvements

Data source: Lane County Assessment and Taxation

Township-Range-Section / Subdivision Data

Subdivision Type	N/A	Subdivision Name	N/A	Subdivision Number	N/A
Phase	N/A	Lot/Tract/Unit #	TL 00200	Recording Number	N/A

Data source: Lane County Assessment and Taxation

Property Values & Taxes

The values shown are the values certified in October unless a value change has been processed on the property. Value changes typically occur as a result of appeals, clerical errors and omitted property. The tax shown is the amount certified in October. This is the full amount of tax for the year indicated and does not include any discounts offered, payments made, interest owing or previous years owing. It also does not reflect any value changes.

	Real Market Value (RMV)			Total Assessed Value	Tax
Year	Land	Improvement	Total		

2015	\$12,200	\$0	\$12,200	\$5,769	\$ 53.64
2014	\$10,938	\$0	\$10,938	\$5,601	\$ 52.90
2013	\$10,517	\$0	\$10,517	\$5,438	\$ 51.39
2012	\$11,631	\$0	\$11,631	\$5,280	\$ 47.01
2011	\$11,631	\$0	\$11,631	\$5,126	\$ 45.73
2010	\$11,631	\$0	\$11,631	\$4,977	\$ 44.29
2009	\$11,749	\$0	\$11,749	\$4,832	\$ 43.00
2008	\$11,519	\$0	\$11,519	\$4,691	\$ 41.84
2007	\$10,285	\$0	\$10,285	\$4,554	\$ 40.45
2006	\$7,792	\$0	\$7,792	\$4,421	\$ 39.38
2005	\$5,606	\$0	\$5,606	\$4,292	\$ 35.20
2004	\$5,097	\$0	\$5,097	\$4,167	\$ 32.46
2003	\$4,901	\$0	\$4,901	\$4,046	\$ 31.33
2002	\$4,262	\$0	\$4,262	\$3,928	\$ 33.56
2001	\$4,440	\$0	\$4,440	\$3,814	\$ 33.91
2000	\$4,190	\$0	\$4,190	\$3,703	\$ 32.15
1999	\$4,150	\$0	\$4,150	\$3,595	\$ 32.67
1998	\$3,490	\$0	\$3,490	\$3,490	\$ 28.98

Current Year Assessed Value \$5,769
 Less Exemption Amount * N/A
 Taxable Value **\$5,769**
 * Frozen Assessed Value

Data source: Lane County Assessment and Taxation

Tax Code Area & Taxing Districts

Tax Code Area (Levy Code) for current tax year 06602
 Taxing Districts for TCA 06602 CROW-APPLEGATE-LORANE SCHOOL DISTRICT 66
 LANE COMMUNITY COLLEGE
 LANE COUNTY
 LANE EDUCATION SERVICE DISTRICT

Data source: Lane County Assessment and Taxation

Sales & Ownership Changes

Sale Date	Sale Price	Doc #	Image	Analysis Code	Multiple Accts?	Grantor(s)	Grantee(s)
08/26/2005	\$0	2005-67263		6	Yes	MARTINEZ LARRY W & TOMMYE L	MARTINEZ LARRY W & TOMMYE L
08/26/2005	\$0	2005-68643		6	Yes	MARTINEZ LARRY W	MARTINEZ LARRY W & TOMMYE L
07/01/2002	\$0	2002-50882		8	Yes	MARTINEZ LARRY W	MARTINEZ LARRY W & TOMMYE L
06/25/2002	\$0	2002-503366		8	Yes	MARTINEZ TOMMY L	MARTINEZ LARRY W
11/21/2000	\$990,000	2000-68089		N	Yes	ARNOLD JOSEPH H III & J E	MARTINEZ LARRY W & TOMMYE L

Data source: Lane County Assessment and Taxation

Log Off

1570 Mohawk Boulevard • Springfield, OR 97477
 P.O. Box 931 • Springfield, OR 97477
 Phone: 541.741.1981
 Fax: 541.741.0619



260 Country Club Rd, Ste 120 • Eugene, OR 97401
 P.O. Box 10211 • Eugene, OR 97440
 Phone: 541.687.9794
 Fax: 541.687.0924

TITLE INSURANCE SERVICES • ESCROW CLOSINGS

March 18, 2016

Order No. 16-12464

PRELIMINARY TITLE REPORT

NORMAN WATERBURY LLC 86131 CHEROKEE DRIVE EUGENE, OR 97402 Attn: NORMAN WATERBURY e-mail: NWATERBURY@YMAIL.COM	Partial Billing Additional Chain	\$200.00
TOTAL		\$200.00

Dear NORMAN WATERBURY:

We are prepared to issue on request and on recording of the appropriate documents, a policy or policies as applied for, with coverage's as indicated, based on this preliminary report.

LEGAL DESCRIPTION:

SEE EXHIBIT "A" ATTACHED HERETO

Showing fee simple title as of March 14, 2016, at 8:00 a.m., vested in:

LARRY W. MARTINEZ AND TOMMYE L. MARTINEZ, as tenants by the entirety

Subject only to the exceptions shown herein and to the terms, conditions and exceptions contained in the policy form. No liability is assumed until a full premium has been paid.

SCHEDULE B

GENERAL EXCEPTIONS

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the public records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments or other facts which a correct survey would disclose.
5. Any lien, or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.

CURRENT EXCEPTIONS:

6. Taxes, Map No. 18-05-25-00-00200, Code 04-42, Account No. 0750909, 2015-2016, a lien in the amount of \$6,351.64, plus interest is unpaid.

Taxes, Map No. 18-05-25-00-00200, Code 04-42, Account No. 1600384, 2015-2016, a lien in the amount of \$53.64, plus interest is unpaid.

Taxes, Map No. 18-05-25-00-00200, Code 04-01, Account No. , 2015-2016, a lien in the amount of \$656.08, plus interest is unpaid.

7. The Assessment Roll and the Tax Roll disclose that the premises herein described have been specially assessed as Farm Use Land. If the land becomes disqualified for the special assessment under the statute, an additional tax may be levied and in addition thereto a penalty may be levied if notice or disqualification is not timely given.

"This report (policy) does not include any search for financing statements or agricultural services, liens which are filed with the Secretary of State and any matters which would be disclosed, thereby are expressly omitted from coverage herein."

NOTE: Postponed in 1996 for a total potential tax of \$397.99 and \$1,797.57

8. Rights of the public in any portion of said premises lying within the limits of streets, roads and highways.
9. Easements, if any, for existing public utilities in vacated Pine Grove Road, and the conditions imposed thereby, as disclosed in order of vacation Recorded November 24, 1998, Reception No. 98-93794, Lane County Oregon Records.
10. Deed of Trust, including the terms and provisions thereof, executed by Larry W Martinez, as Grantor(s), to Western Title & Escrow, as Trustee, for the benefit of Long Beach Mortgage Company, as Beneficiary, Dated August 19, 2005, Recorded August 26, 2005, Reception No. 2005-067264, Official Records of Lane County Oregon, given to secure payment of a Note for \$894,000.00.

NOTE: The address of the property to be insured herein is: 85517 Pine Grove Road, Eugene, OR 97405.

NOTE: A Judgment/Lien/Bankruptcy Search was done for the name(s) LARRY W. MARTINEZ AND TOMMYE L. MARTINEZ, and as of March 14, 2016, none were found.

NOTE: Said property lies outside the city limits, therefore, is not subject to city liens.

INFORMATIONAL NOTE: EVERGREEN LAND TITLE COMPANY FINDS NO NOTICE OF RESCISSION RECORDED IN THE LAST 24 MONTHS.

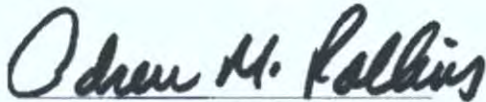
INFORMATIONAL NOTE: The current vesting deed and all changes back to the deed which vests ownership 24 months ago are as follows:

BARGAIN AND SALE DEED RECORDED AUGUST 31, 2005, FROM LARRY W. MARTINEZ, TO LARRY W. MARTINEZ AND TOMMYE L. MARTINEZ, AS TENANTS BY THE ENTIRETY, RECEPTION NO. [2005-068643](#).

Very truly yours,

EVERGREEN LAND TITLE COMPANY
HOME OFFICE

By:



Andrew Rollins
Title Officer

cc:

NO LIABILITY IS ASSUMED HEREUNDER UNTIL POLICY IS ISSUED AND PREMIUM PAID. IF FOR ANY REASON THE REPORT IS CANCELLED, A MINIMUM CANCELLATION FEE OF \$200.00 WILL BE CHARGED.

EXHIBIT "A"
LEGAL DESCRIPTION

Beginning at the Southwest corner of the Robert Arbuckle and wife Donation Land Claim No. 52, Notification No. 2103, Section 25, Township 18 South, Range 5 West of the Willamette Meridian; thence East 17.465 chains; thence North 22.90 chains parallel with the West line of said claim; thence West 17.465 chains; thence South 22.90 chains to the point of beginning, in Lane County, Oregon.

ALSO: Beginning at a point on the West line of the Robert Arbuckle Donation Land Claim No. 52, Notification No. 2103, Section 25, Township 18 South, Range 5 West of the Willamette Meridian, 22.90 chains North of the Southwest corner of said claim; thence North 22.90 chains along the West line of said claim; thence East 17.47 chains; thence South 22.90 chains parallel with the West line of said claim; thence West 17.47 chains to the point of beginning, in Lane County, Oregon.

SAVE AND EXCEPT the following parcels:

PARCEL 1:

Beginning at a point in the center line of County Road No. 583, 384.23 feet North 89 degrees 41' 40" East of a point 324.72 feet North of the Southeast corner of the Green S. Moore Donation Land Claim No. 42 in Township 18 South, Range 5 West of the Willamette Meridian and run thence North 89 degrees 41' 40" East 160.00 feet along the center line of said county road to a point; thence South 250.00 feet to a point; thence South 89 degrees 41' 40" West 160.00 feet to a point; thence North 250.00 feet to the point of beginning, all in R. Arbuckle Donation Land Claim in said township and range, Lane County, Oregon.

PARCEL 2:

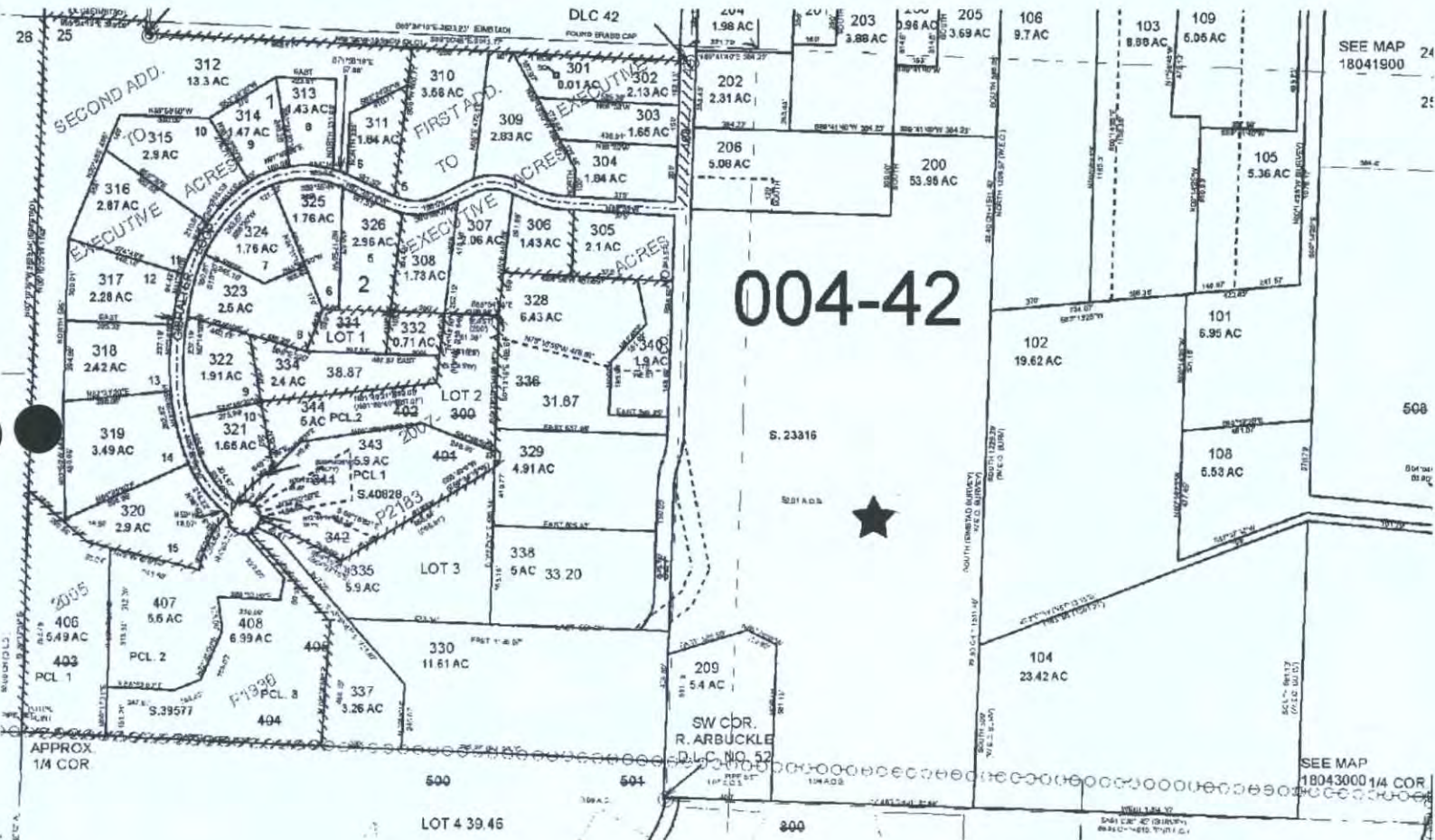
Beginning at the Southeast corner of the Green S. Moore Donation Land Claim No. 42 in Township 18 South, Range 5 West of the Willamette Meridian, said beginning point being 2708.27 feet North of the Southwest corner of the R. Arbuckle Donation Land Claim No. 52 and being in the center of County Road No. 108 and run thence South 42.13 feet to the true point of beginning; thence North 89 degrees 41' 40" East 200.00 feet to a point; thence South 200.00 feet to a point; thence South 89 degrees 41' 40" West 200.00 feet to a point on the West line of said Arbuckle claim; thence North 200.00 feet to the point of beginning, all in said Arbuckle claim, in Lane County, Oregon.

PARCEL 3:

Beginning at a point in the centerline of County Road No. 583, 384.23 feet North 89 degrees 41' 40" East of a point 324.72 feet North of the Southeast corner of the Green S. Moore Donation Land Claim No. 42 in Township 18 South, Range 5 West of the Willamette Meridian and run thence North 89 degrees 41' 40" East 384.23 feet along the center line of said county road to a point; thence South 566.85 feet to a point; thence South 89 degrees 41' 40" West 384.23 feet to a point; thence North 566.85 feet to the point of beginning, all in R. Arbuckle Donation Land Claim in said township and range, Lane County, Oregon.

MAP NO. 18-05-25-00-00200

85517 PINE GROVE ROAD



THIS MAP IS TO ASSIST
 LOCATING PROPERTY.
 THE COMPANY ASSUMES NO
 LIABILITY FOR INACCURACIES.

Privacy Policy Notice

As adopted July 1, 2001

Evergreen Land Title Company
Private Policy Notice

PURPOSE OF THIS NOTICE

Title V of the Gramm-Leach-Bliley Act (GLBA) generally prohibits any financial institution, directly or through its affiliates, from sharing nonpublic personal information about you with a nonaffiliated third party unless the institution provides you with a notice of its privacy policies and practices, such as the type of information that it collects about you and the categories of persons or entities to whom it may be disclosed. In compliance with the GLBA, we are providing you with this document, which notifies you of the privacy policies and practices of Evergreen Land Title Company.

We may collect nonpublic personal information about you from the following sources:

- Information we receive from you, such as on applications or other forms.
- Information about your transactions we secure from our files, or from our affiliates or others.
- Information we receive from a consumer reporting agency.
- Information that we receive from others involved in your transaction, such as the real estate agent or lender.

Unless it is specifically stated otherwise in an amended Privacy Policy Notice, no additional nonpublic personal information will be collected about you.

We may disclose any of the above information that we collect about our customers or former customers to our affiliates or to nonaffiliated third parties as permitted by law.

We also may disclose this information about our customers or former customers to the following types of nonaffiliated companies that perform marketing services on our behalf or with whom we have joint marketing agreements:

- Financial service providers such as companies engaged in banking, consumer finance, securities and insurance.
- Non-financial companies such as envelope stuffers and other fulfillment service providers.

WE DO NOT DISCLOSE ANY NONPUBLIC PERSONAL INFORMATION ABOUT YOU WITH ANYONE FOR ANY PURPOSE THAT IS NOT SPECIFICALLY PERMITTED BY LAW.

We restrict access to nonpublic personal information about you to those employees who need to know that information in order to provide products or services to you. We maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

P.O. BOX 931 · SPRINGFIELD, OR 97477
PHONE: 541.741.1981
FAX: 541.741.0619
www.evergreenlandtitle.com



P.O. BOX 10211 – EUGENE, OR 97440
PHONE: 541.687.9794
FAX: 541.687.0924
www.evergreenlandtitle.com

NORMAN WATERBURY LLC
86131 CHEROKEE DRIVE
EUGENE, OR 97402
ATTN: NORMAN WATERBURY

DATE: March 18, 2016

ORDER NO: 16-12464

CLIENT NO: N/A

RE: MARTINEZ

PARTIAL BILLING \$200.00

ADDRESS: 85517 PINE GROVE DRIVE, EUGENE, OR 97405

BALANCE DUE \$200.00

THANK YOU FOR YOUR BUSINESS, LET US KNOW IF WE CAN BE OF ANY FURTHER ASSISTANCE.

ACCOUNTS NOT PAID WITHIN 30 DAYS OF THE DATE OF ORIGINAL INVOICE WILL BE CHARGED INTEREST AT THE RATE OF 1.5% PER MONTH (18% ANNUAL PERCENTAGE RATE)

POST THIS PERMIT ON MAIN BUILDING AT SITE

JOB ADDRESS: 85423 Pine Grove Road, Eugene, Oregon

CONSTRUCTION PERMIT # LC-2646-79

TRS, TL: 18-05-25 #200.

Subdivision: na

This permit for the referenced property is hereby **approved**. Setbacks and other conditions of approval must be strictly observed. Violation can result in revocation of this permit, citation under provisions of Lane County's Infraction Ordinance, and/or other remedies allowed by law.

Applicant/Address: Carl R. Stallings, 85423 Pine Grove Road, Eugene, Oregon 97405 Telephone: 344-0612/343-2001
 Owner/Address: Same as applicant Telephone: Same
 Contractor/Address: Same Telephone: na
 Contractor's OS # na Total Construction Value: \$18,504.00

Construction approved by this permit: Addition 32' x 18' bedroom - 576 sq ft; 32' x 22' carport - 704 sq ft.
 Structures now on property: Mobile Home.

Water Supply: na # Bedrooms: na # Plumbing Fixtures: 3 # Employees: na

PLANNING DIVISION Zoning: AGT-5 Partitioning # na Parcel # na Parcel Size: 57 acres
 Minimum required structural setbacks, from: centerline of road, front: 50' ; centerline of road,
 side exterior: na ; interior property lines: 15' ; rear property line: 20'
 Special Instructions: na
 For information call 687-4394, Carol

WATER POLLUTION CONTROL DIVISION Site Inspection # na Installation specifications: na gal. min. septic tank capacity;
 na lineal feet of drainfield required; max. depth of trenches: na
 Special Instructions: Reserve replacement area for SDS. Do not drive over or park on drainfield at any time.

Setbacks	Septic Tank	Drainfield	
Interior property lines	10'	10'	
Edge of road right-of-way	10'	10'	
Building foundation	5'	10'	
Wells, other water sources	50'	100'	For information call 687-3953 between 8:00 - 9:00 a.m., Ruth Bryant

CONSTRUCTION PERMITS/INSPECTION DIVISION Type of Construction: 5-N Group: R-3 Fire Zone: 3 Use Classification: Deck & Bedroom Addition
 Instructions: See reverse side of permit for required called inspections.

For plans information call 687-3764 between 8:00 a.m. and 9:00 a.m., Randy Olson
 For inspections (see back of this permit) call 687-4065 between 8:00 a.m. and 5:00 p.m.

Directions to Site: Pine Grove Road - S.W. Spencer Creek Road, end of Pine Grove.

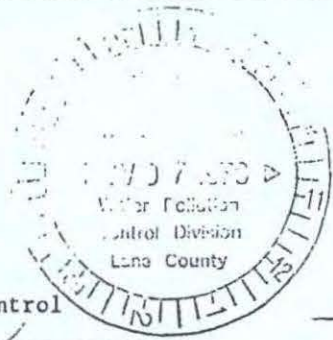
Date Issued: 8-31-79

By: Kara Adams/js

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
 COURTHOUSE / PUBLIC SERVICE BUILDING
 125 EAST 8TH AVENUE, EUGENE, OREGON 97401



lane county



TO:

- Water Pollution Control
Miller
- Subdivision Engineering
- Construction Permits & Inspection
- Transportation Engineering
- Transportation Planning
- Eugene Water & Electric Board
- Pacific Power & Light Company
- P.U.D. Light & Power
- Soil Conservation Service
- Water District
- City of _____
- _____
- _____
- Surveyors
- Transportation Operations
- Real Estate Acquisition & Management
- Environmental Health
- Community Development
- Pacific Northwest Bell
- Northwest Natural Gas Company
- Oregon State Highway Division
- Fire District
- School District
- Soil & Water Conservation District
- _____
- _____

18-05-2425-200

FROM:

Lane County Planning Division, 125 East 8th. Avenue
Courthouse/Public Service Building, Eugene, Oregon 97401 (Phone: 687-4186)

Subject: Division of Property

The Land Development Review Committee will consider the attached (~~minor~~)(major)
(partition)(subdivision) for (preliminary)(~~final~~) approval on 11-16-78
(Date)

Name of Plat: Carl Stallings M 625-78
Section: 24 35 Twp: 18 Range: 05 TL#: 200

Send written recommendation to the Subdivider and the Secretary of the
Lane County Planning Commission at least two (2) days prior to the meeting
date noted above.

Please check easements, make any changes necessary and return one copy to
Lane County Planning Division.

Comments: Parcel #1 meets DEQ standards for SDS see SI 79-228. Parcel #2 meets DEQ
standards for SDS see SI 79-246. M. Miller 4/30/79

lane county



PARTITIONER:

NAME: CARL STALLINGS
 ADDRESS: 85687 PINE GROVE RD.
EUGENE, ORE. 97405
 PHONE: 344-0612
 INTEREST IN PROPERTY: OWNER
 (Indicate one: owner, contract purchaser,
 option holder, other)
 OWNER OF RECORD:
 NAME: SAME.
 ADDRESS: _____
 PHONE: _____
 TAX LOT: 200 MAP #: 18-05-2425

WATER SUPPLY: WELL
 PERMIT #: _____
 SEWAGE DISPOSAL: SUB-SURFACE
 S.I. #: _____
 ELECTRIC SERVICE: LANE ELEC.
 ZONING: _____

DATE SUBMITTED: 11-6-78
 RECEIVED BY: Sherill
 FEE PAID: \$50⁰⁰
 HEARING DATE: 11-16-78
 for office use only

approval

BY: _____ Date _____
 Acting Chairman, Land Development Review Committee
 bk. 74-1055
 76-263
 r φ

vicinity map



FILE NO: M625-78 MAP PREPARED BY: WESTERN ENGINEERING CONSULTANTS

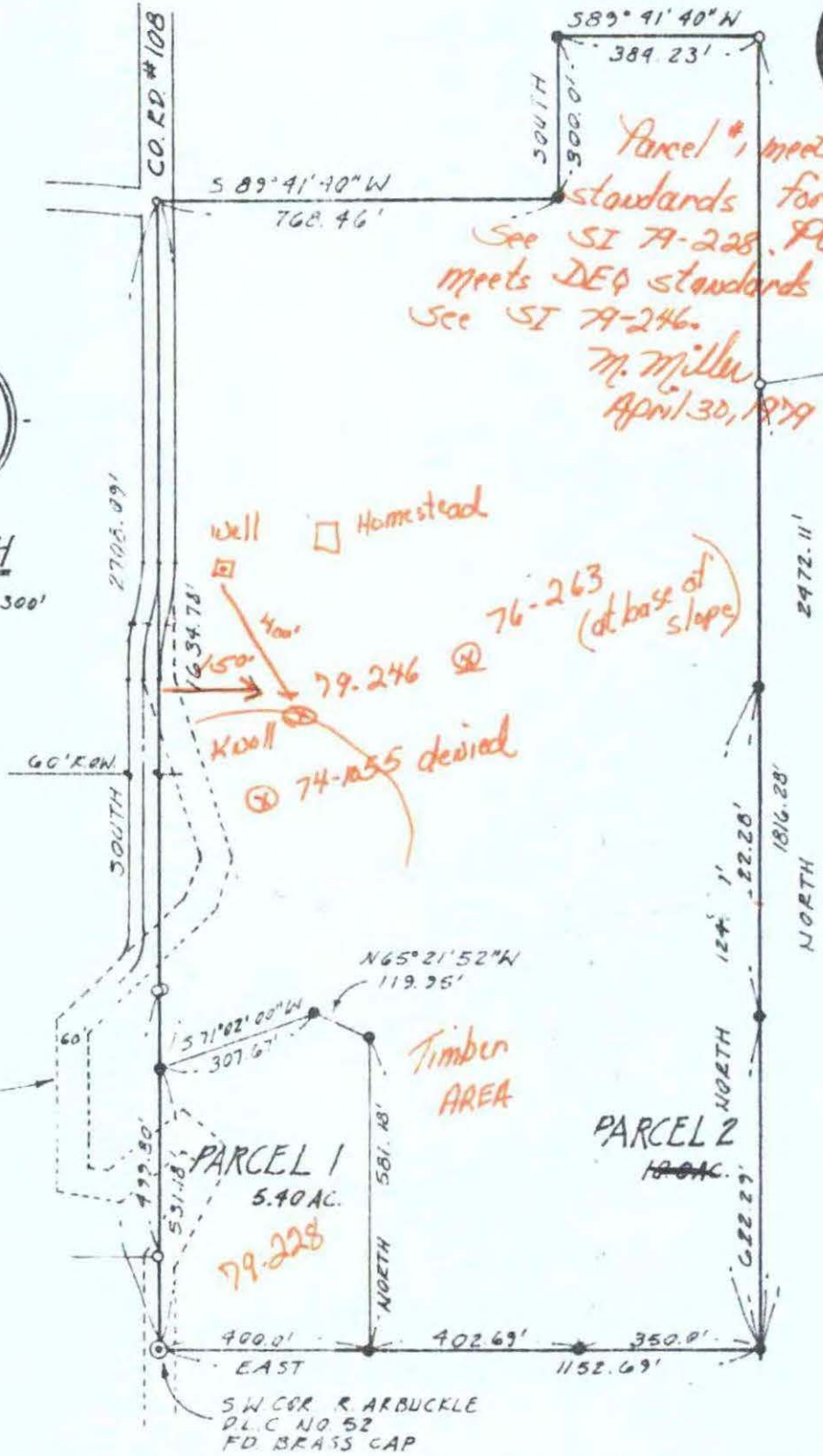
MINOR
MAJOR

partition

lane county



○ = F.D. PIN
● = SET 5/8" I.R.



M.P.: 1" = 300'

FILE NO: M625-78

8013220

MINOR
 MAJOR

partition

lane county



March 27, 1980

Carl Stallings
25527 Pine Grove Road
Eugene, OR 97405

Re: Final Approval -- Partition **PARCEL 2** M 625-78
12-05-24 & 25 tax lot 200 (54.6 AC.)

Final approval is hereby granted to the above referenced partition, inasmuch as all requirements and conditions of approval of the partition have been fulfilled.

NORTH

Attached is a copy of the recorded partition map for your records.

If we may be of any assistance in the future, feel free to contact this office.

FD PIN

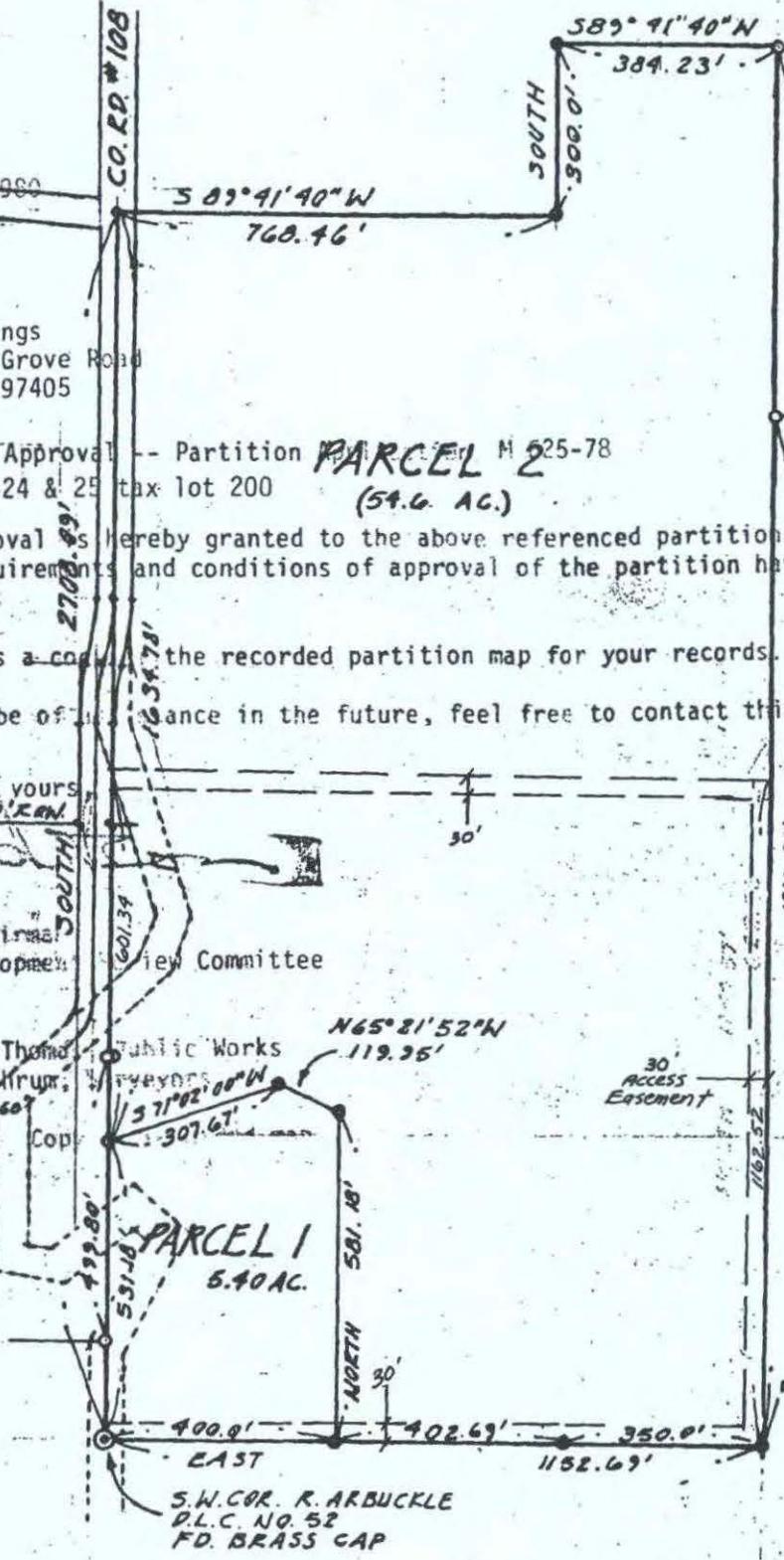
SET 5/8" R. in your 60' RAN.

Acting Chairman
Land Development Review Committee

cc: Jack Thomas
Jim Strump

APPROX. LOCATION
CO. RD. # 108 AS
ORIGINALLY
SURVEYED

Enclosure



SCALE: 1" = 300'

FILE NO: 625-78

8013220

POST THIS PERMIT ON MAIN BUILDING AT SITE

JOB ADDRESS: 85423 Pine Grove Road, Eugene, Oregon

CONSTRUCTION PERMIT # LC-2646-79

TRS, TL: 18-05-25 #200.

Subdivision: na

This permit for the referenced property is hereby **approved**. Setbacks and other conditions of approval must be strictly observed. Violation can result in revocation of this permit, citation under provisions of Lane County's Infraction Ordinance, and/or other remedies allowed by law.

Applicant/Address: **Carl R. Stallings, 85423 Pine Grove Road, Eugene, Oregon 97405** Telephone: **344-0612/343-2001**
 Owner/Address: **Same as applicant** Telephone: **Same**
 Contractor/Address: **Same** Telephone: **na**
 Contractor's OS # **na** Total Construction Value: **\$18,504.00**

Construction approved by this permit: **Addition 32' x 18' bedroom - 576 sq ft; 32' x 22' carport - 704 sq ft.**
Structures now on property: Mobile Home.

Water Supply: **na** # Bedrooms: **na** # Plumbing Fixtures: **3** # Employees: **na**

PLANNING DIVISION Zoning: **AGT-5** Partitioning # **na** Parcel # **na** Parcel Size: **57 acres**
 Minimum required structural setbacks, from: centerline of road, front: **50'**; centerline of road, side exterior: **na**; interior property lines: **15'**; rear property line: **20'**
 Special Instructions: **na**

For information call 687-4394, **Carol**

WATER POLLUTION CONTROL DIVISION Site Inspection # **na** Installation specifications: **na** gal. min. septic tank capacity;
na lineal feet of drainfield required; max. depth of trenches: **na**
 Special Instructions: **Reserve replacement area for SDS. Do not drive over or park on drainfield at any time.**

Setbacks	Septic Tank	Drainfield
Interior property lines	10'	10'
Edge of road right-of-way	10'	10'
Building foundation	5'	10'
Wells, other water sources	50'	100'

For information call **687-3953** between 8:00 - 9:00 a.m., **Ruth Bryant**

CONSTRUCTION PERMITS/INSPECTION DIVISION Type of Construction: **5-N** Group: **R-3** Fire Zone: **3** Use Classification: **Deck & Bedroom Addition**
 Instructions: **See reverse side of permit for required called inspections.**

For plans information call **687-3764** between 8:00 a.m. and 9:00 a.m., **Randy Olson**
 For inspections (see back of this permit) call 687-4065 between 8:00 a.m. and 5:00 p.m.

Directions to Site: **Pine Grove Road - S.W. Spencer Creek Road, end of Pine Grove.**

Date Issued: **8-31-79**

By: **Kara Adams/js**

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
 COURTHOUSE / PUBLIC SERVICE BUILDING
 125 EAST 8TH AVENUE, EUGENE, OREGON 97401



LANE COUNTY DEPT ENV MGT RECEIPT # 264679 DATE 082279

APPLICANT STALLINGS, CARL ADDR 85423 PINE GROVE RD. EUGENE, ORE

JL# 1805250000200 SUBDIV LOT BLK

NEW BLDG TYPE GAR USE R NO BDRMS 04 NO UNITS 001 NO STORIES NO BLDGS 001

CODE APPL NO ACTION DESCRIPTION SQ FT UNIT COST VALUATION FEE DAYS

BP
BP
BP
BP
BP
BP
BP
BP
PL
MECH
SUR
PCK

	32X22 CARPORT:	704	4.75	3344		
	32X18 BDRM ADD	576	26.32	15160		
LC 264679 REPR				18504	88.00	5
PL NO. FIXTURES:	3	NO. CONNECTORS:	5.00	EACH =	15.00	
		MECHANICAL FEE				
		STATE SURCHARGE	4%		4.12	
		PLAN CHECK FEE	50%		51.50	

3344

SIFO CPI WPC PLAN ELEV ADDR * FP ENVH
TAKEN BY CAD COMPLETED BY TOTAL FEE** 158.62 CK

8-31-19

KA 8-23

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
PSB, 125 EAST 8TH AVENUE
EUGENE, OREGON 97401

ATTACHMENT 4

Application #
LC 2646-79
Assigned Numbers

Job Address 85423 Pine Grove Rd City Eugene
Township, Range, Section, Tax Lot 18-5-25 200
Subdivision _____ Lot _____ Block _____

Application for docking next to M. H. and BEDROOM ADDITION
Structures now on the property SMH BP# 2336 (D) (M)
Proposed use of property: Residential Commercial Industrial Public

Affidavit: I, Carl Stallings, hereby certify that this information is true and accurate.

If this application is for an agricultural building it will be used for purposes allowed by the State Building Code and Lane County Code Chapter 10 (zoning) and for no other purpose. I have the following legal interest in the property:
 owner of record; _____ contract purchaser; _____ lessee; _____ holder of an exclusive option to purchase;
_____ duly authorized to act for the owner, who is knowledgeable of this application.

Signature/Address Carl R Stallings 85423 Pine Grove Rd Eugene (zip) 97405
Telephone 3440612 or 3432001 Date 8/31/79

When permit is ready notify: Applicant Owner Contractor by: mail phone
Owner Carl R Stallings (zip) 97405 Phone 3440612
Contractor Same (zip) _____ Phone _____
Contractor's OSR# _____ Plumbing by Self

DO NOT WRITE BELOW THIS LINE

If Commercial: # of stories _____ # of employees _____ # of units _____
Residential: # of bedrooms _____ SDS: Existing, BP # _____
SI test holes ready _____ Proposed, SI # _____

Fee Code	Description	Sq. Ft. or # of Sites	Unit Cost	Valuation	Fee
	<u>ADD. 32x18 Bedrooms</u>	<u>20576 @</u>			\$
	<u>32x22 Carport</u>	<u>704 @</u>			\$
					\$

Total Valuation: \$ _____
3 Plumbing fixtures at \$ 15.00 each \$ _____
Sewer/water cond. at \$ _____ each \$ _____
Subtotal \$ _____
4% State surcharge \$ _____
Plans check fee \$ _____
Change of Occupancy \$ _____
TOTAL \$ 158.62

Cash
 Check # _____
Received by _____

PERMIT PROCESSING Zone AGT-5 Part. # _____ Parcel # _____ Parcel Size 57000sq
Minimum setbacks: 50' L. front; NA L. side; 15 int.; 20 rear

Comments _____
To be typed on permit _____

CP&I Type J-N Group R-3 Fire Zone 3 Use Classification dock & bedroom addition
To be typed on permit _____

For plans information call (area inspector) _____ By Kara Adams Olson Date 8-31-79
Directions to site Pine Grove Rd. S.W. Spencer Creek Road, end of Pine Grove Phone 3764

Plans to:	Date Required	Hold Slip to PCC	Date Completed	Date to PCC
<input checked="" type="checkbox"/> CP&I	<u>8/30</u>			
<input checked="" type="checkbox"/> WPC	<u>8/30</u>			
<input type="checkbox"/> SIFO				
<input type="checkbox"/> Planning				
<input type="checkbox"/> Public Works				
<input type="checkbox"/> Elevation <input checked="" type="checkbox"/> n/a				
<input type="checkbox"/> Address				
<input type="checkbox"/> Facility Permit				
<input type="checkbox"/> Environmental Health				



HOLD SLIP

APPLICATION # _____

 _____ Name
 _____ Address

 _____ Zip Code

The above application is being held by the Permit Processing Section for the following reasons:

8/30/79

Division: _____

Signature: _____ Date _____

Division: _____

Signature: _____ Date _____

This application will be held until _____. If the information required above has not been furnished by that date your application will be cancelled. Fees paid for waste disposal systems (site inspections and/or applications to install the septic tank and drainfield) are nonrefundable. Some refund may be made on the building and plumbing portion of your application if cancellation is necessary.

In the event a Planning or some other long-term problem exists over which you have no control we will hold the permit until the problem is resolved and we receive word from you as to whether to proceed with permit issuance or process a cancellation.

PERMIT PROCESSING SECTION - 687-4394

Handwritten notes: "K.K. 2/24", "RMB 5/10", and a signature.

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
P.O. BOX 125, EAST OLYMPIA AVENUE
EUGENE, OREGON 97401

Application # 2-211-79
Assigned Numbers

Prop. Address _____ City _____
Township, Range, Section, Tax Lot _____
Subdivision _____ Lot _____ Block _____
Application for Plumbing
Structures now on the property 111 Oak St. SE

Proposed use of property: Residential Commercial Industrial Public

Affidavit: I, _____, hereby certify that this information is true and accurate.
(Please print)
This application is for an agricultural building to be used for purposes allowed by the State Building Code and
Lane County Code Chapter 10 (zoning) and for no other purpose. I have the following legal interest in the property:
owner of record; contract purchaser; lessee; holder of an exclusive option to purchase;
delegated to act for the owner, who is knowledgeable of this application.

Signature/Address _____ Telephone _____ or _____ Date _____
When permit is ready notify: Applicant Owner Contractor By: mail phone
Owner (zip) _____ Phone _____
Contractor (zip) _____ Phone _____
Contractor's OSR# _____ Plumbing by _____

DO NOT WRITE BELOW THIS LINE

If Commercial: # of stories _____ # of employees _____ # of units _____
Residential: # of bedrooms _____ SDS: Existing, BR # _____
SI test holes ready _____ Proposed, SI # _____

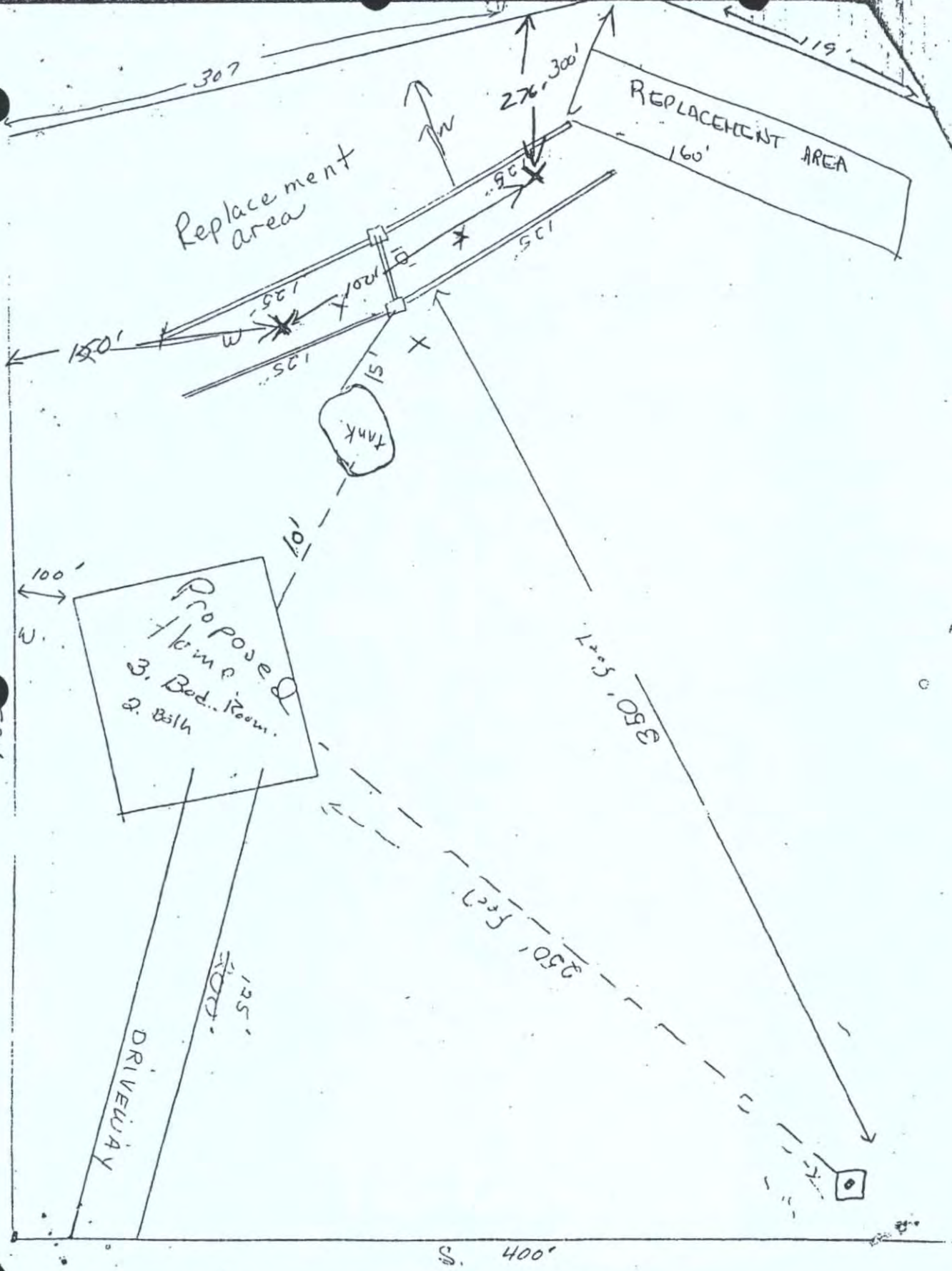
Fee Code	Description	Sq. Ft. or # of Sites	Unit Cost	Valuation	Fee
	Plumbing	750	\$100	\$75,000	\$
	Plumbing fixtures	3	\$150	\$450	\$
	Sewer/water conn.				\$
	Subtotal				\$
	4% State surcharge				\$
	Plans check fee				\$
	Cost of occupancy				\$
	TOTAL				\$ 145.00

PERMIT PROCESSING Zone A-1-S Part # _____ Parcel # _____ Parcel Size 57,000 sq ft
Minimum setbacks: 50 ft. front 50 ft. side 15 ft. rear

Comments
To be typed on permit _____ By _____ Date _____

WATER POLLUTION CONTROL
Installation specifications: _____ gal. tank; _____ ft. of drainfield, max. depth of trenches _____
To be typed on permit Reserve replacement area for sds. Do not drive over or park on drainfield at any time.
By M. Bryant Date 8/23/79

Agency	Plans to: (PA) KPC	Set(s)	Date Required	Hold Slip to REC	Date Completed	Date to PLC
<input checked="" type="checkbox"/> SDC						
<input checked="" type="checkbox"/> EPA						
<input checked="" type="checkbox"/> WPC						
<input checked="" type="checkbox"/> Planning						
<input checked="" type="checkbox"/> Public Works						
<input type="checkbox"/> Elevation						
<input type="checkbox"/> Address						
<input type="checkbox"/> Facility Permit						
<input type="checkbox"/> Environmental Health						



PARTITIONER:
NAME: CARL STADLINGS
ADDRESS: 85687
PINE GROVE ROAD
EUGENE, OR 97405
PHONE: 344-0612

INTEREST IN PROPERTY:
 (Indicate one: owner, contract purchaser, option holder, other)

OWNER OF RECORD:
NAME: SAME
ADDRESS: _____
PHONE: _____
TAX LOT: 200 **MAP #:** 18-05-24 & 25

lane county



WATER SUPPLY: WELL
PERMIT #: _____
SEWAGE DISPOSAL: SUB. SURFACE
S.I. #: 79-278
ELECTRIC SERVICE: LANE ELEC
ZONING: OGT

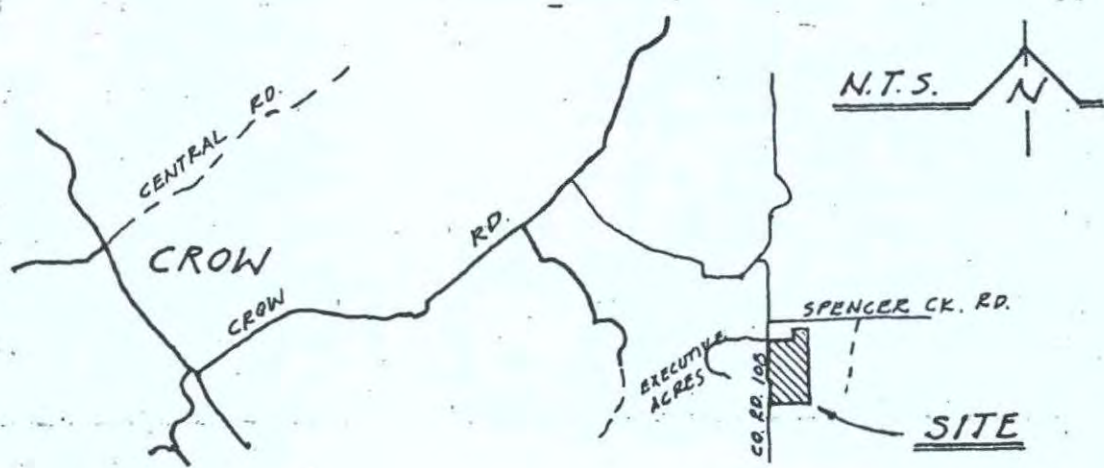
DATE SUBMITTED: 11-6-78
RECEIVED BY: Sheepell
FEE PAID: \$50⁰⁰ \$7⁰⁰ pd.
HEARING DATE: 11-16-78
 for office use only

approval

BY: Phatson Mar. 13/80
 Acting Chairman, Land Development Review Committee Date

Final Map
 Approved for Recording
 3-14-80

vicinity map



FILE NO: M 625-78 MAP PREPARED BY: WESTERN ENGINEERING CONSULTANTS

⊠ MINOR
□ MAJOR

partition

lane county



NORTH

1" = 300'

○ = F.D. PIN
● = SET 5/8" I.R.

CO. RD. #108

589° 41' 40" N
384.23'

589° 41' 40" W
768.46'

SOUTH
300.0'

PARCEL 2
(54.6 AC.)

2708.09'

16.34.78'

60' X 26.11'
SOUTH
601.34'

2472.11'

1816.28'

NORTH

N65° 21' 52" N
119.35'

S71° 02' 00" W
307.67'

30'
Access
Easement

APPROX. LOCATION
CO. RD. # 108 AS
ORIGINALLY
SURVEYED

PARCEL 1
6.40 AC.

581.18'

NORTH
30'

400.0' EAST
402.69' 350.0' 1152.69'

S.W. COR. R. ARBUCKLE
P.L.C. NO. 52
F.D. BRASS CAP

SCALE: 1" = 300'

FILE NO: 625-78



LANE COUNTY PUBLIC WORKS

Property Owner Authorization Form

LAND MANAGEMENT DIVISION 3050 N. DELTA HWY, EUGENE OR 97408

I hereby affirm that I am the owner of the property located at:

Property Address/Location: 85517 PINE GROVE ROADCity: EUGENE State: OR Zip Code: 97405Tax Map and Parcel Number: 18 - 05 - 25 - 00 - 200

By signing below, I authorize the individual identified in the following section to act as my authorized agent with regard to any and all application(s) made to Lane County Land Management Division for the activities described. The individual identified below shall remain in this capacity with regard to any applications and subsequently issued permits related to these activities indefinitely unless an express written request to terminate this authorization, signed by me, is submitted to Lane County Land Management Division.

Project/Activity for which Application is being made: Marginal Lands Re-Zone
From F2

Signature of Owner: Larry Martinez Date: 4-8-16Printed Owner Name: LARRY MARTINEZPrinted Name of Permit Applicant/
Owner's Authorized Agent: Norman Waterbury LLCAddress: 86131 Cherokee DrCity: Eugene State: OR Zip Code: 97402Telephone Number: 541-510-3501Signature of Applicant/Agent: Norm Waterbury Date: 5-11-16

Once completed, please return this form to Lane County Land Management Division.

LANE CO. POAF Rev. 01-15-08 BDC

LAND MANAGEMENT DIVISION / PUBLIC WORKS DEPARTMENT / 3050 N. DELTA HWY / EUGENE, OR 97408 / FAX 541/682-3947
BUILDING (541) 682-4651 / PLANNING (541) 682-3577 / COMPLIANCE (541) 682-3724 / ON-SITE SEWAGE (541) 682-3754

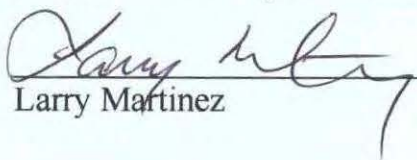
OWNER AND AGENT CONSENT TO FILE LAND USE APPLICATION

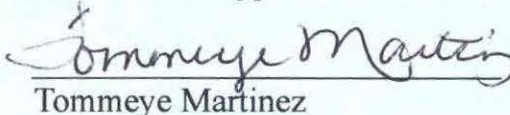
Owner Authorization:

Larry and Tommye Martinez are the principles in the entities that own the following properties that may be the subject of land use application before Lane County. The imminent filings are for Marginal Land Plan and zone designations. The properties are:

Identified as 18-05-25, Tax Lot 200, Also known as 85517 Pine Grove Rd. Eugene OR 97405

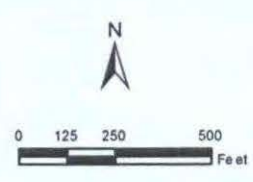
Norman Waterbury LLC is my agent for all land use applications related to the above.


Larry Martinez


Tommye Martinez



The information on this map was derived from digital databases on the Lane County regional geographic information system. Care was taken in the creation of the map, but is provided "as is". Lane County cannot accept any responsibility for errors, omissions or positional accuracy in the digital data or the underlying records. Current plan designation, zoning, etc., for specific parcels should be confirmed with the appropriate agency. There are no warranties, expressed or implied, accompanying this product. However, notification of any errors will be appreciated.

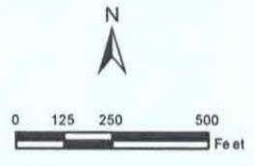


1"=500'

Lane County, Oregon

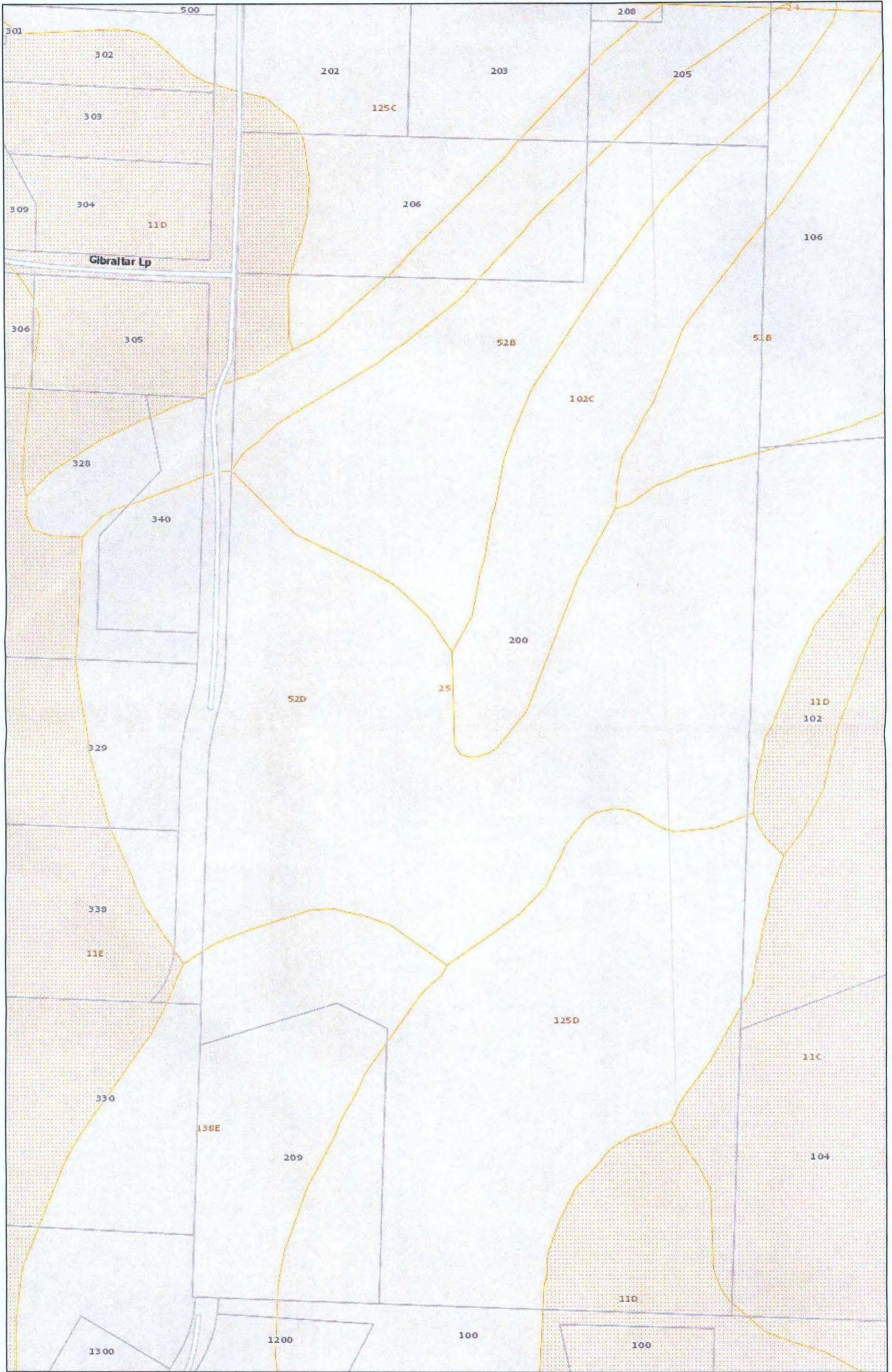


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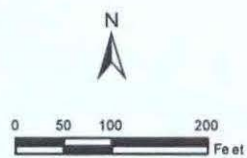


1"=500'

Lane County, Oregon



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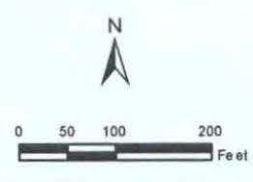


1"=200'

Lane County, Oregon



The information on this map was derived from digital databases on the Lane County regional geographic information system. Care was taken in the creation of the map, but is provided "as is". Lane County cannot accept any responsibility for errors, omissions or positional accuracy in the digital data or the underlying records. Current plan designation, zoning, etc., for specific parcels should be confirmed with the appropriate agency. There are no warranties, expressed or implied, accompanying this product. However, notification of any errors will be appreciated.



1"=200'

Lane County, Oregon



Marc E. Setchko
CONSULTING FORESTER

870 Fox Glenn Avenue
Eugene, Oregon 97405
Phone: (541) 344-0473
FAX: (541) 344-7791

FOREST PRODUCTIVITY AND INCOME ANALYSIS

for

Larry Martinez

OCTOBER 19, 2015

SUBJECT PARCEL: PINE GROVE ROAD : ASSESSORS MAP NO. 18-05-25
Tax Lot #200 - ±53.95 acres

I. INTRODUCTION

An evaluation of the site, from a timber productivity and income producing standpoint, is presented in this analysis, to determine if the parcel meets the criteria for a marginal lands designation. The analysis demonstrates that the subject property qualifies for the following reasons:

1. The subject property is not capable of producing 85 cu.ft./ac./yr. of merchantable timber volume. This has been determined by Lane County, and the State of Oregon, to be the measuring parameter for marginal soils west of the Cascade Range; as defined in ORS 197.247 (1)(b)(C).
2. The income generated from the subject property averages less than \$10,000/year, based on 1978 through 1982 log prices. This level of income meets the following statutory test for Marginal Lands: ORS 197.247 (1)(a): The proposed marginal land was not managed, during three of the five calendar year preceding January 1, 1983, as a forest operation capable of producing an average, over the growth cycle, of \$10,000 in annual gross income.

II. SITE INFORMATION

The subject parcel is ±53.95 acres in size (see Exhibits 1&2) and is composed of five soil types (see Exhibits 3&4). Bellpine silty clay loam (Soil Type 11C&D) covers approximately 8% of the parcel. Hazelair silty clay loam (Soil Type 52B&D) covers 50% of the parcel. Steiwer loam (Soil Type 125C&D) covers 23% of the parcel. Panther silty clay loam (Soil Type 102C) covers 15% and the remaining 4% is Witzel very cobbly loam (138E).

Bellpine is a highly productive forest soil. Conifers are growing on all of the area underlain by the Bellpine soil. All of the other soil types, covering the majority of the property, are poor forestland soils. While conifers are growing on a portion of these soils, the trees are slow growing, and yearly productivity (from a growth standpoint) is low.

The property has a north aspect and gentle slopes. The southern portion of the property, where all of the Bellpine soil is located, is primarily conifer, with some scattered hardwoods. The primary species is Douglas-fir with a few scattered ponderosa pine, incense cedar, grand fir and Christmas tree sized noble fir which were planted. The northern portion of the property is a mix of pasture and scattered hardwood trees, including chestnut, oak, black locust, ash, cottonwood, willow and old apple trees which were planted in a small orchard sometime in the past. There is a pond in the northern portion of the property along the eastern edge.



III. RESULTS OF PRODUCTIVITY AND INCOME CALCULATIONS

PRODUCTIVITY – Cubic feet per acre per year growth.

The timber productivity (cu.ft./ac./yr.) figures for Douglas-fir were obtained from the August 2011 (with June 2012 Revisions) *Lane County Soil Ratings for Forestry and Agriculture* produced by the Lane County Council of Governments. No further review or approval of site productivity determinations are needed when this data source is used.

By summing up the cubic foot per acre, per year productivity (growth of the timber stand), of each soil type, and dividing by the total acreage, an average per acre productivity figure for the entire parcel can be calculated.

Douglas-fir was used because it is the dominant conifer species on the property and will grow in pure stands. All of the productivity figures shown on the source listed above assume a fully stocked stand of the tree species being measured. There are a few scattered ponderosa pine, incense cedar and grand fir, as well as some escaped noble fir Christmas trees growing on the parcel. However, grand fir does not grow in pure stands; it is a minor species which grows intermixed with Douglas-fir. Incense cedar does not grow as fast as Douglas-fir, or produce anywhere near the volume per acre as Douglas-fir, therefore it was not considered. Ponderosa pine, which will grow in pure stands, was not considered because there are no credible growth tables for Willamette Valley Pine (see Exhibit 5, page 3). In western Oregon locations, such as the parcel in question, Douglas-fir is the dominant species, even though ponderosa pine is growing on the site. Noble fir will not do well on the site because it is a high elevation tree too far out of its' natural habitat. Many of the trees are beginning to die. Hardwood species, such as oak and madrone are slow growing; alder, which is a fast growing tree, will not grow on the site due to moisture (rainfall) constraints.

Therefore, Douglas-fir shall be used for productivity calculations.

Douglas-fir cubic foot productivity numbers are available for all of the above listed soils. The numbers shown below were obtained from the aforementioned table (see above).

SOIL RATINGS for Douglas-fir (see Exhibit 6)

Soil Unit	Acres	Site Index	Cf/Ac Per Yr	Total Cu.Ft. Productivity
11C Bellpine silty clay loam	1.08	115	163	176.04
11D Bellpine silty clay loam	3.24	115	163	528.12
52B Hazelair silty clay loam	9.17	NA	40	366.80
52D Hazelair silty clay loam	17.80	NA	40	712.00
102C Panther silty clay loam	8.09	NA	45	364.05
125C Steiwer loam	0.54	NA	30	16.20
125D Steiwer loam	11.87	NA	30	356.10
138E Witzel very cobbly loam	<u>2.16</u>	NA	70	<u>151.20</u>
	53.95			2,670.51

Total – 2,670.51 cu.ft. ÷ 53.95 acres = 49.50 cubic feet per acre per year

While there are conifers growing on the parcel, growth is extremely slow. Even if the entire property was fully stocked (with Douglas-fir), it is incapable of producing 85 cf/ac/yr.

INCOME TEST – Average revenue per year over the growth cycle.

The income test must be calculated for the parcel as it existed for the five calendar years preceding January 1, 1983. The income is based on the value of the **potential volume** that the parcel can produce. This is determined by the total board feet in the timber stands on the parcel at 50 years of age. This time span was adopted as the standard, by a consensus of the Marginal Lands Information Sheet. **This time span has been reaffirmed by LUBA.**

Merchantable timber volume, in board feet per acre, for each soil type is needed for the income test. Income calculations are based on **dollars per thousand scaled board feet, not cubic feet.** That is the manner in which the vast majority of conifer and hardwood logs are purchased. An exception to this is the junk wood or tops that are purchased by the ton (at a lower price than scaled wood), which is a weight, not a scaled measurement. Hardwoods sold for pulp are also purchased by the ton as well. Currently, there is no mill in the northwest purchasing anything based on cubic foot measurements.

Douglas-fir is the only species considered for the income test, because it is the most valuable **merchantable** tree species which will grow on this site. It is also the predominant species on the parcel. Alder, red and incense cedar have values similar to, or higher than Douglas-fir; incense cedar is the only one of these species present on the parcel. Neither red or incense cedar grow in pure stands; they grow intermixed with other species. Even if they did grow in pure stands, cedar trees have such a high taper (the trees grow like upside carrots, rather than poles), that each individual tree will not produce the measured board foot, or cubic foot, volume that a Douglas-fir tree will. While alder will grow in pure stands it does not produce anywhere near the volume per acre that Douglas-fir will. Even planted, and managed, red alder stands will not produce anywhere near the volume per acre that Douglas-fir will.

Measured, or scaled, board foot volume is the number a mill uses for payment when purchasing logs. Therefore, even if these species were used to calculate income for the parcel, the considerably lower volumes per acre would result in a lower total dollar figure.

For all of the above reasons Douglas-fir is used for the income test.

VOLUME CALCULATIONS – Douglas-fir board foot volumes per acre, for fully stocked stands at 50 years, were used. Empirical Yield Tables, calculated using King's 50 year site class index, were used to obtain a scribner board foot volume, per acre, for each soil type. Adding all the soil types together will give a total volume for the entire parcel. A total value is calculated using these total volume figures; then divided by 50 (fifty year rotation) to obtain the average income per year that the parcel is capable of generating. For a soil with a known site index number this is simply a matter of using the tables to obtain a board foot per acre volume.

The approved tables (discussed earlier) show Site Index numbers for many of the Lane County soil types. However, no site index numbers are shown for any soils with productivity ratings of 100 cf/ac/yr or less; which includes all but one of the soils on the subject parcel. The lowest site index shown for a soil in the tables is SI100 (Soil Type 37). The corresponding cubic foot production is 136 cf/ac/yr. This soil has the lowest cubic foot productivity number shown with a corresponding site index number. Any soil with a lower cubic foot productivity number will not show a site index number in the tables. The productivity numbers for better soils increase geometrically, not linearly. Therefore, a soil with the lowest cubic foot productivity number, which also has a corresponding site index number, is the most appropriate to use when looking at soils with even lower productivity numbers.

A proportion ratio can then be calculated, by comparing the cubic foot production of the soils on the subject parcel with the above cubic foot production. Even this number will err on the high side from a productivity standpoint, due to the geometric nature of the productivity curve. The calculated proportion ratio can then be applied to the volume obtained from site index 100 in the Empirical Yield Tables. In this manner a board foot volume per acre can be calculated for the soils in question.

Cupola cobbly loam (Soil Type 37) with a site index of 100 (see Exhibit 6) will produce 19,972 board feet per acre at 50 years of age (see Exhibit 7), assuming fully stocked stands. The corresponding cubic foot production is 136 cf/ac/yr. The calculations for obtaining a volume per acre at 50 years, for the soils on the subject property, are shown below.

52B&D - Hazelair	$40 \text{ cf/ac/yr} \div 136 \text{ cf/ac/yr} = .294 \times 19,972 \text{ bf/ac} = 5,872 \text{ bf/ac}$
102C - Panther	$45 \text{ cf/ac/yr} \div 136 \text{ cf/ac/yr} = .331 \times 19,972 \text{ bf/ac} = 6,611 \text{ bf/ac}$
125C&D - Steiwer	$30 \text{ cf/ac/yr} \div 136 \text{ cf/ac/yr} = .221 \times 19,972 \text{ bf/ac} = 4,414 \text{ bf/ac}$
138E - Witzel	$70 \text{ cf/ac/yr} \div 136 \text{ cf/ac/yr} = .515 \times 19,972 \text{ bf/ac} = 10,286 \text{ bf/ac}$

Bellpine silty clay loam (Soil Type 11), with a site index of 115 (see Exhibit 6), will produce 27,219 board feet per acre at 50 years of age (see Exhibit 7).

The total potential volume, at 50 years, can now be calculated for the entire parcel.

POTENTIAL VOLUME

Total for 53.95 acres

		Total Volume (Board Feet)
11C - Bellpine silty clay loam	1.08 ac @ 27,219 bf/ac	29,397
11D - Bellpine silty clay loam	3.24 ac @ 27,219 bf/ac	88,190
52B - Hazelair silty clay loam	9.17 ac @ 5,872 bf/ac	53,846
52D - Hazelair silty clay loam	17.80 ac @ 5,872 bf/ac	104,522
102C - Panther silty clay loam	8.09 ac @ 6,611 bf/ac	53,483
125C - Steiwer loam	0.54 ac @ 4,414 bf/ac	2,384
125D - Steiwer loam	11.87 ac @ 4,414 bf/ac	52,394
138E - Witzel very cobbly loam	2.16 ac @ 10,286 bf/ac	22,218
Totals	53.95 acres	406,434

INCOME PROJECTIONS YEAR BY YEAR

The following calculations will show the average gross income for each year from 1978 through 1982, as well as the average price for those five years. The highest log prices occurred from the first quarter of 1980 and continued through the third quarter of 1981 (see Exhibit 8).

The calculations presented below will show that the **highest** possible average gross income per year would be obtained using 1980 log prices. Furthermore, since the log prices remained the same throughout the entire year, the calculations for 1980 would also show the highest possible average gross income if only the highest quarters were used.

A 50 year old stand on good site ground should have approximately 40% 2 SAW, 50% 3 SAW and 10% 4 SAW. On poor sites the percentage of 2 SAW would most likely be 30% or less. However, for the following calculations these percentages will be used; in order to err on the high (or optimistic) side. See Exhibit 8 for the prices shown below.

1978 Total Volume – 406.4 MBF (thousand board feet)

162.6 MBF of 2 SAW @ \$276/MBF	\$ 44,878
203.2 MBF of 3 SAW @ \$235/MBF	47,752
40.6 MBF of 4 SAW @ \$190/MBF	<u>7,714</u>

Total Projected Gross Revenue \$100,344

AVERAGE GROSS INCOME -- \$100,344 ÷ 50 YEARS = **\$2,007/YEAR**

1979 Total Volume – 406.4 MBF (thousand board feet)

162.6 MBF of 2 SAW @ \$338/MBF	\$ 54,959
203.2 MBF of 3 SAW @ \$296/MBF	60,147
40.6 MBF of 4 SAW @ \$269/MBF	<u>10,921</u>

Total Projected Gross Revenue \$115,106

AVERAGE GROSS INCOME -- \$115,106 ÷ 50 YEARS = **\$2,302/YEAR**

1980 Total Volume – 406.4 MBF (thousand board feet)

162.6 MBF of 2 SAW @ \$354/MBF	\$ 57,560
203.2 MBF of 3 SAW @ \$310/MBF	62,992
40.6 MBF of 4 SAW @ \$281/MBF	<u>11,409</u>

Total Projected Gross Revenue \$131,961

AVERAGE GROSS INCOME -- \$131,961 ÷ 50 YEARS = **\$2,639/YEAR**

1981 Total Volume – 406.4 MBF (thousand board feet)

162.6 MBF of 2 SAW @ \$346/MBF	\$ 56,260
203.2 MBF of 3 SAW @ \$292/MBF	59,334
40.6 MBF of 4 SAW @ \$263/MBF	<u>10,678</u>

Total Projected Gross Revenue \$126,272

AVERAGE GROSS INCOME -- \$126,272 ÷ 50 YEARS = **\$2,525/YEAR**

1982 Total Volume – 406.4 MBF (thousand board feet)

162.6 MBF of 2 SAW @ \$267/MBF	\$43,414
203.2 MBF of 3 SAW @ \$208/MBF	42,266
40.6 MBF of 4 SAW @ \$174/MBF	<u>7,064</u>

Total Projected Gross Revenue \$92,744

AVERAGE GROSS INCOME -- \$92,744 ÷ 50 YEARS = **\$1,855/YEAR**

1978-1982 AVERAGE Total Volume – 406.4 MBF (thousand board feet)

162.6 MBF of 2 SAW @ \$316/MBF	\$ 51,382
203.2 MBF of 3 SAW @ \$268/MBF	54,458
40.6 MBF of 4 SAW @ \$235/MBF	<u>9,541</u>

Total Projected Gross Revenue \$115,381

AVERAGE GROSS INCOME -- \$115,381 ÷ 50 YEARS = **\$2,308/YEAR**

All of these calculations show that the property is incapable of producing more than \$10,000 per year in income.

IV. CONCLUSION

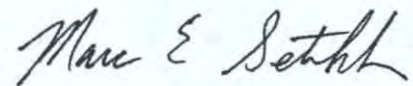
The analyses presented show conclusively that this property will not support a merchantable stand of timber, of sufficient production capability, to meet or exceed the Marginal Lands Income and Cubic Foot Productivity Statutes (ORS 197.247).

- 1) The subject property produces **49.50 cubic feet per acre per year**. This is less than 85 cu.ft./ac./yr. of merchantable timber production, the parameter used in those counties west of the summit of the Cascade Range, as that term is defined in ORS 477.001(21).
- 2) The estimated gross income would have ranged from a low of \$92,744 in 1982 to a high of \$131,961 in 1980. **The average annual gross income would have ranged from a low of \$1,855/year in 1982 to a high of \$2,639/year in 1980. These figures are based on a 50 year rotation of fully stocked stands of timber covering the entire parcel.** All of the above figures are less than \$10,000/year, therefore the property meets the statutory test for Marginal Lands: ORS 197.247(1)(a) "The proposed marginal land was not managed during three of the five calendar years preceding January 1, 1983, as part of a forest operation capable of producing an average, over the growth cycle, of \$10,000 in annual gross income".

All of the data used in these analyses are from Oregon Department of Forestry approved sources. The findings presented here meet all of the parameters for marginal land designation, as outlined by Lane County statutes. Several of the parameters, such as the 50 year growth cycle to harvest, have been reaffirmed by LUBA.

In summary, I find from the specific site conditions present, empirical yield tables, NRCS data, Lane County data, Oregon Department of Forestry data and experience with similar lands, that this property is poorly suited to the production of merchantable timber and use as land for forestry purposes. The parcel is marginal from a forest production standpoint.

Sincerely,



Certified Forester #2953

ATTACHMENT 4
2014 NAIP IMAGERY

National Agricultural
Imagery Program



United States Department of the Interior
Bureau of Land Management
Eugene District Office
3106 Pierce Parkway, Suite E
Springfield, OR. 97477

Phone: 541-683-6600
Fax: 541-683-6981
E-mail: BLM_OR_EU_Mail@blm.gov
Website: www.blm.gov/or/districts/eugene

EXHIBIT 1

MARTINEZ PARCEL

T18S-R5W-Section25

TL #200 - ±53.95 acres



Legend

- Township and Range
- Sections

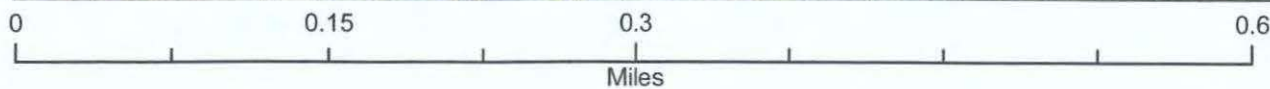


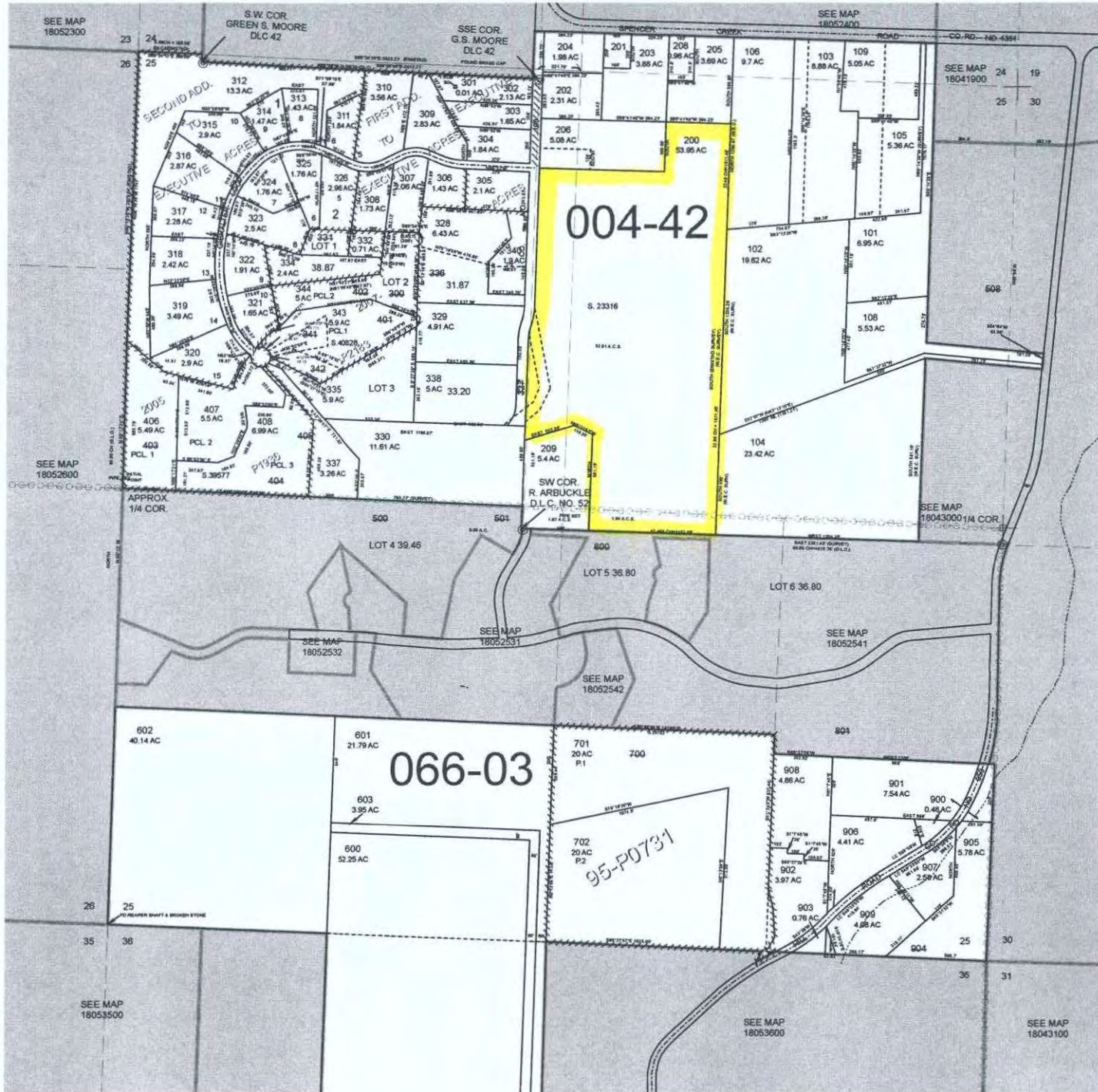
IMAGE SCALE: 1:5,943

FOR ASSESSMENT AND TAXATION ONLY

SECTION 25 T.18S. R.5W. W.M.
Lane County
1" = 400'

18052500

lcmbrn - 2012-05-01 08:46



- CANCELLED
- 327
- 331
- 501
- 500
- 700
- 800
- 801
- 904
- 100
- 400
- 402
- 401
- 107
- 207
- 333
- 336
- 403
- 404
- 405
- 341
- 342
- 300

EXHIBIT 2
MARTINEZ PARCEL

REVISIONS
 11/27/2008 - LCM142 - CANC 341 INTO 300
 11/27/2008 - LCM142 - MISC CORR #1232
 11/27/2008 - LCM142 - CORRECT NAME TO 08
 11/27/2008 - LCM142 - REG 342 D. 341 & 330
 01/12/2007 - LCM142 - CANC TL 342 TO 300
 01/12/2007 - LCM142 - CANC TL 300 INTO P.P. 2007-P243
 08/15/2012 - LCM142 - AC COR TL 95

EXHIBIT 3

SOIL TYPE

11C/D

Bellpine silty clay loam

52B/D

Hazelair silty clay loam

102C

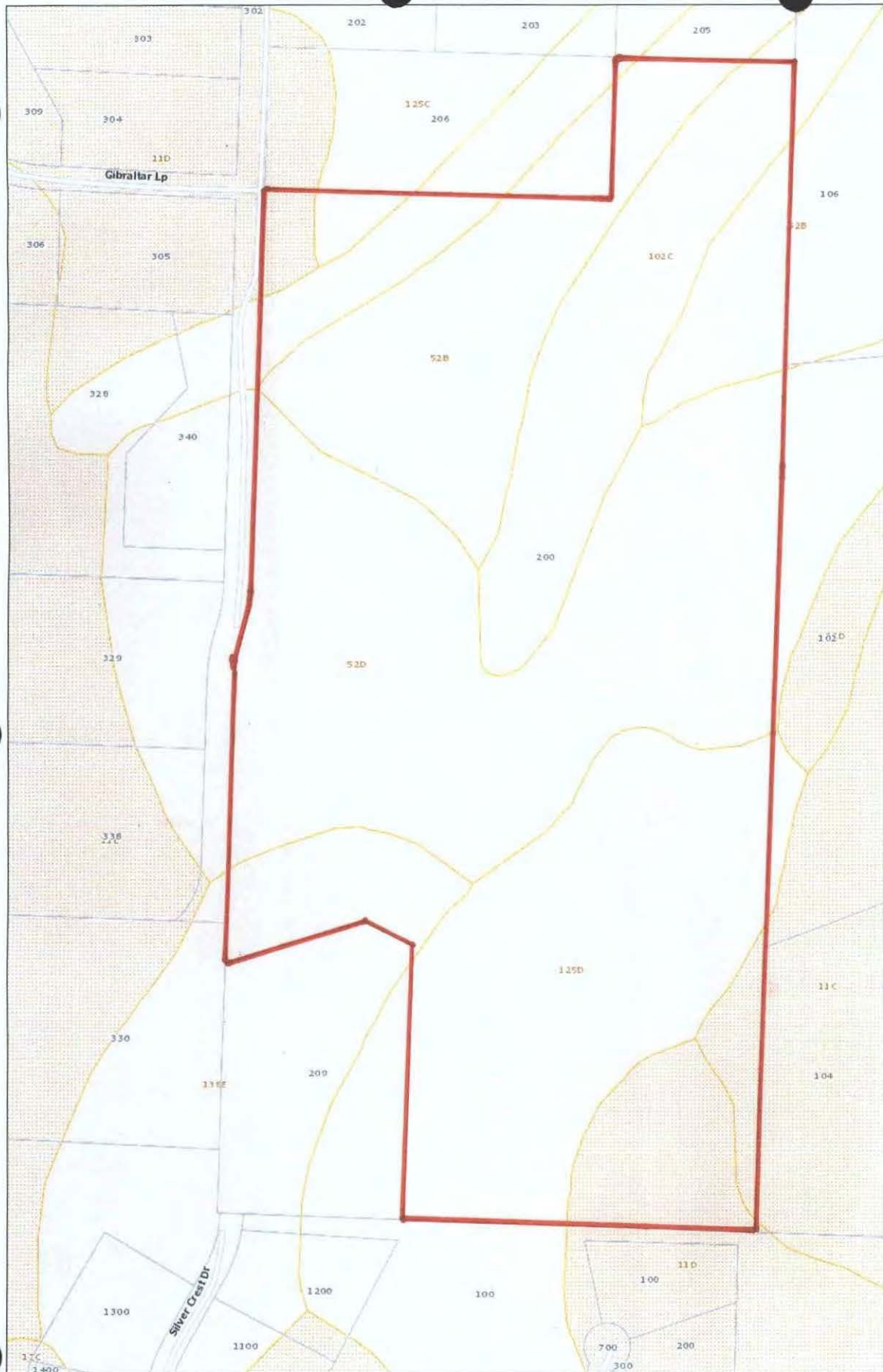
Panther silty clay loam

125C/D

Steiwer loam

138E

Witzel very cobbly loam



The information on this map was derived from digital databases on the Lane County regional geographic information system. Care was taken in the creation of this map, but it is provided "as is." Lane County cannot accept any responsibility for errors, omissions or positional accuracy in the digital data or the underlying records. Current plan designation, zoning, etc. for specific parcels should be confirmed with the appropriate agency. There are no warranties, expressed or implied, accompanying this product. However, notification of any errors will be appreciated.



4/7/2015

Regional Land Information Database: Detailed Property Report

Post-FIRM Date 12/18/1985
 Panel Printed? Yes

Soils

Soil Map Unit#	Soil Type Description	% of Taxlot	Ag Class	Hydric %
52D	Hazelair silty clay loam, 7 to 20 percent slopes	33%	4	3
125D	Steiwer loam, 12 to 20 percent slopes	22%	4	0
52B	Hazelair silty clay loam, 2 to 7 percent slopes	17%	3	4
102C	Panther silty clay loam, 2 to 12 percent slopes	15%	6	85
11D	Bellpine silty clay loam, 12 to 20 percent slopes	6%	3	0
138E	Witzel very cobbly loam, 3 to 30 percent slopes	4%	6	0
11C	Bellpine silty clay loam, 3 to 12 percent slopes	2%	3	0
125C	Steiwer loam, 3 to 12 percent slopes	1%	3	0

Schools

	Code	Name
School District	4J	EUGENE
Elementary School	530	Twin Oaks
Middle School	519	Kennedy
High School	540	Churchill

EXHIBIT 4

Political Districts

Election Precinct	718	State Representative District	8
City Council Ward	N/A	State Representative	Paul R. Holvey
City Councilor	N/A	State Senate District	4
County Commissioner District	5 (East)	State Senator	Floyd Prozanski
County Commissioner	Faye Stewart		
EWEB Commissioner	N/A		
LCC Board Zone	4		

Liens

Building Permits

Land Use Applications

Petitions

EXHIBIT 5



Oregon

Theodore R. Kulongoski, Governor

November 21, 2008

Mr. Kent Howe
Lane County Land Management Division
125 E 8th Street
Eugene, Oregon 97401

Department of Forestry

State Forester's Office

2600 State Street

Salem, OR 97310

503-945-7200

FAX 503-945-7212

TTY 503-945-7213 / 800-437-4490

<http://www.odf.state.or.us>



STEWARDSHIP IN FORESTRY

Dear Mr. Howe:

I am writing to clarify the Oregon Department of Forestry's responsibilities related to specific elements of Oregon Administrative Rule 660-006-0005 (2) and (3). This letter is intended to address recent Lane County public inquiries regarding this administrative rule and was developed following consultations with the Oregon Department of Land Conservation and Development and the Oregon Department of Justice.

Please note that previous Department of Forestry policy position statements or technical findings contained in the May 23, 2008, letter from former Department of Forestry Private Forests Chief Ted Lorensen to Goal One Coalition Executive Director Jim Just that are in conflict with this letter are hereby rescinded and replaced with the policy statements and technical findings articulated here. All other statements in that correspondence remain valid.

Applicable Administrative Rule Language:

OAR 660-006-0005 (2) and (3) state:

2) "Cubic Foot Per Acre" means the average annual increase in cubic foot volume of wood fiber per acre for fully stocked stands at the culmination of mean annual increment as reported by the USDA Natural Resource Conservation Service (NRCS) soil survey information, USDA Forest Service plant association guides, Oregon Department of Revenue western Oregon site class maps, or other information determined by the State Forester to be of comparable quality. Where such data are not available or are shown to be inaccurate, an alternative method for determining productivity may be used. An alternative method must provide equivalent data as explained in the Oregon Department of Forestry's Technical Bulletin entitled "Land Use Planning Notes Number 3 dated April 1998" and be approved by the Oregon Department of Forestry."

(3) "Cubic Foot Per Tract Per Year" means the average annual increase in cubic foot volume of wood fiber per tract for fully stocked stands at the culmination of mean annual increment as reported by the USDA Natural Resource Conservation Service (NRCS) soil survey information, USDA Forest Service plant association guides, Oregon Department of Revenue western Oregon site class maps, or other information determined by the State Forester to be of comparable quality. Where such data are not available or are shown to be inaccurate, an alternative method for determining productivity may be used. An alternative method must provide equivalent data as explained in the Oregon Department of Forestry's Technical Bulletin entitled "Land Use Planning Notes Number 3 dated April 1998" and be approved by the Oregon Department of Forestry." (Emphasis added)

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November 21, 2008
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Using the Best Possible Forest Site Productivity Information:

The administrative rule, in combination with *Land Use Planning Technical Note Number 3*, establishes a hierarchy of forest site productivity information that should be considered in land use decisions subject to the rule. Listed in order of preference, the information sources are:

1. Data sources cited specifically in the administrative rule;
2. Other existing data sources determined by the State Forester to be of comparable quality to the data sources cited specifically in the administrative rule;
3. Alternate methods to develop site productivity data based on direct tree measurements and calculations using applicable Douglas-fir, western hemlock, or ponderosa pine site tables, with priority given to the species among these three that dominates the area being evaluated;
4. Alternate methods based on direct tree measurements and calculations using other native forest tree species site tables; or
5. Site-specific soil surveys.

Applicable existing data from USDA Natural Resource Conservation Service (NRCS) soil survey information, USDA Forest Service plant association guides, Oregon Department of Revenue western Oregon site class maps should always be consulted and used first (Tier 1). If these three data sources are determined by the county and/or NRCS to be inaccurate or do not exist, only then should other applicable, existing data sources determined to be of comparable quality by the State Forester be consulted (Tier 2). Alternate methods for collecting new site productivity data are only needed when data from these first two tiers are determined by the county and/or NRCS to be inaccurate or do not exist. To be approved by the Department of Forestry such alternate methodologies must be consistent with the methodologies described or contemplated in the technical note. Alternate methods based on direct tree measurements and calculations using applicable Douglas-fir, western hemlock, or ponderosa pine site tables (Tier 3) should be considered before using site tables for other tree species (Tier 4) or site-specific soil surveys without direct tree measurements (Tier 5).

Consistent and credible site productivity determinations should be an important facet of the land use planning process. To meet that objective, this hierarchy should be adhered to. Attempts to consider a variety of methods simultaneously in hope of finding a "preferred" site productivity determination should be avoided.

Lane County Data Sources of Comparable Quality

The State Forester has determined the following existing site productivity data sources to be of comparable quality to the data sources cited specifically in the administrative rule when applied on appropriate locations in Lane County:

Mr. Kent Howe
November 21, 2008
Page 3

1. February 8, 1990, *Forest Lands Soils Ratings – Revisions* produced by the Oregon Department of Forestry
2. Undated *Lane County Forest Soils Ratings* based on published Soil Conservation Service data and the February 9, 1990, Oregon Department of Forestry report
3. August 1997 *Lane County Soil Ratings for Forestry and Agriculture* produced by the Lane County Council of Governments

No further Department of Forestry review or approval of site productivity determinations are needed when these data sources are used.

Ponderosa Pine in the Willamette Valley

In most western Oregon locations where both Douglas-fir and ponderosa pine are present, Douglas-fir will be the dominant species and, therefore, whenever possible that species should be used for selecting site trees. In infrequent cases where ponderosa pine is the dominant species in western Oregon, *Land Use Planning Technical Note Number 3* states that Meyer's ponderosa pine site table may be used in calculations of site productivity. However, the technical note also states Meyer's site table must not be used for ponderosa pine in the Willamette Valley. For the purpose of implementing this section of the technical note, the Department of Forestry will rely on the definition provided in OAR 660-033-0020 (12) in which "Willamette Valley" means "Clackamas, Linn, Marion, Multnomah, Polk, Washington and Yamhill Counties and that portion of Benton and Lane Counties lying east of the summit of the Coast Range."

The Department of Forestry has not been able to locate credible site index or yield tables for ponderosa pine applicable in the Willamette Valley. In a May 23, 2008, letter, Ted Lorensen noted that the department had used tables for ponderosa pine from Douglas County for the Forest Resource Trust, and that in the current absence of standard tables, ODF "would likely approve of methodology using the pine tables for Douglas County and appropriate interpolation." However, the Department of Forestry has since determined that interpolation of either Douglas County or Eastern Oregon ponderosa pine yield tables for the more highly productive Willamette Valley would not be technically sound.

Instead, energy should be focused on obtaining or developing, if possible, technically credible Willamette Valley-specific ponderosa pine site index tables. The Department of Forestry is willing to work cooperatively with county governments, Oregon State University Forestry Extension, forest landowners, and other parties to develop such information. Until a credible Willamette Valley ponderosa pine site table becomes available and is acknowledged in a revised ODF Technical Note, the Department of Forestry's position is that it is inappropriate to use ponderosa pine to determine site productivity for under OAR 660-006-0005

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(2) and (3) in the Willamette Valley and use of such methodologies cannot be approved by the agency.

Outside the Willamette Valley, Meyer's ponderosa pine site table may continue to be used on sites where ponderosa pine is the dominate species and the Tier 1 and Tier 2 site productivity data sources cited above are determined by the county and/or NRCS to be inaccurate or do not exist.

Stockable Area

Cubic foot site productivity determinations assume fully stocked stands. In this context, "stockable area" means the proportion of an area that can be physically stocked with trees. Rock outcrops, impervious soils, or high water tables are examples of factors that may result in less than 100 percent of the site being stockable. The technical note anticipates this issue by referencing the USDA Forest Service Pacific Northwest Research Station *Field instructions for forest surveys in Washington, Oregon, and Northern California* where consideration of stockable area factors are addressed. Upon request by a county government, the Department of Forestry will evaluate and consider approval of reductions in site productivity from fully stocked stand levels based on such factors.

Limits on Department of Forestry Approvals

As stated in the technical note, the Department of Forestry does not measure site productivity for landowners. The Department of Forestry's involvement in site productivity determinations applicable to Oregon Administrative Rule 660-006-0005 (2) and (3) is in evaluating the quality of existing data sources other than those cited in the rule and evaluating alternative methodologies with respect to the technical note. The Department of Forestry will not issue findings on whether these data sources or alternate methodologies have been employed correctly or if the resulting site productivity determination are accurate. The Department of Forestry is not responsible for verifying field measurements.

Oregon Forest Practices Act Minimum Site Productivity Requirements for Reforestation

While not directly applicable to land use planning decisions, Department of Forestry believes it is important to note the Oregon Board of Forestry has established that all forestlands with a site productivity of at least 20 cubic feet per acre per year shall be subject to the reforestation requirements of the Oregon Forest Practices Act. Other technical references use 20 cubic feet per acre per year as the minimum threshold for defining commercial forestland. Local governments are encouraged to consider this information when establishing site productivity standards for land use planning processes.

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In summary, the content of this letter is intended to further explain, and not alter, the requirements of Oregon Administrative Rule 660-006-0005 (2) and (3) and *Land Use Planning Technical Note Number 3*. Please contact me if you have any questions. If unresolved issues continue to arise, clarifying changes to the administrative rule and/or the Technical Note may eventually be necessary and the Department of Forestry will work together with county governments, the Oregon Department of Land Conservation and Development, and other interested parties on such changes.

Sincerely,



David Morman, Director
Forest Resources Planning Program

cc: Katherine Daniels, DLCD
Carmel Bender, DLCD
Michele Logan, DOJ

EXHIBIT 6



**Lane County
Land Management Division**

August 2011 Update

PREPARED BY
LCOG
LANE COUNCIL OF GOVERNMENTS

Lane County Soil Ratings for Forestry
August 2011 Update

Map Symbol	Soil Map Unit	NRCS Site Index	NRCS Cu. Ft./ Acre/Year	ODOF Cu. Ft./ Acre/Year	Notes
01A	Abiqua silty clay loam, 0 - 3% slopes	135	203	---	
01B	Abiqua silty clay loam, 3 - 5% slopes	135	203	---	
02E	Astoria silt loam, 5 - 30% slopes	130	193	---	
03E	Astoria Variant silt loam, 3 - 30% slopes	No rating	---	181	
03G	Astoria Variant silt loam, 30 - 60% slopes	No rating	---	181	
04G	Atring-Rock outcrop complex, 30 - 60% slopes	No rating	---	86	
05	Awbrig silty clay loam	No rating	---	est. 40	
06	Awbrig-Urban land complex	No rating	---	est. 20	
07B	Bandon sandy loam, 0 - 7% slopes	105	145	---	
07C	Bandon sandy loam, 7 - 12% slopes	105	145	---	
07F	Bandon sandy loam, 12 - 50% slopes	105	145	---	
08	Bashaw clay	No rating	---	est. 30	
09	Bashaw-Urban land complex	No rating	---	est. 20	
10	Beaches	No rating	---	---	No trees expected
11C	Bellpine silty clay loam, 3 - 12% slopes	115	163	---	
11D	Bellpine silty clay loam, 12 - 20% slopes	115	163	---	
11E	Bellpine silty clay loam, 20 - 30% slopes	115	163	---	
11F	Bellpine silty clay loam, 30 - 50% slopes	115	163	---	
12E	Bellpine cobbly silty clay loam, 2 - 30% slopes	115	163	---	
13A	Nekoma-Fluvaquents complex, 0 - 3% slopes	No rating	---	No rating	Highly variable; on-site determination
13F	Blachly clay loam, 30 - 50% slopes	119	173	---	
13G	Blachly clay loam, 50 - 70% slopes	119	173	---	
14E	Blachly silty clay loam, 3 - 30% slopes	125	184	---	
14F	Blachly silty clay loam, 30 - 50% slopes	125	184	---	
15E	Blachly-McCully clay loam, 3 - 30% slopes	No rating	---	155	
16D	Bohannon gravelly loam, 3 - 25% slopes	118	171	---	
16F	Bohannon gravelly loam, 25 - 50% slopes	118	171	---	
16H	Bohannon gravelly loam, 50 - 90% slopes	118	171	---	
17	Brallier muck, drained	No rating	---	---	No trees expected
18	Brallier Variant muck	No rating	---	---	No trees expected
19	Brenner silty clay loam	No rating	---	---	No Douglas-fir expected
20B	Briedwell cobbly loam, 0 - 7% slopes	103	141	---	
21B	Bullards-Ferrelo loams, 0 - 7% slopes	No rating	---	est. 80	
21C	Bullards-Ferrelo loams, 7 - 12% slopes	No rating	---	est. 80	

Lane County Soil Ratings for Forestry
August 2011 Update (with June 2012 revision)

Map Symbol	Soil Map Unit	NRCS Site Index	NRCS Cu. Ft./ Acre/Year	ODOF Cu. Ft./ Acre/Year	Notes
50G	Formader-Hembre-Klickitat complex, 50 - 80% slopes	No rating	---	170	
51B	Haflinger-Jimbo complex, 0 - 5% slopes	No rating	---	161	
52B	Hazelair silty clay loam, 2 - 7% slopes	No rating	---	est. 40	
52D	Hazelair silty clay loam, 7 - 20% slopes	No rating	---	est. 40	
53	Heceta fine sand	No rating	---	est. 20	
54D	Hembre silt loam, 5 - 25% slopes	127	188	---	
54G	Hembre silt loam, 25-60% slopes	127	188	---	
55E	Hembre-Klickitat complex, 3 - 30% slopes	No rating	---	170	
55G	Hembre-Klickitat complex, 30 - 60% slopes	No rating	---	168	
56	Holcomb silty clay loam	No rating	---	est. 100	
58D	Honeygrove silty clay loam, 3 - 25% slopes	122	178	---	
58F	Honeygrove silty clay loam, 25 - 50% slopes	122	178	---	
59E	Hullt loam, 2 - 30% slopes	121	176	---	
59G	Hullt loam, 30 - 60% slopes	121	176	---	
61	Jimbo silt loam	121	176	---	
62B	Jimbo-Haflinger complex, 0 - 5% slopes	No rating	---	167	
63C	Jory silty clay loam, 2 - 12% slopes	122	178	---	
63D	Jory silty clay loam, 12 - 20% slopes	122	178	---	
63E	Jory silty clay loam, 20 - 30% slopes	122	178	---	
65G	Kilchis stony loam, 30 - 60% slopes	90	116	---	
65H	Kilchis stony loam, 60 - 90% slopes	90	116	---	
66D	Kinney cobbly loam, 3 - 20% slopes	122	178	---	
67F	Kinney cobbly loam, 20 - 50% north slopes	122	178	---	
67G	Kinney cobbly loam, 50 - 70% north slopes	122	178	---	
68F	Kinney cobbly loam, 20 - 50% south slopes	122	178	---	
68G	Kinney cobbly loam, 50 - 70% south slopes	122	178	---	
69E	Kinney cobbly loam, slump, 3 - 30% slopes	122	178	---	
70E	Klickitat stony loam, 3 - 30% slopes	112	158	---	
71F	Klickitat stony loam, 30 - 50% north slopes	112	158	---	
71G	Klickitat stony loam, 50 - 75% north slopes	112	158	---	
72F	Klickitat stony loam, 30 - 50% south slopes	112	158	---	
72G	Klickitat stony loam, 50 - 75% south slopes	112	158	---	
73	Linslaw loam	No rating	---	est. 80	
74B	Lint silt loam, 0 - 7% slopes	117	169	---	
74C	Lint silt loam, 7 - 12% slopes	117	169	---	
74D	Lint silt loam, 12 - 20% slopes	117	169	---	
74E	Lint silt loam, 20 - 40% slopes	117	169	---	
75	Malabon silty clay loam	No rating	---	est. 65	
76	Malabon-Urban land complex	No rating	---	est. 50	

Lane County Soil Ratings for Forestry
August 2011 Update

Map Symbol	Soil Map Unit	NRCS Site Index	NRCS Cu. Ft./ Acre/Year	ODOF Cu. Ft./ Acre/Year	Notes
101	Oxley-Urban land complex	No rating	---	est. 60	
102C	Panther silty clay loam, 2 - 12% slopes	No rating	---	est. 45	
103C	Panther-Urban land complex, 2 - 12% slopes	No rating	---	est. 40	
104E	Peavine silty clay loam, 3 - 30% slopes	125	184	---	
104G	Peavine silty clay loam, 30 - 60% slopes	125	184	---	
105A	Pengra silt loam, 1 - 4% slopes	No rating	---	est. 45	
106A	Pengra-Urban land complex, 1 - 4% slopes	No rating	---	est. 30	
107C	Philomath silty clay, 3 - 12% slopes	No rating	---	est. 45	
108C	Philomath cobbly silty clay, 3 - 12% slopes	No rating	---	est. 45	
108F	Philomath cobbly silty clay, 12 - 45% slopes	No rating	---	est. 45	
109F	Philomath-Urban land complex, 12 - 45% slopes	No rating	---	est. 20	
110	Pits	No rating	---	---	No trees expected
111D	Preacher loam, 0 - 25% slopes	128	190	---	
111F	Preacher loam, 25 - 50% slopes	128	190	---	
112G	Preacher-Bohannon-Slickrock complex, 50 - 75% slopes	No rating	---	185	
113C	Ritner cobbly silty clay loam, 2 - 12% slopes	107	149	---	
113E	Ritner cobbly silty clay loam, 12 - 30% slopes	107	149	---	
113G	Ritner cobbly silty clay loam, 30 - 60% slopes	107	149	---	
114	Riverwash	No rating	---	---	Highly variable; on-site determination required
115H	Rock outcrop-Kilchis complex, 30 - 90% slopes	No rating	---	34	
116G	Rock outcrop-Witzel complex, 10 - 70% slopes	No rating	---	21	
117E	Salander silt loam, 12 - 30% slopes	125	184	---	
118	Salem gravelly silt loam	No rating	---	est. 130	
119	Salem-Urban land complex	No rating	---	est. 100	
120B	Salkum silt loam, 2 - 6% slopes	116	167	---	
121B	Salkum silty clay loam, 2 - 8% slopes	116	167	---	
121C	Salkum silty clay loam, 8 - 16% slopes	116	167	---	
122	Saturn clay loam	123	180	---	
123	Sifton gravelly loam	124	182	---	
124D	Slickrock gravelly loam, 3 - 25% slopes	137	209	---	
124F	Slickrock gravelly loam, 25 - 50% slopes	137	209	---	
125C	Steiwer loam, 3 - 12% slopes	No rating	---	est. 30	

Lane County Soil Ratings for Forestry
August 2011 Update

Map Symbol	Soil Map Unit	NRCS Site Index	NRCS Cu. Ft./ Acre/Year	ODOF Cu. Ft./ Acre/Year	Notes
→ 125D	Steiwer loam, 12 - 20% slopes	No rating	---	est. 30	
125F	Steiwer loam, 20 - 50% slopes	No rating	---	est. 30	
126F	Tahkenitch loam, 20 - 45% slopes	124	182	---	
126G	Tahkenitch loam, 45 - 75% slopes	124	182	---	
127C	Urban land-Hazelair-Dixonville complex, 3 - 12% slopes	No rating	---	est. 45	
128B	Veneta loam, 0 - 7% slopes	108	150	---	
129B	Veneta Variant silt loam, 0 - 7% slopes	124	182	---	
130	Waldo silty clay loam	No rating	---	est. 45	
131C	Waldport fine sand, 0 - 12% slopes	No rating	---	29	
131E	Waldport fine sand, 12 - 30% slopes	No rating	---	29	
131G	Waldport fine sand, 30 - 70% slopes	No rating	---	29	
132E	Waldport fine sand, thin surface, 0 - 30% slopes	No rating	---	29	
133C	Waldport-Urban land complex, 0 - 12% slopes	No rating	---	est. 20	
134	Wapato silty clay loam	No rating	---	---	
135C	Willakenzie clay loam, 2 - 12% slopes	110	154	---	
135D	Willakenzie clay loam, 12 - 20% slopes	110	154	---	
135E	Willakenzie clay loam, 20 - 30% slopes	110	154	---	
135F	Willakenzie clay loam, 30 - 50% slopes	110	154	---	
136	Willanch fine sandy loam	No rating	---	est. 40	
→ 138E	Witzel very cobbly loam, 3 - 30% slopes	No rating	---	70	
138G	Witzel very cobbly loam, 30 - 75% slopes	No rating	---	70	
139	Woodburn silt loam	No rating	---	est. 170	
140	Yaquina loamy fine sand	No rating	---	---	
141	Yaquina-Urban land complex	No rating	---	est. 45	
2024A	Malabon silty clay loam, rarely flooded, 0 - 3% slopes	123	180	---	Best available data
2025A	Coburg silty clay loam, rarely flooded, 0 - 3% slopes	No rating	Est. 100	---	No data available; the estimate is for Coburg map unit 31, a similar soil
2208B	McAlpin silty clay loam, 3 - 6% slopes	144	222	---	
2718E	Jory-Nekia complex, 20 - 30% slopes	122	178	---	Data is for the Jory component only
2733C	Willakenzie loam, 2 - 12% slopes	112	158	---	
2733E	Willakenzie loam, 2 - 12% slopes	110	157	---	

EXHIBIT 7

DOUGLAS FIR EMPIRICAL YIELD TABLE

TABLE 5
SITE 100

Total Age	Normal Basal Area	Mean Diameter	CVTS	CV4	SV6(32')	C/SCR Ratio
20	17	8.53	85	85	335	.254
26	70	9.33	1,324	1,236	2,561	.483
30	97	9.85	2,130	1,913	4,601	.416
40	146	11.14	4,071	3,703	11,450	.323
41	150	11.27	4,259	3,886	12,248	.317
50	181	12.39	5,909	5,541	19,972	.277
60	209	13.59	7,643	7,325	29,247	.250
70	232	14.71	9,273	8,982	38,528	.233
80	252	15.75	10,799	10,468	47,294	.221
90	269	16.69	12,222	11,750	55,131	.213
100	284	17.53	13,541	12,805	61,760	.207
110	297	18.24	14,756	13,624	66,922	.204
120	310	18.81	15,867	14,190	70,448	.201
130	321	19.24	16,875	14,502	72,234	.201

TABLE 6
SITE 110

Total Age	Normal Basal Area	Mean Diameter	CVTS	CV4	SV6(32')	C/SCR Ratio
20	30	8.74	327	327	666	.491
26	83	9.63	1,688	1,494	3,299	.453
30	109	10.23	2,574	2,253	5,812	.388
40	158	11.69	4,717	4,275	14,125	.303
41	162	11.83	4,926	4,482	15,074	.297
50	194	13.11	6,757	6,345	24,305	.261
60	222	14.47	8,693	8,344	35,244	.237
70	245	15.76	10,525	10,200	46,141	.221
80	264	16.97	12,253	11,863	56,425	.210
90	281	18.09	13,878	13,304	65,675	.203
100	296	19.09	15,398	14,503	73,549	.197
110	310	19.97	16,815	15,448	79,836	.193
120	322	20.72	18,129	16,126	84,358	.191
130	333	21.31	19,338	16,528	86,957	.190

TABLE 7
SITE 120

Total Age	Normal Basal Area	Mean Diameter	CVTS	CV4	SV6(32')	C/SCR Ratio
20	51	9.11	819	770	1,355	.568
26	101	10.10	2,294	1,961	4,810	.408
30	126	10.77	3,257	2,821	7,992	.353
40	173	12.39	5,592	5,093	18,116	.281
41	177	12.55	5,820	5,324	19,255	.277
50	208	13.98	7,823	7,389	30,132	.245
60	235	15.50	9,951	9,588	42,783	.224
70	258	16.96	11,974	11,611	55,265	.210
80	277	18.33	13,894	13,424	66,954	.200
90	294	19.60	15,710	14,992	77,437	.194
100	309	20.76	17,423	16,297	86,410	.189
110	322	21.80	19,031	17,334	93,643	.185
120	334	22.70	20,536	18,091	98,946	.183
130	345	23.45	21,937	18,561	102,187	.182

SITE INDEX 115 $\frac{27,219}{BD FT}$

EXHIBIT 8

DOUGLAS FIR LOG PRICES 1978-1982, 1983

REGION 1 - WESTERN OREGON UNIT

Reporting format: ODF reporting as of 4th quarter 1981Source: Oregon Department of Forestry Forest Management Division
http://www.odf.state.or.us/divisions/management/asset_management/logprices/logP483.HTM

Domestically Processed Logs (Delivered to a mill; "Pond Value")

1978

Douglas-Fir Grade	Quarter				Average
	1st	2nd	3rd	4th	
#1P	\$ 460	475	475	475	471
#2P	\$ 415	435	435	435	430
#3P	\$ 358	389	389	389	381
SM	\$ 283	338	338	338	324
#2S	\$ 242	287	287	287	276
#3S	\$ 191	250	250	250	235
#4S	\$ 161	200	200	200	190
SC	\$ 125	157	157	157	149
Utility	\$ 70	80	80	80	78

1979

Douglas-Fir Grade	Quarter				Average
	1st	2nd	3rd	4th	
#1P	\$ 531	531	584	584	555
#2P	\$ 476	476	523	523	500
#3P	\$ 425	425	467	467	446
SM	\$ 385	385	423	423	404
#2S	\$ 322	322	354	354	338
#3S	\$ 282	282	310	310	296
#4S	\$ 256	256	281	281	269
SC	\$ 160	160	176	176	168
Utility	\$ 90	90	99	99	95

1980

Douglas-Fir Grade	Quarter				Average
	1st	2nd	3rd	4th	
#1P	\$ 584	584	584	584	584
#2P	\$ 523	523	523	523	523
#3P	\$ 467	467	467	467	467
SM	\$ 423	423	423	423	423
#2S	\$ 354	354	354	354	354
#3S	\$ 310	310	310	310	310
#4S	\$ 281	281	281	281	281
SC	\$ 176	176	176	176	176
Utility	\$ 99	99	99	99	99

1981

Douglas-Fir Grade	Quarter				Average
	1st	2nd	3rd	4th	
#1P	\$ 584	584	584	648	648
#2P	\$ 523	523	523	550	550
#3P	\$ 467	467	467	439	439
SM	\$ 423	423	423	390	415
#2S	\$ 354	354	354	323	346
#3S	\$ 310	310	310	238	292
#4S	\$ 281	281	281	208	263
SC	\$ 176	176	176	212	185
Utility	\$ 99	99	99	104	100

1982

Douglas-Fir Grade	Quarter				Average
	1st	2nd	3rd	4th	
1P	\$ 600	512	512	512	534
2P	\$ 510	439	439	439	457
3P	\$ 425	370	370	370	384
SM	\$ 375	316	316	316	331
2S	\$ 295	258	258	258	267
3S	\$ 225	202	202	202	208
4S	\$ 190	169	169	169	174
SC	\$ 190	164	164	164	171
Utility	\$ 90	123	123	123	115
CR (2S & better)	\$ --	303	303	303	303
CR (2S, 3S, and 4S)	\$ --	243	243	243	243

1983

Douglas-Fir Grade	Quarter				Average
	1st	2nd	3rd	4th	
1P	\$ 512	505	505	505	507
2P	\$ 439	410	425	425	425
3P	\$ 370	325	340	340	343
SM	\$ 316	275	285	285	290
2S	\$ 258	250	255	255	255
3S	\$ 202	210	215	215	211
4S	\$ 169	195	200	200	191
SC	\$ 164	130	140	140	144
Utility	\$ 123	75	75	75	87
CR (2S & better)	\$ 303	--	--	--	303
CR (2S, 3S, and 4S)	\$ 243	240	240	240	241

DOUGLAS FIR LOG PRICES 1978-1982, 1983

DF Grade	1978-1982 Average	1983 Average	%+	% -
1P	\$ 558	507		- 9.1%
2P	\$ 492	425		-13.6%
3P	\$ 423	343		-18.9%
SM	\$ 379	290		-23.5%
2S	\$ 316	255		-19.3%
3S	\$ 268	211		-21.3%
4S	\$ 235	191		-18.7%
SC	\$ 170	144		-15.3%
Utility	\$ 97	87		-10.3%
CR (2S & better)	\$ 303	303		n/c
CR (2S, 3S, and 4S)	\$ 243	241		- 0.8%
Average*	\$ 326	273	19.4**	-16.3

*In the absence of information concerning distribution of grades, it is not possible to assign the different grades their proper weight in calculating an overall average. This calculation assigns each grade equal weight, with the exception of the CR grades which were used only during the years 1982 and 1983 years and are not included.

** % by which 1978-82 prices exceed 1983 prices

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History of the subject lot between 1978 and 1983.

1. The land must not have been managed during three of the five calendar years Between January 1, 1978 and January 1, 1983 as part of a farming operation which produced \$ 20,000 or more in annual gross income, **or** as part of a forest operation capable of producing an average over the growth cycle of \$ 10,000 in annual gross income. Statistical empirical data may be used to demonstrate income capability.

Data from Lane County Deeds and records indicate that the property was owned by Haldor Torkelsen until 1977. At that time the property was partially used for grazing and also had a small orchard. Mr. Torkelsen lived in a small one room dwelling adjacent to the orchard. Because of his age, the property was for the most part not employed for any significant agricultural use at this time. The property was then purchased and partially inherited in 1978 by Carl and Joanne Stallings as shown in Lane County Deeds and Records 7944725.

According to the neighbors of Mr. & Mrs. Stallings, Mr. Richard Walker, the only significant farming activity that was done during their ownership of the property was a small vegetable garden and an old orchard. (See Exhibit 9 NRCS data & Note from Richard Walker). They Stallings did however try to develop the property as evidenced by a partition filed, Lane County Records CS File 23316, in Aug. 31, 1979. This effectively split the property into 6 tax lots. The subject lot Parcel 2 of this partition containing 54.6 acres which is the subject of this application. This was during the time frame of a major recession when very little was being done with property development or building of any kind. Also Mrs Stallings health problems which resulted in her death was a contributing factor which led to foreclosure. By July 9th. 1985 various parties who were creditors foreclosed on the property for a balance of \$ 122,500 as shown in the Sheriff's Deed, Lane County Deeds 8724923. At that time none of the 6 parcels contained in the partition had been sold. The Administrative Service Company then completed the sale of the subject property and distributed the money to the creditors. By 1987 the property was purchased by Joseph and Julianne Arnold for \$ 85,000.

As shown on the aerial map only a portion of the subject property was available for grazing and a large percentage of that open land could not be bailed because of the slopes. During this time frame the price of beef was not sufficient enough to bring in \$ 20,000 per year. (See Exhibit 6).

March 14, 2016

To whom it may concern:

My name is Richard Walker and I lived at 85518 Pine Grove Road from the early 1970 until my wife Marian took ill in 2004 at which time we moved in to Eugene.

I was asked by Mr. Larry Martinez if I had any information concerning the property adjoining ours, belonging to Mr. Torkelson.

At the time we moved to Pine Grove Rd, Mr. Torkelson was in his eighties living alone with an old black Labrador dog. His home must have been built in the late 1800s or early 1900 as the foundation of the home consisted of very old timbers which were rotting away. His niece, Joann Stalling lived just down Pine Grove in their home which includes a riding area where they gave riding lessons and held equestrian events.

Each Sunday Mrs. Stalling would come up to the old home, pick up Mr. Torkelson, take him to her home, give him a bath, cut his hair, and fix him a nice dinner. I talked with Mrs. Stalling about her uncle living alone in very poor conditions and I was told that it was his choice, he was born in that home and had lived there his entire life and did not want to move...During those years, only Mr. Torkelson lived on the homestead, he planted a small garden every year, but it never amounted to anything as the deer would eat everything.

Mr. Martinez asked me specifically about if any farming or agriculture activity of any kind had ever taken place on that property. At no time did I ever see any livestock such as cattle or other farm animals. From our living room we over looked the entire Torkelson holdings and the

only agriculture we ever saw was the wonderful apple orchard that had been planted in the 1800s and many of those trees had died out, but the orchard ran through our property and down Pine Gove for several miles though many properties.

The Torkelson place consisted of several large meadows and a large forest like area up behind the old homestead. The only real time I saw the property used for anything was when it was purchased by Nick and Julie Arnold who build a stable and barn to house their horses. Mrs. Arnolds loved horses and rode a great deal winding up through trails and such on their property and other properties.

If you have any questions, or need further thoughts or information you may contact me though my email at: richw2@comcast.net, or call my home:541-683-4130.

Sincerely,

Richard Walker

1773 Lake shore dr

Eugene, Or 97408



Balancing your Animals with your Forage

Small Scale Solutions for your Farm

How many animals should be on your pasture?

If you have a limited amount of land but a flexible herd size, you probably want to know **the maximum number of animals** that you can graze on your pasture.



How many acres of pasture do your animals need?

If you have a lot of land but you want to keep a fixed number of livestock, you probably want to know **the minimum amount of land** your animals need to graze.

Finding the right balance between your herd size and your available forage is essential to good grazing management whether you are using a continuous or rotational grazing system.

To answer the questions above, you'll need to know:

- the length of your grazing season in days OR you can figure how much you will need for the whole year by using 365 days.
- the average weight of one of your animals
- the total number of acres available for grazing (many people also include their hayland)
- the average yield of your pasture per acre (Use your own yield figures if you have them. If not, you can get average yield estimates from your local NRCS Office.
- The daily utilization rate for livestock. This is always the same number, .04, or 4%. This figure is used because livestock need to have 4% of their weight in forage each day (2.5-3% intake, .5 trampling loss and .5-1% buffer).

EXAMPLE FARM

Beefy Acres is a cow/calf operation located in the Southeast.

- We are going to try to figure out how much we will need the whole year (**365 days**)
- The average weight of one beef cow/calf is **1200 lb**
- We have a total of **20 acres** of pasture
- We have 10 ac of bermudagrass and ryegrass with an average yield of **11,500 lb/ac/yr**
- We have 10 ac of fescue with an average yield of **7,500 lb/ac/yr**
- Together, the average yield of both pastures is **9,500 lb/ac**

You may have heard a rule-of-thumb is that it takes **1.5 to 2 acres** to feed a cow calf pair for 12 months. That means we should be able to have 10 to 13 cows.

Let's see how this rule-of-thumb holds up.

Balancing your Animals with your Forage

Let's start with how many animals should be on our example farm.

$$\begin{aligned} \text{Total Number of Animals} &= \frac{(\text{total acreage } 20 \text{ ac}) \times (\text{average yield per acre } 9,500 \text{ lb/ac})}{(.04) \times (\text{average animal weight } 1200 \text{ lb}) \times (\text{grazing days } 365)} \\ &= \frac{(20) \times (9,500)}{(.04) \times (1200) \times (365)} = \frac{190,000}{17,520} = \mathbf{11 \text{ animals}} \end{aligned}$$

This is the maximum number of animals. You can always stock less animals.

Now let's figure out the minimum amount of pasture our animals would need. Let's use the 11 beef cows from above.

$$\begin{aligned} \text{Acres of Pasture Needed} &= \frac{(\text{animals } 11) \times (\text{average animal weight } 1200 \text{ lb}) \times (.04) \times (\text{grazing days } 365)}{(\text{average yield per acre } 9,500 \text{ lb})} \\ &= \frac{(11) \times (1200 \text{ lb}) \times (.04) \times (365)}{(9,500 \text{ lb/ac})} = \frac{192,720}{9,500} = \mathbf{20 \text{ acres}} \end{aligned}$$

This is the minimum amount of land. You can always use more than the minimum.

It looks like our rule-of-thumb held up pretty good, 11 cows on 20 acres, is 1.8 acres per cow. We have enough forage to feed our cows for the whole year. These figures give you a good estimate and are a great place to start.

Unfortunately, grass does not grow in equal amounts the entire year. So, we'll need to break this down on a month-by-month basis. To do this, you'll need to know the growth pattern and rate of your forage for your area. You can get the growth rates for your area from your local NRCS office or use your own numbers if you have them. Let's look at the example monthly growth rate of our pastures below.

Table 1: Monthly Growth Rate in lb/ac

Month	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
bermuda/rye 11,500/yr	62	112	1080	1140	1674	1410	2015	1798	930	589	570	120
fescue 7,500/yr	93	410	1085	1500	1178	450	155	248	540	1178	570	93

Balancing your Animals with your Forage

How much forage do our animals need each month?

We know each animal needs 4% of its weight in forage each day (daily utilization rate .04). If we multiply the daily utilization rate times 30 days, we get the monthly utilization rate which is 1.2. To figure out how much forage our herd needs each month we multiply the monthly utilization rate (1.2) times the number of animals (11) and the average weight (1200 lb).

$$\text{Amount of forage needed each month} = (1.2) \times (11 \text{ animals}) \times (\text{average weight } 1200\text{lb}) = 15,840 \text{ lb}$$

How much forage do we have each month?

To figure out how much forage we are producing each month, we take the monthly lb/acre produced by our pastures from Table 1, and multiply this amount by how many acres we have of each pasture. For example, looking at Table 1, we know that the bermudagrass/rye pasture produces 62lb/ac of forage in January. We multiply this by 10 acres to give us 620 lb. This is the total produced by that pasture in January, as shown in the Monthly Forage Balance Sheet below.

Beefy Acres: Monthly Forage Balance Sheet												
Month	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
10ac bermudagrass/rye	620	1,120	10,800	11,400	16,740	14,100	20,150	17,980	9,300	5,890	5,700	1,200
10ac fescue	930	4,100	10,850	15,000	11,780	4,500	1,550	2,480	5,400	11,780	5,700	930
Total Amount Available	1,550	5,220	21,650	26,400	28,520	18,600	21,700	20,460	14,700	17,670	11,400	2,130
Total Amount Needed	15,840	15,840	15,840	15,840	15,840	15,840	15,840	15,840	15,840	15,840	15,840	15,840
surplus deficit	14,290	10,620	5,810	10,560	12,680	2,760	5,860	4,620	1,140	1,830	4,440	13,710

Putting it all together:

The monthly forage balance sheet gives you a good idea of what to expect during the year. You can use this information to plan your management activities. For example, you can stockpile part of a pasture or cut it for hay when you have a surplus and use it during the months you have a deficit, such as in the winter. You will also need to keep your animals off the pasture during the winter when the grass is not growing or growing very slowly. Overgrazing at this time can slow down spring growth or, if done for long periods, will severely damage your pasture. In our example above, we could probably graze until mid November. Looking at the height of the forage is the best way to decide when to start and stop grazing. Remember, the forage balance sheet is an estimate. The yields will vary each year, so you should be prepared for a drought or an early freeze. You can also revise the information each month as your animals gain weight during the season. Getting the proper balance of animals and forage is the foundation to good grazing management.

Help is Available



SMALL SCALE SOLUTIONS FOR YOUR FARM

Technical Help Is Available

Your local Natural Resources Conservation Service (NRCS) office has experienced conservationists that can assist you with balancing your animals with your forage. They can also help you develop a Conservation Plan to solve other problems you have identified on your farm.

There is no charge for our assistance. Simply call your local office at the number listed below to set up an appointment and we will come to your farm.

You may also be eligible to receive financial assistance, through a state or federal program. Your NRCS office will explain any programs that are available so you can make the best decision for your operation. All NRCS programs and services are voluntary.



Helping People Help the Land

For More Information Contact the:

Natural Resources Conservation Service

State Office:
100 W. Capitol St., Ste. 1321
Jackson, MS 39269

www.ms.nrcs.usda.gov
Twitter: NRCS_MS

The United States Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, and marital or familial status. (Not all prohibited bases apply to all programs). Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact the USDA's TARGET Center at 202-720-2600 (voice and TDD). To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326W, Whitten Building, 14th and Independence Ave., SW, Washington, D.C., 20250-9410, or call (202) 720-5964 (voice) or (202) 720-1127 (TDD). USDA is an equal opportunity provider and employer.

January 2009

7944723

WPT 54429
18 05 25 00 200

WARRANTY DEED

HALDOR TORKELSON

Grantor,
conveys and warrants to CARL R. STALLINGS & JOANNE A. STALLINGS, Husband and Wife,

Grantee,
the following described real property free of encumbrances except as specifically set forth herein situated in Lane County, Oregon, to-wit:

That certain property described upon Exhibit A attached hereto and by this reference incorporated herein.

B B • 2775000 0081050

The said property is free from encumbrances except easements, reservations and restrictions of record for Lane County, Oregon, and excepting that portion of the described property located within the boundaries of Lane County roads No. 108 and 1351.

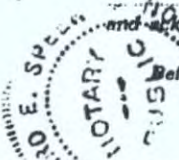
The true consideration for this conveyance is \$ 65,000.00
(Here comply with the requirements of ORS 93.730)

Dated this 5th day of July, 1977.

Haldor Torkelson
Haldor Torkelson

STATE OF OREGON, County of Lane) ss. July 8, 1977.
Personally appeared the above named Haldor Torkelson

and acknowledged the foregoing instrument to be his voluntary act and deed.
Before me: *Arnell Speer*
Notary Public for Oregon—My commission expires: 1-25-81



Grantees Address 85687 Pine Grove Rd., Eugene, OR 97405

PIONEER TITLE CO., of Lane and Deschutes Counties

7944724

Beginning at the Southwest corner of the Robert Arbuckle and wife Donation Land Claim #52, Notification #2103, Section 25, Township 18 South, Range 5 West of the Willamette Meridian, thence East 17.465 chains, thence North 22.90 chains parallel with the West line of said claim, thence West 17.465 chains, thence South 22.90 chains to the beginning, containing more or less 40 acres.

ALSO:

Beginning at a point on the West line of the Robert Arbuckle Donation Land Claim #52, Notification #2103, Section 25, Township 18 South, Range 5 West of the Willamette Meridian, 22.90 chains North of the Southwest corner of said claim, thence North 22.90 chains along the West line of said claim, thence East 17.47 chains, thence South 22.90 chains parallel with the West line of said claim, thence West 17.47 chains to the point of beginning, containing 40.0 acres.

SAVE AND EXCEPT THE FOLLOWING PARCELS:**PARCEL 1:**

Beginning at a point in the center line of County Road No. 583, 384.23 feet North 89° 41' 40" East of a point 324.72 feet North of the Southeast corner of the Green S. Moore Donation Land Claim No. 42 in Township 18 South, Range 5 West of the Willamette Meridian and run thence North 89° 41' 40" East 160.00 feet along the center line of said County Road to a point; thence South 250.00 feet to a point; thence South 89° 41' 40" West 160.00 feet to a point; thence North 250.00 feet to the point of beginning, containing 1 acre, more or less, all in R. Arbuckle Donation Land Claim in said Township and Range, Lane County, Oregon.

PARCEL 2:

Beginning at the Southeast corner of the Green S. Moore Donation Land Claim No. 42 in Township 18 South, Range 5 West of the Willamette Meridian, said beginning point being 2708.27 feet North of the Southwest corner of the R. Arbuckle Donation Land Claim No. 52 and being in the center of County Road No. 108 and run thence South 42.13 feet to the true point of beginning; thence North 89° 41' 40" East 200.00 feet to a point; thence South 200.00 feet to a point; thence South 89° 41' 40" West 200.00 feet to a point on the West line of said Arbuckle Claim; thence North 200.00 feet to the point of beginning, all in said Arbuckle Claim, in Lane County, Oregon.

PARCEL #3:

BEGINNING at a point in the centerline of County Road No. 583 384.23 feet North 89° 41' 40" East of a Point 324.72 feet North of the Southeast corner of the Green S. Moore Donation

7944724

Land Claim No. 42 in Township 18 South, Range 5 West of the Willamette Meridian and run thence North $89^{\circ} 41' 40''$ East 384.23 feet along the center line of said County Road to a point; thence South 566.85 feet to a point; thence South $89^{\circ} 41' 40''$ West 384.23 feet to a point; thence North 566.85 feet to the point of beginning; containing 5.00 acres, more or less, all in R. Arbuckle Donation Land Claim in said Township and Range, Lane County, Oregon.

PARCEL #4:

BEGINNING at the Southeast corner of the Green S. Moore Donation Land Claim No. 42 in Township 18 South, Range 5 West of the Willamette Meridian, said beginning point being 2708.27 feet North of the Southwest corner of the R. Arbuckle Donation Land Claim No. 52 and being in the center of County Road No. 108 and run thence North 324.72 feet to the beginning point of County Road No. 583; thence North $89^{\circ} 41' 40''$ East 384.23 feet along the center line of said County Road No. 583 to a point; thence South 566.85 feet to a point; thence South $89^{\circ} 41' 40''$ West 384.23 feet to a point on the West line of said Arbuckle Claim; thence North 242.13 feet to the point of beginning, containing 5.00 acres more or less, all in said Arbuckle Claim, Lane County, Oregon.

PARCEL #5:

BEGINNING at a point in the center line of County Road No. 583, 768.46 feet North $89^{\circ} 41' 40''$ East of a point 324.72 feet North of the Southeast corner of the Green S. Moore Donation Land Claim No. 42 in Township 18 South, Range 5 West of the Willamette Meridian; and run thence North $89^{\circ} 41' 40''$ East 384.23 feet along the center line of said County Road to a point; thence South 566.85 feet to a point; thence South $89^{\circ} 41' 40''$ West 384.23 feet to a point; thence North 566.85 feet to the point of beginning, all in the Arbuckle Donation Land Claim in said Township and Range, Lane County, Oregon.

PARCEL #6:

BEGINNING at a point on the West line of the R. Arbuckle Donation Land Claim No. 52, Township 18 South, Range 5 West of the Willamette Meridian, in Lane County, Oregon, said point being 242.13 feet South of the Southeast corner of the Green S. Moore Donation Land Claim No. 42, Section 25, Township 18 South, Range 5 West of the Willamette Meridian, in Lane County, Oregon; running thence North $89^{\circ} 41' 40''$ East 768.46 feet; thence South 300.0 feet; thence South $89^{\circ} 41' 40''$ West 768.46 feet to the West line of said Arbuckle Donation Land Claim; thence North 300.0 feet to the place of beginning.

7944724

State of Oregon,
County of Lane—ss.

I, D.M. Penfold, Director of the Department of General Services, in and for the said County, do hereby certify that the within instrument was received for record at

27 JUL 79 16: 05

Reel 1011 R

Lane County OFFICIAL Records.

D.M. Penfold, Director of the Department of General Services.

By Shawright
Deputy

CS-63

STATUTORY
WARRANTY DEED

8734481

WPT 75420
18-05-25-200

ADMINISTRATION SERVICE CO., an Oregon Corporation

conveys and warrants to
JOSEPH H. ARNOLD III and JULIANNE E. ARNOLD, husband and wife

Grantor,
Grantee,
the following described real property free of encumbrances except as specifically set forth herein situated in Lane
County, Oregon, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN

5272A001 08/10/87WPIO 15.00
0005

5272A001 08/10/87PFND 10.00
0005

The said property is free from encumbrances except: subject to 1987-88 real property taxes, a lien not yet payable; subject to property being classified for farm use and forest lands; subject to the rights of the public in streets, roads and highways.

The true consideration for this conveyance is \$ 85,000.00

"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."

Dated this 6th day of August, 1987.

ADMINISTRATION SERVICE CO.

By: Janet J. Rathe, Secretary

STATE OF OREGON,

County of Lane
before me appeared Janet J. Rathe

ss.
Janet J. Rathe

On this 6th day of August, 1987, and

known to me personally known, who being

duly sworn, did say that the said Janet J. Rathe is the Secretary of Administration Service Co. the within named Corporation, and that the seal affixed to said instrument is the corporate seal of said Corporation, and that the said instrument was signed and sealed in behalf of said Corporation by authority of its Board of Directors, and acknowledged said instrument to be the free act and deed of said Corporation.

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

Notary Public for Oregon.
My Commission expires 5-1-90

8734481

EXHIBIT "A"

Beginning at the Southwest corner of the Robert Arbuckle and wife Donation Land Claim #52, Notification #2103, Section 25, Township 18 South, Range 5 West of the Willamette Meridian, thence East 17.465 chains, thence North 22.90 chains parallel with the West line of said claim, thence West 17.465 chains, thence South 22.90 chains to the beginning.

ALSO: Beginning at a point on the West line of the Robert Arbuckle Donation Land Claim #52, Notification #2103, Section 25, Township 18 South, Range 5 West of the Willamette Meridian. 22.90 chains North of the Southwest corner of said claim, thence North 22.90 chains along the West line of said claim, thence East 17.47 chains, thence South 22.90 chains parallel with the West line of said claim, thence West 17.47 chains to the point of beginning.

SAVE AND EXCEPT THE FOLLOWING PARCELS:

PARCEL 1:

Beginning at a point in the center line of County Road No. 583, 384.23 feet North 89° 41' 40" East of a point 324.72 feet North of the Southeast corner of the Green S. Moore Donation Land Claim No. 42 in Township 18 South, Range 5 West of the Willamette Meridian and run thence North 89° 41' 40" East 160.00 feet along the center line of said County Road to a point; thence South 250.00 feet to a point; thence South 89° 41' 40" West 160.00 feet to a point; thence North 250.00 feet to the point of beginning, all in R. Arbuckle Donation Land Claim in said Township and Range, Lane County, Oregon.

PARCEL 2:

Beginning at the Southeast corner of the Green S. Moore Donation Land Claim No. 42 in Township 18 South, Range 5 West of the Willamette Meridian, said beginning point being 2708.27 feet North of the Southwest corner of the R. Arbuckle Donation Land Claim No. 52 and being in the center of County Road No. 108 and run thence South 42.13 feet to the true point of beginning; thence North 89° 41' 40" East 200.00 feet to a point; thence South 200.00 feet to a point; thence South 89° 41' 40" West 200.00 feet to a point on the West line of said Arbuckle Claim; thence North 200.00 feet to the point of beginning, all in said Arbuckle Claim, in Lane County, Oregon.

PARCEL 3:

Beginning at a point in the centerline of County Road No. 583, 384.23 feet North 89° 41' 40" East of a point 324.72 feet North of the Southeast corner of the Green S. Moore Donation Land Claim No. 42 in Township 18 South, Range 5 West of the Willamette Meridian and run

8734481

EXHIBIT "A" - Cont.

thence North 89° 41' 40" East 384.23 feet along the center line of said County Road to a point; thence South 556.85 feet to a point; thence South 89° 41' 40" West 384.23 feet to a point; thence North 566.85 feet to the point of beginning; all in R. Arbuckle Donation Land Claim in said Township and Range, Lane County, Oregon.

PARCEL 4:

Beginning at the Southeast corner of the Green S. Moore Donation Land Claim No. 42 in Township 18 South, Range 5 West of the Willamette Meridian, said beginning point being 2708.27 feet North of the Southwest corner of the R. Arbuckle Donation Land Claim No. 52 and being in the center of County Road No. 108 and run thence North 324.72 feet to the beginning point of County Road No. 583; thence North 89° 41' 40" East 384.23 feet along the center line of said County Road No. 583 to a point; thence South 566.85 feet to a point; thence South 89° 41' 40" West 384.23 feet to a point on the West line of said Arbuckle Claim; thence North 242.13 feet to the point of beginning, all in said Arbuckle Claim, Lane County, Oregon.

PARCEL 5:

Beginning at a point in the center line of County Road No. 583, 768.46 feet North 89° 41' 40" East of a point 324.72 feet North of the Southeast corner of the Green S. Moore Donation Land Claim No. 42 in Township 18 South, Range 5 West of the Willamette Meridian; and run thence North 89° 41' 40" East 384.23 feet along the center line of said County Road to a point; thence South 566.85 feet to a point; thence South 89° 41' 40" West 384.23 feet to a point; thence North 566.85 feet to the point of beginning, all in the Arbuckle Donation Land Claim in said Township and Range, Lane County, Oregon.

PARCEL 6:

Beginning at a point on the West line of the R. Arbuckle Donation Land Claim No. 52, Township 18 South, Range 5 West of the Willamette Meridian, in Lane County, Oregon, said point being 242.13 feet South of the Southeast corner of the Green S. Moore Donation Land Claim No. 42, Section 25, Township 18 South, Range 5 West of the Willamette Meridian, in Lane County, Oregon; running thence North 89° 41' 40" East 768.46 feet; thence South 300.0 feet; thence South 89° 41' 40" West 768.46 feet to the West line of said Arbuckle Donation Land Claim; thence North 300.0 feet to the place of beginning.

8734481

State of Oregon,
County of Lane- ss.

I, the County Clerk, in and for the said County, do hereby certify that the within and above is a true and correct copy of the original as the same is on file in my office, and is hereby certified for record at
#11 AUG 27 10:22

Reel 1471R

Lane County OFFICIAL RECORDS
Lane County Clerk

By:



Chief Deputy

|SHERIFF'S DEED|

8724923

15
10

[THIS INDENTURE], Made this 11th day of June, 1987, by and between David N. Burks, Sheriff of Lane County, Oregon, hereinafter called the grantor, and Administration Service Co., an Oregon corporation hereinafter called the grantee: [WITNESSETH]:

RECITALS: In a suit in the Circuit Court for the State Of Oregon for Lane County, bearing Register Number 16-82-01378, in which Administration Service Co., an Oregon corporation was plaintiff, and Carl R. Stallings, Joanne A. Stallings, Greg Stallings, Kevin Stallings, Diane Stallings, Gerald Wygant, Western Service Company, an Oregon corporation, Delos D. Shinn, Duane Hofer and Emmett I. Engeman, dba H&E Feeds, Worker's Compensation Dept., State of Oregon, Ray Klein, Inc., an Oregon corporation dba Professional Credit Service First National Bank of Oregon, an Oregon banking corporation, Lane County, Oregon, a municipal corporation, Bonnie J. Macaskill, Edmond K. Vilhauer, dba Crow Mercantile Co., WEC Inc., an Oregon corporation, Speer & Jones, Lawyers, a professional corporation, Man-Data, Inc., an Oregon corporation dba Pacific Coast Credit, C. C. Slocum were defendants, a judgment was entered and filed on the 3rd day of April, 1984, for the foreclosure of a mortgage on the real property described below; following the entry of said judgment, a writ of execution directing the sale of said real property was issued out of said court, pursuant to which and on the 5th day of June, 1985, the said real property was sold, subject to redemption, in the manner provided by law, for the sum of \$122,500.00 to Administration Service Co., an Oregon corporation who was the highest and best bidder and that being the highest and best sum bid therefor; at the time of said sale the said purchaser paid the amount bid for said property to the grantor or his predecessor in office; at said sale a certificate of said sale as required by law was duly executed and delivered to the said purchaser; upon due return of said sale on said execution, the said sale was duly confirmed on the 9th day of July, 1985.

The said real property has not been redeemed from such sale and the time for doing has now expired; the grantee herein is the owner and holder of said certificate of sale.

NOW, THEREFORE, in view of the premises, in order to complete said sale pursuant to law and in consideration of the sum paid for said real property at said sale, the grantor has granted, bargained, sold and conveyed and by these presents does grant, bargain, sell and convey unto the grantee, his heirs, successors-in-interest and assigns, that certain real property situated in Lane County, Oregon, described as follows, to-wit:

1066A001	06/11/87 REC	15.00
0003		
1066A001	06/11/87PND	10.00
0003		

Beginning at the Southwest corner of the Robert Arbuckle and wife Donation Land Claim #52, Notification #2103, Section 25, Township 18 South, Range 5 West of the Willamette Meridian, thence East 17.465 chains, thence North 22.90 chains parallel with the West line of said claim, thence West 17.465 chains, thence South 22.90 chains to the beginning.

ALSO: Beginning at a point on the West line of the Robert Arbuckle Donation Land Claim #52, Notification #2103, Section 25, Township 18 South, Range 5 West of the Willamette Meridian, 22.90 chains North of the Southwest corner of said claim, thence North 22.90 chains along the West line of said claim, thence East 17.47 chains, thence South 22.90 chains parallel with the West line of said claim, thence West 17.47 chains to the

point of beginning.

8724923

SAVE AND EXCEPT THE FOLLOWING PARCELS:

PARCEL 1:

Beginning at a point in the center line of County Road No. 583, 384.23 feet North 89 degrees 41'40" East of a point 324.72 feet North of the Southeast corner of the Green S. Moore Donation Land Claim No. 42 in Township 18 South, Range 5 West of the Willamette Meridian and run thence North 89 degrees 41'40" East 160.00 feet along the center line of said County Road to a point; thence South 250.00 feet to a point; thence South 89 degrees 41'40" West 160.00 feet to a point; thence North 250.00 feet to the point of beginning, all in R. Arbuckle Donation Land Claim in said Township and Range, Lane County, Oregon.

PARCEL 2:

Beginning at the Southeast corner of the Green S. Moore Donation Land Claim No. 42 in Township 18 South, Range 5 West of the Willamette Meridian, said beginning point being 2708.27 feet North of the Southwest corner of the R. Arbuckle Donation Land Claim No. 52 and being in the center of County Road No. 108 and run thence South 42.13 feet to the true point of beginning; thence North 89 degrees 41'40" East 200.00 feet to a point; thence South 200.00 feet to a point; thence South 89 degrees 41'40" West 200.00 feet to a point on the West line of said Arbuckle Claim; thence North 200.00 feet to the point of beginning, all in said Arbuckle Claim, in Lane County, Oregon.

PARCEL 3:

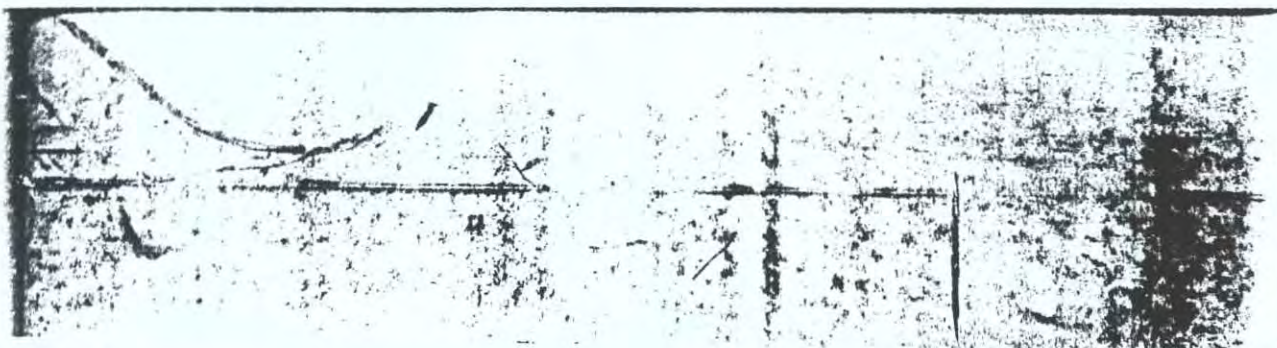
Beginning at a point in the centerline of County Road No. 583, 384.23 feet North 89 degrees 41'40" East of a point 324.72 feet North of the Southeast corner of the Green S. Moore Donation Land Claim No. 42 in Township 18 South, Range 5 West of the Willamette Meridian and run thence North 89 degrees 41'40" East 384.23 feet along the centerline of said County Road to a point; thence South 566.85 feet to a point; thence South 89 degrees 41'40" West 384.23 feet to a point; thence North 566.85 feet to the point of beginning; all in R. Arbuckle Donation Land Claim in said Township and Range, Lane County, Oregon.

PARCEL 4:

Beginning at the Southeast corner of the Green S. Moore Donation Land Claim No. 42 in Township 18 South, Range 5 West of the Willamette Meridian, said beginning point being 2708.27 feet North of the Southwest corner of the R. Arbuckle Donation Land Claim No. 52 and being in the center of County Road No. 108 and run thence North 324.72 feet to the beginning point of County Road No. 583; thence North 89 degrees 41'40" East 384.23 feet along the center line of said County Road No. 583 to a point; thence South 566.85 feet to a point; thence South 89 degrees 41'40" West 384.23 feet to a point on the West line of said Arbuckle Claim; thence North 242.13 feet to the point of beginning, all in said Arbuckle Claim, Lane County, Oregon.

PARCEL 5:

Beginning at a point in the center line of County Road No. 583, 768.46 feet North 89 degrees 41'40" East of a point 324.72 feet North of the Southeast corner of the Green S. Moore Donation Land Claim No. 42 in Township 18



8724923

South, Range 5 West of the Willamette Meridian; and run thence North 89 degrees 41'40" East 384.23 feet along the center line of said County Road to a point; thence South 566.85 feet to a point; thence South 89 degrees 41'40" West 384.23 feet to a point; thence North 566.85 feet to the point of beginning, all in the Arbuckle Donation Land Claim in said Township and Range, Lane County, Oregon.

PARCEL 6:

Beginning at a point on the West line of the R. Arbuckle Donation Land Claim No 52, Township 18 South, Range 5 West of the Willamette Meridian, in Lane County, Oregon, said point being 242.13 feet South of the Southeast corner of the Green S. Moore Donation Land Claim No. 42, Section 25, Township 18 South, Range 5 West of the Willamette Meridian, in Lane County, Oregon; running thence North 89 degrees 41'40" East 768.46 feet; thence South 300.0 feet; thence South 89 degrees 41'40" West 768.46 feet to the West line of said Arbuckle Donation Land Claim; thence North 300.0 feet to the place of beginning.

together with all of the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining and all of the interest of the defendants and each of them in and to said real property;

TO HAVE AND TO HOLD the same unto the grantee and grantee's heirs, successors-in-interest and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$122,500.00. However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration.

[IN WITNESS WHEREOF], the grantor has executed this instrument.

DAVID N. BURKS, Sheriff/Director
Department of Public Safety

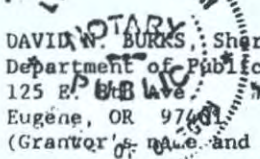
by Linda Stahl
Linda Stahl, Deputy

[STATE OF OREGON], County of Lane) ss. June 11, 1987
Personally appeared the above named Linda Stahl
and acknowledged the foregoing instrument to be his voluntary act and deed.

Before me: Linda Woodworth
Notary Public for Oregon
My Commission Expires: 8-15-89

DAVID N. BURKS, Sheriff/Director
Department of Public Safety
125 E. 6th Ave
Eugene, OR 97401
(Grantor's name and address)

8724923



State of Oregon,
County of Lane--ss.
I, the County Clerk, in and for the said
County, do hereby certify that the within
instrument was received for record at

11 JUN 17 1987
Reel 1462R

Lane County OFFICIAL Records,
Lane County Clerk

By: [Signature]
Chief Deputy

ASSIGNMENT OF CONTRACT AND DEED 7944725 WPT 54429

18 052500200

ALVIN B. GERSTENBERGER and LILLIAN M. GERSTENBERGER, husband and wife, Grantor, for value received hereby grant, bargain, sell and convey unto CARL R. STALLINGS and JOANNE A. STALLINGS, husband and wife, Grantee, the following described real property, with tenements, hereditaments and appurtenances, to-wit:

See Exhibit "A" attached hereto and by this reference incorporated herein as though here fully set forth.

B 8 • 2111 5011 No 010

PIONEER TITLE CO. of Lane and Deschutes Counties

and do hereby assign, transfer and set over to the Grantee that certain real estate contract dated the 8th day of July, 1978, between HALDOR TORKELSON

as Seller, and CARL R. STALLINGS and JOANNE A. STALLINGS, husband and wife, as Purchaser, for the sale and purchase of the above described real estate. The Grantees hereby assume and agree to fulfill the conditions of said real estate contract and Grantors hereby covenant that there is now unpaid on the principal of said contract the sum of \$ 47,000.00 plus interest from 7-27-79. The true consideration for this conveyance is \$ other than cash. Dated: May 5, 1978.

Alvin B. Gerstenberger (Seal) Lillian M. Gerstenberger (Seal)

STATE OF OREGON, County of Lane) ss. May 5, 1978

Personally appeared the above named ALVIN B. GERSTENBERGER and LILLIAN M. GERSTENBERGER and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me [Signature] Notary Public for Oregon 5-9-79 My Commission Expires

Grantee's Address: 85687 Pine Grove Road, Eugene, OR 97405

7944725

Beginning at the Southwest corner of the Robert Arbuckle and wife Donation Land Claim #52, Notification #2103, Section 25, Township 18 South, Range 5 West of the Willamette Meridian, thence East 17.465 chains, thence North 22.90 chains parallel with the West line of said claim, thence West 17.465 chains, thence South 22.90 chains to the beginning, containing more or less 40 acres.

ALSO:

Beginning at a point on the West line of the Robert Arbuckle Donation Land Claim #52, Notification #2103, Section 25, Township 18 South, Range 5 West of the Willamette Meridian, 22.90 chains North of the Southwest corner of said claim, thence North 22.90 chains along the West line of said claim, thence East 17.47 chains, thence South 22.90 chains parallel with the West line of said claim, thence West 17.47 chains to the point of beginning, containing 40.0 acres.

SAVE AND EXCEPT THE FOLLOWING PARCELS:

PARCEL 1:

Beginning at a point in the center line of County Road No. 583, 384.23 feet North $89^{\circ} 41' 40''$ East of a point 324.72 feet North of the Southeast corner of the Green S. Moore Donation Land Claim No. 42 in Township 18 South, Range 5 West of the Willamette Meridian and run thence North $89^{\circ} 41' 40''$ East 160.00 feet along the center line of said County Road to a point; thence South 250.00 feet to a point; thence South $89^{\circ} 41' 40''$ West 160.00 feet to a point; thence North 250.00 feet to the point of beginning, containing 1 acre, more or less, all in R. Arbuckle Donation Land Claim in said Township and Range, Lane County, Oregon.

PARCEL 2:

Beginning at the Southeast corner of the Green S. Moore Donation Land Claim No. 42 in Township 18 South, Range 5 West of the Willamette Meridian, said beginning point being 2708.27 feet North of the Southwest corner of the R. Arbuckle Donation Land Claim No. 52 and being in the center of County Road No. 108 and run thence South 42.13 feet to the true point of beginning; thence North $89^{\circ} 41' 40''$ East 200.00 feet to a point; thence South 200.00 feet to a point; thence South $89^{\circ} 41' 40''$ West 200.00 feet to a point on the West line of said Arbuckle Claim; thence North 200.00 feet to the point of beginning, all in said Arbuckle Claim, in Lane County, Oregon.

PARCEL #3:

BEGINNING at a point in the centerline of County Road No. 583 384.23 feet North $89^{\circ} 41' 40''$ East of a Point 324.72 feet North of the Southeast corner of the Green S. Moore Donation

7944725

Land Claim No. 42 in Township 18 South, Range 5 West of the Willamette Meridian and run thence North $89^{\circ} 41' 40''$ East 384.23 feet along the center line of said County Road to a point; thence South 566.85 feet to a point; thence South $89^{\circ} 41' 40''$ West 384.23 feet to a point; thence North 566.85 feet to the point of beginning; containing 5.00 acres, more or less, all in R. Arbuckle Donation Land Claim in said Township and Range, Lane County, Oregon.

PARCEL #4:

BEGINNING at the Southeast corner of the Green S. Moore Donation Land Claim No. 42 in Township 18 South, Range 5 West of the Willamette Meridian, said beginning point being 2708.27 feet North of the Southwest corner of the R. Arbuckle Donation Land Claim No. 52 and being in the center of County Road No. 108 and run thence North 324.72 feet to the beginning point of County Road No. 583; thence North $89^{\circ} 41' 40''$ East 384.23 feet along the center line of said County Road No. 583 to a point; thence South 566.85 feet to a point; thence South $89^{\circ} 41' 40''$ West 384.23 feet to a point on the West line of said Arbuckle Claim; thence North 242.13 feet to the point of beginning, containing 5.00 acres more or less, all in said Arbuckle Claim, Lane County, Oregon.

PARCEL #5:

BEGINNING at a point in the center line of County Road No. 583, 768.46 feet North $89^{\circ} 41' 40''$ East of a point 324.72 feet North of the Southeast corner of the Green S. Moore Donation Land Claim No. 42 in Township 18 South, Range 5 West of the Willamette Meridian; and run thence North $89^{\circ} 41' 40''$ East 384.23 feet along the center line of said County Road to a point; thence South 566.85 feet to a point; thence South $89^{\circ} 41' 40''$ West 384.23 feet to a point; thence North 566.85 feet to the point of beginning, all in the Arbuckle Donation Land Claim in said Township and Range, Lane County, Oregon.

PARCEL #6:

BEGINNING at a point on the West line of the R. Arbuckle Donation Land Claim No. 52, Township 18 South, Range 5 West of the Willamette Meridian, in Lane County, Oregon, said point being 242.13 feet South of the Southeast corner of the Green S. Moore Donation Land Claim No. 42, Section 25, Township 18 South, Range 5 West of the Willamette Meridian, in Lane County, Oregon; running thence North $89^{\circ} 41' 40''$ East 768.46 feet; thence South 300.0 feet; thence South $89^{\circ} 41' 40''$ West 768.46 feet to the West line of said Arbuckle Donation Land Claim; thence North 300.0 feet to the place of beginning.

7944725

State of Oregon,
County of Lane-- ss.

I, D.M. Penfold, Director of the Department of General Services, in and for the said County, do hereby certify that the within instrument was received for record at

27 JUL 79 16: 05

Reel 1011 R

Lane County OFFICIAL Records.

D.M. Penfold, Director of the Department of General Services.

By  Deputy

C30-63

#19851

OFFICIAL RECORD OF DESCRIPTIONS OF REAL PROPERTIES

18.05.25

OFFICE OF COUNTY ASSESSOR, LANE COUNTY, OREGON

1 of 200

YEAR	TAX LOT		750 909			DEED RECORD		ACRES REMAINING			
	No.	2	SECTION	25	TOWNSHIP	18 S.	RANGE E.		OR W.	5 W. M.	VOL.
BEARING			DISTANCE			BEARING REFERENCE OR LEGAL SUBDIVISION					
1941									197	527	
1978									R908/	31044	
	East	17.465 ch.	Begin at the SW corner of the Robert Arbuckle and wife, DLC #52, Notification #2103 Sec. 25, Tp. 18 S, R 5 W, WM, thence								
	North	22.90 ch.	thence parallel with the W line of said claim, thence								
	West	17.465 ch.	thence to the beginning cont. more or less								
	South	22.90 ch.	Also: CANCELLED								
			Beg. at a point on the West line of the Robert Arbuckle DLC. #52, Notif. #2103, Sec. 25, Twp. 18S, R. 5W, WM, 22.90 chains North of the SW. corner of said claim, thence								
	North	22.90 ch.	along the West line of said claim, thence								
	East	17.47 ch.	thence parallel with the West line of said claim, thence								
	South	22.90 ch.	to the POB. Cont. 40.0 acres								
	West	17.47 ch.	Total CANCELLED acres m/l								
			Less: 2.31 acres in County Rd. #108 & Less: 0.77 " " " #583(1964)								
			Total acres m/l								
			Except: Tax Lot 201, cont. 0.81 acre by Deed R233/37914. (1964)								
			Containing more or less								
			EXCEPT: 0.78 ac. to TL 202 by W/D R249/71543, 1965								
			Cont. m/l								
			EXCEPT: 3.93 ac. to TL 203 by WD R421/50412, 1969								
			ont. m/l								
			Acreage Correction for 1970								
1977			Less: 2.43 acre in Co. Rd No. 108. R855/42885								
			Less: 0.70 acre in Co. Rd. No. 1351 (formerly Co. Rd. No. 583) Spencer Creek Rd..								
			Containing more or less								
			(OVFR)								

19851

OFFICIAL RECORD OF DESCRIPTIONS OF REAL PROPERTIES 18.05.25

OFFICE OF COUNTY ASSESSOR, LANE COUNTY, OREGON

700

750 909

YEAR	TAX LOT	SECTION	TOWNSHIP	S.	RANGE E.	OR W.	W. M.	DEED RECORD		ACRES REMAINING	
	No.							VOL.	PAGE		
	2	25	18				5				
			BEARING REFERENCE OR LEGAL SUBDIVISION								
			EXCEPT: 3.51 acre to Tax Lot 204 by R464/91739 in 1970. Containing more or less								67.70
			EXCEPT: 4.65 acre to Tax Lot 205 by R447/75605 in 1970. Containing more or less								63.05
			EXCEPT: 5.08 acre to TL 206 for 1973 per R563/96382. Containing more or less								57.97
1980			Beginning at the Southwest corner of the Robert Arbuckle and wife DLC 52, Notification #2103, Section 25, Township 18 South, Range 5 West of the WM, thence							R1011/44725 T011/44724	
1987			17.465 ch. thence							R1462/8724923	
1988			22.90 ch. parallel with the West line of said claim, thence							R1471/8734481	
	East		17.465 ch. thence							2000 WD 2000-068089 068089	
	North		22.90 ch. to the beginning.							2002-050366 2002-050882	
	2002 BS West		ALSO: Beginning at a point on the West line of the Robert Arbuckle DLC #52, Notification #2103, Section 25, Township 18 South, R 5 West of the WM, 22.90 chains North of the Southwest corner of said claim, thence							2005-067263 2005-068643	
	2002 BS South		22.90 ch. along the West line of said claim, thence								
	2005 BS		17.47 ch. thence								
	2005 BS		22.90 ch. parallel with the West line of said claim, thence								
	North		17.47 ch. to the point of beginning.								
	East										
	South										
	West										
SAVE AND EXCEPT THE FOLLOWING PARCELS:											
PARCEL 1: Beginning at a point in the center line of County Road No.583, 384.23 feet N89°41'40"E of a point 324.72 feet North of the Southeast corner of the Green S. Moore DLC No.42 in Twp 18 S, R 5 West of the WM and run thence											

#19851.

OFFICIAL RECORD OF DESCRIPTIONS OF REAL PROPERTIES

OFFICE OF COUNTY ASSESSOR LANE COUNTY, OREGON

200 750.909

OLD NUMBER

ACCOUNT NUMBER

MAP NO. 18-05-25	TAX LOT	PARCEL NO. 200	SECTION 25	TOWNSHIP 18 S.	RANGE 5 W.	W.M.
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INDENT EACH NEW COURSE TO THIS POINT	LEGAL DESCRIPTION	DEED RECORD		ACRES REMAINING
		DATE OF ENTRY	DEED NUMBER	
	<p>N89°41'40"E 160.00 feet along the center line of said County Road to a point; thence South 250.00 feet to a point; thence S89°41'40"W 160.00 feet to a point; thence North 250.00 feet to the point of beginning, all in R. Arbuckle DLC in said Township and Range, Lane County, Oregon.</p> <p>PARCEL 2: Beginning at the Southeast corner of the Green S. Moore DLC No.42 in Township 18 South, Range 5 West of the WM, said beginning point being 2708.27 feet North of the Southwest corner of the R. Arbuckle DLC No.52 and being in the center of County Road No.108 and run thence South 42.13 feet to the true point of beginning; thence N89°41'40"E 200.00 feet to a point; thence South 200.00 feet to a point; thence S89°41'40"W 200.00 feet to a point on the West line of said Arbuckle Claim; thence North 200.00 feet to the point of beginning, all in said Arbuckle Claim, in Lane County, Oregon.</p> <p>PARCEL 3: Beginning at a point in the centerline of County Road No. 583;384.23 feet N89°41'40"E of a point 324.72 feet North of the Southeast corner of the Green S. Moore DLC No.42 in Twp 18 S, R 5 West of the WM, and run thence N89°41'40"E 384.23 feet along the center line of said County Road to a point; thence South 566.85 feet to a point; thence S89°41'40"W 384.23 feet to a point;</p>			

#19851

OFFICIAL RECORD OF DESCRIPTIONS OF REAL PROPERTIES

OFFICE OF COUNTY ASSESSOR LANE COUNTY, OREGON

200 750 909

OLD NUMBER

ACCOUNT NUMBER

TAX LOT		SECTION <u>25</u>	TOWNSHIP <u>18</u> S.	RANGE <u>5 W</u> W.M.
MAP NO. <u>18 05 25</u>	PARCEL NO. <u>200</u>			

INDENT EACH NEW COURSE TO THIS POINT	LEGAL DESCRIPTION	DEED RECORD		ACRES REMAINING
		DATE OF ENTRY	DEED NUMBER	
	<p>thence North 566.85 feet to the point of beginning; all in Arbuckle DLC in said Township and Range, Lane County, Oregon.</p> <p>PARCEL 4: Beginning at the Southeast corner of the Green S. Moore DLC No.42 in Twp 18 S, R 5 West of the WM, said beginning point being 2708.27 feet North of the Southwest corner of the R. Arbuckle DLC No.52 and being in the center of County Road No.108 and run thence North 324.72 feet to the beginning point of County Road No.583; thence N89°41'40"E 384.23 feet along the center line of said County Road No.583 to a point; thence South 566.85 feet to a point; thence S89°41'40"W 384.23 feet to a point on the West line of said Arbuckle Claim; thence North 242.13 feet to the point of beginning, all in said Arbuckle Claim, Lane County, Oregon.</p> <p>PARCEL 5: Beginning at a point in the center line of County Road No.583, 768.46 feet N89°41'40"East of a point 324.72 feet North of the Southeast corner of the Green S. Moore DLC No.42 in Township 18 South, Range 5 West of the WM; and run thence N89°41'40"E 384.23 feet along the center line of said County Road to a point; thence South 566.85 feet to a point; thence S89°41'40"W 384.23 feet to a point; thence North 566.85 feet to the point of beginning, all in the Arbuckle DLC in said Twp and Range, Lane County, Oregon.</p>			

#19851

OFFICIAL RECORD OF DESCRIPTIONS OF REAL PROPERTIES

OFFICE OF COUNTY ASSESSOR LANE COUNTY, OREGON

200 750 909

OLD NUMBER

ACCOUNT NUMBER

TAX LOT

MAP NO. 18.05 25

PARCEL NO. 200

SECTION 25

TOWNSHIP 18 S.

RANGE 5 W W.M.

INDENT EACH NEW COURSE TO THIS POINT

LEGAL DESCRIPTION

DEED RECORD

ACRES REMAINING

DATE OF ENTRY

DEED NUMBER

PARCEL 6:
 Beginning at a point on the West line of the R. Arbuckle DLC No.52, Township 18 South, Range 5 West of the WM, in Lane County, Oregon, said point being 242.13 feet South of the Southeast corner of the Green S. Moore DLC No.42, Section 25, Township 18 South, Range 5 West of the WM, in Lane County, Oregon; running thence
 N89°41'40"E 768.46 feet; thence
 South 300.0 feet; thence
 S89°41'40"W 768.46 feet to the West line of said Arbuckle DLC; thence
 North 300.0 feet to the place of beginning.

Containing more or less

57.97

Except: 4.90 ac to new TL 209 by R2312/97-45288 for 1997.

Containing more or less

53.07

ALSO: 0.88 acres from vacation of a portion of Pine Grove Rd. for 2001 by R2578/99069786/

53.95

Page 4

Exhibit (A)

The request for re-zoning the subject property from F2 (Impacted Forest), to ML (Marginal Lands), is supported by all of the requirements stated within the Marginal Lands 1983 document and ORS 197.247 in addition to the first criteria.

As noted above the land must meet **one** of the following test: We believe that all three of the qualifying requirements, are all met. The soils productivity ratings are in the 49 BF per acre range and the property is surrounded by rural residential development. Conditions a, b, and c all are met with this application however the main focus of the application will be on condition (c).

Requirement (c) is supported by forester Marc Setchkos' report on the subject property along with the soils report provided by the US Department of Agriculture Soils Survey which is included within this report. See Exhibit (3), forestry report.

Goal 1, State Wide Goals and Guidelines; Widespread citizen involvement is well established and a normal aspect of land planning here in Lane County. Neighboring property owners will be notified in a timely manner concerning the proposal itself as well as hearing dates and have the ability to respond to this planning action. Built into Lane County's application processes are notification procedures which are sent to reliant service providers as well as other groups with an interest in rural Lane County. Of all the Counties in Oregon, that I have worked in, Lane County offers the most comprehensive citizen involvement standards.

Goal 2, State Wide Goals and Guidelines: Planning, Lane County has a well established planning process and policy framework as a basis for all decisions and actions related to the uses of the land and to ensure an objective factual basis for such actions.

Exceptions to these Goals are Minor changes which allow for a Minor Plan Amendment to more closely identify the correct zoning due to conditions of the property. The guidelines for Minor Plan Amendments are clearly stated within the Lane County Code.

The Minor Plan Amendment we are requesting is supported by the application of plan and map preparation, conformance with State and Federal plan conformance, the factual basis for the plan and the elements of the plan which are being filed. Issues related to the property infrastructure will be reviewed and will become reliant during the partitioning process under conditions of approval.

Page 5

Goal 3, Agricultural Lands, The subject property is currently zoned F2 and is not listed as an agricultural zone other than forestry. Also there are no adjacent properties zoned EFU. The vast majority of the property surrounding the subject property are small lots zoned for residential use, RR5. The remainder of the surrounding properties are zoned F2. Because of the location there is no impact on properties zoned for agricultural use. Also marginal lands is a resource designation. Land that is designated Marginal Land is consistent with Goal 3 or Goal 4 or both. (See Zoning Map Exhibit 2).

Goal 4, Forest Lands, A. Planning, 1. Forest lands should be inventoried so as to provide for the preservation of such lands for forest uses. They are. See Lane County Department of Taxation. 2. Plans providing for the preservation of forest lands for forest uses should consider as a major determinant the carrying capacity of the air, land and water resources of the planning area. As noted above, Marginal Land is a resource designation that is consistent with Goal 3 or Goal 4.

Goal 5. Open Spaces, Scenic and Historic and Natural Resources: To preserve open space and protect natural and scenic resources. When considering the neighboring developments the conclusion is to allow for a very low density of development for rural residential use. The proposed potential development density is less than $\frac{1}{2}$ of what already exist with neighboring parcels. (See area map Exhibit 2).

Goal 6. Air Water and Land Resource Quality. To maintain and improve the quality of the air, water and land resources of the State.

All waste and discharges from future development shall not threaten or violate applicable State or Federal environmental quality standards. With respect to air, water such discharges shall not exceed the carrying capacity of the land. Goal 6 protects air and water resources. The focus is on discharges from future development in conjunction with existing development. State and federal environmental standards are the bulwark for protection. Existing County State and Federal regulations cover and address the carrying capacity of the land.

Two to four additional residential developments would generate septic waste. A pre condition to any residential use will be the development of individual septic systems meeting County and State standards. The soils on the subject property are suitable for one or more types of septic systems that meet these standards. This insures that future use of the land will comply with Goal 6. Also see Exhibit 4, water report.

Page 6

Goal 7. Areas Subject to Natural Disasters or Hazards: To protect life and property from natural disasters and hazards.

Developments subject to damage or that could result in loss of life shall not be planned nor located in known areas of natural disasters and hazards without appropriate safe guards. Plans shall be based on an inventory of known areas of natural disaster and hazards.

Areas of natural disasters and hazards means areas that are subject to natural events that are known to result in death or endanger the work of humans such as flooding, land slides, unstable soil conditions and other hazards unique to specific areas. There are no such areas known to exist on the subject property. The elevation of the subject property would eliminate any possible flood hazard and the soil conditions in the area are relatively stable and not prone to land slides. (See soils survey).

Goal 8. Recreational Needs. To satisfy the recreational needs of the citizens of the State and visitors and where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

Goal 8 Is not directly applicable to this proposal. No destination resort is proposed. The subject property is not used for recreational purposes and is not designated on the County Plan as intended for that purpose.

Goal 9. Economy of the State. To provide adequate opportunities throughout the State for a variety of economic activities vital to the health, welfare and prosperity of Oregon Citizens.

Goal 9 is primarily focused on commercial and Industrial development within urban growth boundaries. The goal does not apply to rural residential uses allowed on Marginal Lands.

Goal 10. To provide for the housing needs of the citizens of the State.

Build able lands for residential use shall be inventoried and plans shall encourage the availability of adequate numbers of needed housing units at price ranges and rent levels which are commensurate with the financial capabilities of Oregon households and allow for flexibility of housing location, type and density.

Goal 10 is geared primarily to the housing issues inside urban growth boundaries. The goals definition of build able lands is limited to lands in urban and urbanization areas. The subject property is located outside of the UBG.

Page 7

Goal 11. Public Facilities and Services. To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

Urban and rural development shall be guided and supported by types and levels of urban and rural public facilities and service appropriate for, but limited to the needs and requirements of the urban and urbanization, and rural areas to be served. A provision for the facilities shall be included in each plan. Cities or Counties shall develop and adopt a public facility plan for areas within an urban growth boundary containing a population greater than 2,500 persons. To meet current and long range needs, a provision for solid waste disposal sites, including sites for inert waste, shall be included in each plan. In accordance with ORS 197.180 and Goal 2, State agencies that provide funding for transportation, water supply, sewage and solid waste facilities shall identify in their coordination programs how they will coordinate that funding with other State agencies and with the public facility plans of cities and counties.

Goal 12 addresses facilities and services in urban and rural areas. The subject property is rural land and will remain rural after this approval, as discussed in connection with

Goal 14.

Public services and facilities is defined in the Statewide Planning Goals to include projects activities and facilities which the planning agency determines to be necessary to the public health, safety and welfare. The Goal 11 rule defines a public facility. A public facility includes water, sewer, and transportation, but does not include buildings, structures or equipment incidental to the direct operation of those facilities.

The Rural Plan Polices describe the minimum level of services for Marginal Land areas in rural Lane County. The services are, schools, on site sewerage disposal, individual water supply system, electrical service, telephone service, rural level of fire and police protection, and reasonable access to solid waste disposal. Those services are proposed to be developed or are developed as a condition of approval for this zone change.

Page 8

A Table of Existing and Proposed Facilities

Service	Provider_
Police	Lane Co Sheriff / State Police
Fire	Lane Co FD # 1
Schools	Eugene School District 4J
Ambulance	Eugene Fire & EMS
Electrical Service	Emerald Peoples Utility District
Soil & Water Cons.	Upper Willamette
Phone	Century Link / Others
Water	Private
Sewer	Individual on Site Stems
Solid Waste	Private
Access	Pine Grove Rd.
LTD Service	None

Goal 12. Transportation. To provide and encourage a safe, convenient and economic transportation system.

A transportation plan shall (1) consider all modes of transportation including mass transit, air water pipeline, rail, highway, bicycle and pedestrian; (2) be based upon an inventory of local, regional and State transportation needs; (3) consider the differences in social consequences that would result from the utilizing different combinations of transportation modes; (4) avoid principal reliance on any one mode of transportation; (5) minimize adverse social, economic and environmental impacts and cost; (6) Conserve energy; (7) meet the needs of the transportation disadvantaged by improving transportation services, (8) facilitate the flow of goods and services so as to strengthen the local and regional economy; and conform with regional and comprehensive land use plans. Each plan shall include a provision for transportation as a key facility.

The Goal 12 rule has a section that specifically addresses proposals such as this one. The rule states that that any such amendments that, "significantly affect a transportation facility shall assure that allowed land uses are consistent with the identified function, capacity and level of service of the facility".

Page 9

The question is whether the residential development allowed by this application would significantly affect the transportation facility. The rule spells out clearly what constitutes a “significant affect”.

A land use amendment significantly affects a transportation facility if it:

- (a). Changes the functional classification of an existing or planned transportation facility.
- (b). Changes standards implementing a functional classification system.
- (c). Allows types or levels of land uses which would result in levels of travel or access which are inconsistent with the functional classification of a transportation facility; or
- (d). Would reduce the level of service of the facility below the minimum acceptable level identified in the TSP.

The proposed Marginal Land designation would not exceed any of the above standards listed above. Consequently, the proposed application complies with Goal 12. Pine Grove Road is a very well maintained Local Access Road that borders the property and dead ends on the Western boundary of the property. Very light traffic is observed from the subject property all of the way to Crow Road where Pine Grove Road ends. Visibility is good the road is straight and well maintained.

Goal 13. Energy Conservation. To conserve energy.

Land and uses developed on the land shall be managed and controlled as to maximize the conservation of all forms of energy, based on sound economic principles.

This goal is not directly applicable to this land use decision, other that it may be noted that newer housing standards of insulation requirements are much more energy efficient than they were in the past.

Goal 14. Urbanization. To provide for an orderly and efficient transition from rural to urban land use.

Because the Marginal Lands designation is a resource zone and is being requested to be changed from another resource zone, F2 Goal 14 is not applicable. However some of the same principles apply such as infill rather than creating urban sprawl. One could look at this property and notice that it is surrounded by much smaller parcels in most cases 1/10 the size of the subject parcel. This could be called (rural infill). (See map).

Goals 15 to 19 Willamette Greenway and Coastal Goals

These goals are not applicable because they do not exist on or near the subject property.

Page 10

History of the subject lot between 1978 and 1983.

1. The land must not have been managed during three of the five calendar years Between January 1, 1978 and January 1, 1983 as part of a farming operation which produced \$ 20,000 or more in annual gross income, **or** as part of a forest operation capable of producing an average over the growth cycle of \$ 10,000 in annual gross income. Statistical empirical data may be used to demonstrate income capability.

Data from Lane County Deeds and records indicate that the property was owned by Haldor Torkelsen until 1977. At that time the property was partially used for grazing and also had a small orchard. Mr. Torkelsen lived in a small one room dwelling adjacent to the orchard. Because of his age, the property was for the most part not employed for any significant agricultural use at this time. The property was then purchased and partially inherited in 1978 by Carl and Joanne Stallings as shown in Lane County Deeds and Records 7944725.

According to the neighbors of Mr. & Mrs. Stallings, Mr. Richard Walker, the only significant farming activity that was done during their ownership of the property was a small vegetable garden and an old orchard. (See Exhibit 9 NRCS data & Note from Richard Walker). They Stallings did however try to develop the property as evidenced by a partition filed, Lane County Records CS File 23316, in Aug. 31, 1979. This effectively split the property into 6 tax lots. The subject lot Parcel 2 of this partition containing 54.6 acres which is the subject of this application. This was during the time frame of a major recession when very little was being done with property development or building of any kind. Also Mrs Stallings health problems which resulted in her death was a contributing factor which led to foreclosure. By July 9th. 1985 various parties who were creditors foreclosed on the property for a balance of \$ 122,500 as shown in the Sheriff's Deed, Lane County Deeds 8724923. At that time none of the 6 parcels contained in the partition had been sold. The Administrative Service Company then completed the sale of the subject property and distributed the money to the creditors. By 1987 the property was purchased by Joseph and Julianne Arnold for \$ 85,000.

As shown on the aerial map only a portion of the subject property was available for grazing and a large percentage of that open land could not be bailed because of the slopes. During this time frame the price of beef was not sufficient enough to bring in \$ 20,000 per year. (See Exhibit 61).

Zone change standards in Lane Code: LC 16.252

(2) Criteria. Zonings rezoning and changes in the requirements of this chapter shall be enacted to achieve the general purpose of this chapter and shall no be contrary to the public interest. In addition, zonings and rezoning shall be consistent with the specific purpose of the zone classification proposed, applicable Rural Comprehensive Plan elements and components, and Statewide Planning Goals for any portion of Lane County which has not been acknowledged for compliance with the Statewide Planning Goals by the Land Conservation and Development Commission. Any zoning or rezoning may be affected by Ordinance or Order of the Board of Commissioners or the hearings Official in accordance with the procedures in this section.

The general purpose of this chapter: LC 16.003

16.003 Purpose

This chapter is designed to provide and coordinate regulations in Lane County governing the development and use of lands to implement the Lane County Rural Comprehensive Plan. To these ends it is the purpose of this chapter to:

- (1) Insure that the development of property within the County is commensurate with the character and physical limitations of the land and, in general to promote and protect the public health, safety, convenience, and welfare.
- (2) Protect and diversify the economy of the county.
- (3) Conserve the limited supply of prime industrial lands to provide sufficient space for existing industrial enterprises and future industrial growth.
- (4) Conserve farm and forest land for the production of crops, livestock and timber products.
- (5) Encourage the provision of affordable housing in quantities sufficient to allow all citizens some reasonable choice in the selection of a place to live.
- (6) Conserve all forms of energy through sound economical use of the land and land uses developed on the land.
- (7) Provide for an orderly and efficient transition from rural to urban land use.
- (8) Provide for the ultimate development and arrangement of efficient public services.

Page 12

- (9) Provide for and encourage a safe, convenient and economic transportation system within the County.
- (10) Protect the quality of the air, water and land resources of the County.
- (11) Protect life and property in areas subject to floods, landslides, and other natural disasters and hazards.
- (12) Provide for the recreational needs of residents of Lane County and visitors to the County.
- (13) Conserve open space and protect historic and cultural, natural and scenic resources.
- (14) Protect, maintain and where appropriate, develop and restore the estuaries, coastal shore lands, coastal beach and dune areas and to conserve the nearshore ocean and continental shelf of Lane County.

The approval of this application does not conflict with with the 14 general goals. The proposal meets the standards of these goals and should be regarded as rural infill. This occurs when a fairly large portion of land is nearly surrounded by smaller lot sizes of which 70% are zoned for rural residential development. It also should be noted that the remaining 3 adjacent parcels also zoned F2 are less than ½ the size of the subject parcel. Since this application meets the specific standards that apply, then it is fair to conclude that it is consistent with the general purpose and be in the public interest.

The Marginal Lands Zone is intended to: Provide an alternative to more restrictive farm and forest zoning, Provide opportunities for persons to live in a rural environment and to conduct intensive or part time farm or forest operations, and conform with the requirements of ORS 197.005 to 197.430 and the Lane County Rural Comprehensive Plan.

**AQUIFER ANALYSIS
FOR
85517 PINE GROVE ROAD, EUGENE, OR
LANE COUNTY TAX LOT 18-05-25-00-00200**



EGR & Associates, Inc.

Engineers, Geologists and Surveyors

2535B Prairie Road
Eugene, Oregon 97402
(541) 688-8322
Fax (541) 688-8087



EGR & Associates, Inc.

Engineers, Geologists and Surveyors

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Eugene, Oregon 97402
(541) 688-8322
Fax (541) 688-8087

January 8, 2016

Norman Waterbury LLC
Land Use Planning Consultant
28788 Gimple Hill Road
Eugene, OR 97402

RE: Aquifer Analysis for 85517 Pine Grove Road, Eugene, OR 97405-9707: Lane County Tax Lot 18-05-25-00-00200.

Mr. Waterbury:

EGR and Associates Inc. (EGR) has prepared an aquifer evaluation for the subject site, Lane County Tax Lot 18-05-25-00-00200, located on Pine Grove Road in Eugene, Oregon (Figure 1). The Aquifer Analysis is meant to satisfy the requirements of Lane County Code 13.050 (Appendix A). The results of the analysis are detailed below.

Purpose

EGR has prepared an aquifer evaluation for the subject site, on Pine Grove Road in Eugene, Oregon in Township 18 South, Range 5 West, Section 25, Tax Lot 18-05-25-00-00200. The 54-acre property has been proposed for a subdivision into 4 lots ranging from approximately 10 to 20 acres each. The purpose of this aquifer analysis is to investigate whether the use of the aquifer associated with the proposed partitioning of the subject property, would adversely impact the neighboring wells or properties, or deplete the aquifer.

The Oregon Water Resources Department (WRD) well log database lists 403 water well logs I quarter-quarter sections within one mile of the subject property (See Figure 2). Well logs in quarter-quarter sections that are more than one mile from the property boundary were excluded from the analysis.

Geology and Hydrology in the Site Vicinity

The subject site is located Pine Grove Road just south of the intersection with Spencer Creek Road. Vokes, *et al.* on USGS Oil and Gas Investigations Map OM 110 (Figure 3) show the site as underlain by Tertiary Fisher Formation describe as consisting of:

approximately 7,000 feet of clastic material, largely andesitic lapilli tuffs and breccias, but includes also considerable amounts of basaltic and some rhyolitic fragmental debris. The lower part of the formation there are lenses of coarse water-laid conglomerate that may be as much as 50 feet thick and contain boulders predominantly of andesitic composition, up to 4 feet in diameter;

most of these boulders are subrounded, though some are well rounded. Similar conglomerates occur more rarely in the upper part of the formation. Here, however, the included boulders are smaller.

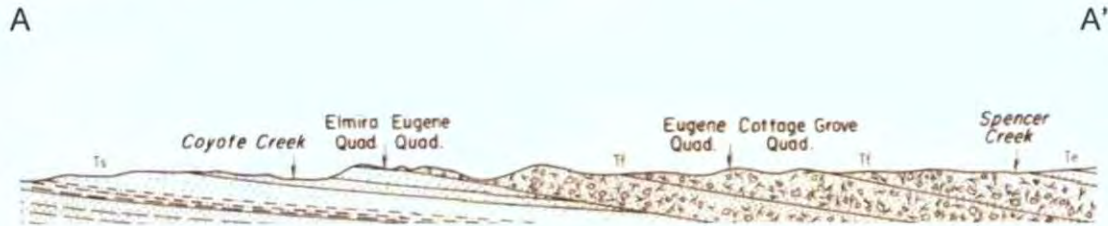
Occasional lenses of fine-grained rhyolitic and dacitic volcanic ash occur, some of which appear to be water-laid but are unfossiliferous, except in the uppermost part of the formation, where they contain fossil leaves at map localities P-1 and P-3.

The Lapalli tuffs, which for the major element of the Fisher formation, range widely in color, from medium gray (N 4), medium bluish gray (5B 5/1), dark greenish gray (5 GY 4/1), grayish blue (5 PB 5/2), grayish green (5 G 5/2), and grayish red purple (5 RP 4/2) to various light tones of grayish olive and yellowish brown. Approximately 60 percent of the lapilli-sized fragments are composed of somewhat altered pumiceous material; the remainder are lithic fragments of andesitic and basaltic composition. Associated with these are smaller crystal fragments, predominantly feldspars and pyroxenes. Most characteristic of the feldspars are concoidally fracturing, clear, colorless grains that under the hand lens closely resemble quartz and led to the field determination of the rocks as rhyolitic tuffs; under the petrographic microscope, however, they are seen to consist of andesine. No quartz has been certainly observed. In addition to these pumiceous and lithic lapilli tuffs, true felspathic lapilli tuffs were observed in many places.

At a number of localities, especially toward the base of the Fisher formation, there are well-developed erosion channels, most of which are filled with highly lenticular stream conglomerates. A particularly well exposed example of these channels may be seen on the Emil Benson farm, in the NW1/4NE1/4NW1/4 sec. 12, T. 18S. R. 5 W. One of the two localities yielding the so-called Comstock flora of Sanborn (1937) appears to occur in coarse sands filling such a channel near the base of the formation just south of the area mapped. This is the locality 1 mile north of Comstock. The other locality, 1-3/4 miles north of Comstock, occurs immediately south of the southern boundary of the map area. At this place the plants occur in a tuffaceous mudstone lens that may represent a flood-water deposits in an interstream area.

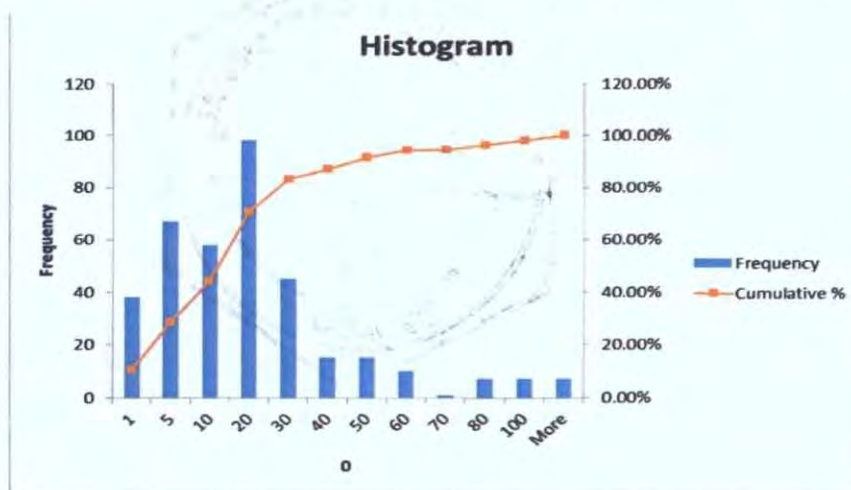
So far as can be determined from the original definition of the Comstock formation, Turner placed the top of that formation at a horizon falling between those of the two floral localities. As the floras from the two localities are so similar as to leave little doubt as to their essential contemporaneity both would seem to require assignment to the same formational unit. The close association of mudflow breccia, cobble conglomerate, and lapilli tuff with the plant-bearing strata suggests the assignment of Sanborn's Comstock flora to a position near the base of the Fisher formation.

A geologic cross section from the OM 110 map along the line A-A' in Figure 3 is presented below.



The state well log database contains 408 well logs for the study area (see Appendix B). Of those 370 contain information on well yield. Six of the 408 well are reported as dry holes or 1.4% of the well logs. In general, the well logs in the vicinity of the subject property indicate that the local water bearing zone encountered by these wells is confined (average depth to first water 100.26 feet, average post construction static water level 59.97 feet). A confined aquifer is defined as a water bearing zone isolated from the atmosphere by impermeable confining geologic formations, and which is generally subject to pressures higher than atmospheric (water rises in the well above the point where it is initially encountered during drilling)¹.

The yields shown on the well logs averages 20.17 gpm with a minimum of 0 gpm (dry holes) and maximum of 180 gpm. The well logs for wells with reported yields in excess of 100 gpm were examined to determine if the higher yielding wells were installed in alluvium along stream channels rather than into the underlying Fisher formation. All of the wells with yields above 100 gpm are installed into and are reported to receive their water from the underlying Fisher formation. A histogram of well yields for the wells located in ¼-¼ sections within 1 mile of the property boundary is shown below.



¹ Driscoll, F.G., (1986) *Groundwater and Wells*, U.S. Filter/Johnson Screens. St. Paul MN. pp.62.

The depth to first water recorded in the well log database for the site (depth at which water was first encountered) ranges from 0 to 720 feet below the surface. The average depth is 100.26 feet with a standard deviation of 107.74 feet. We note that when a well log does not indicate a depth to first water, the Water Resources Department has sometimes elected to indicate zero (0) feet to first water in the database. The static groundwater level (the depth at which water rises under atmospheric conditions) ranges from -7 to 780 feet below the surface. The average static groundwater level is at 59.97 feet with a standard deviation of 81.38 feet. Yields reported range from 0 gallon per minute (gpm) to 180 gpm with an average yield of 20.17 gpm and a standard deviation of 25.31 gpm. The statistics are included in Appendix D.

Discussion and Conclusions

The main aquifer underlying the area is the Fisher formation. In the area, the Fisher formation generally supplies sufficient water for domestic use.

A conservative (high) estimate of the water needed to supply a single-family dwelling averages 500 gpd (0.35 gpm) on an annual basis (Eugene Water and Electric Board) figures indicate approximately 300 gpd, including irrigation). Peak use, during the irrigation months of July and August, is expected to be three times average use. For maximum drawdown in the aquifer, the typical use is assumed to be 1 gpm (more than three times the EWEB average). The reported yield from well logs of wells completed in the vicinity averages 20 gpm.

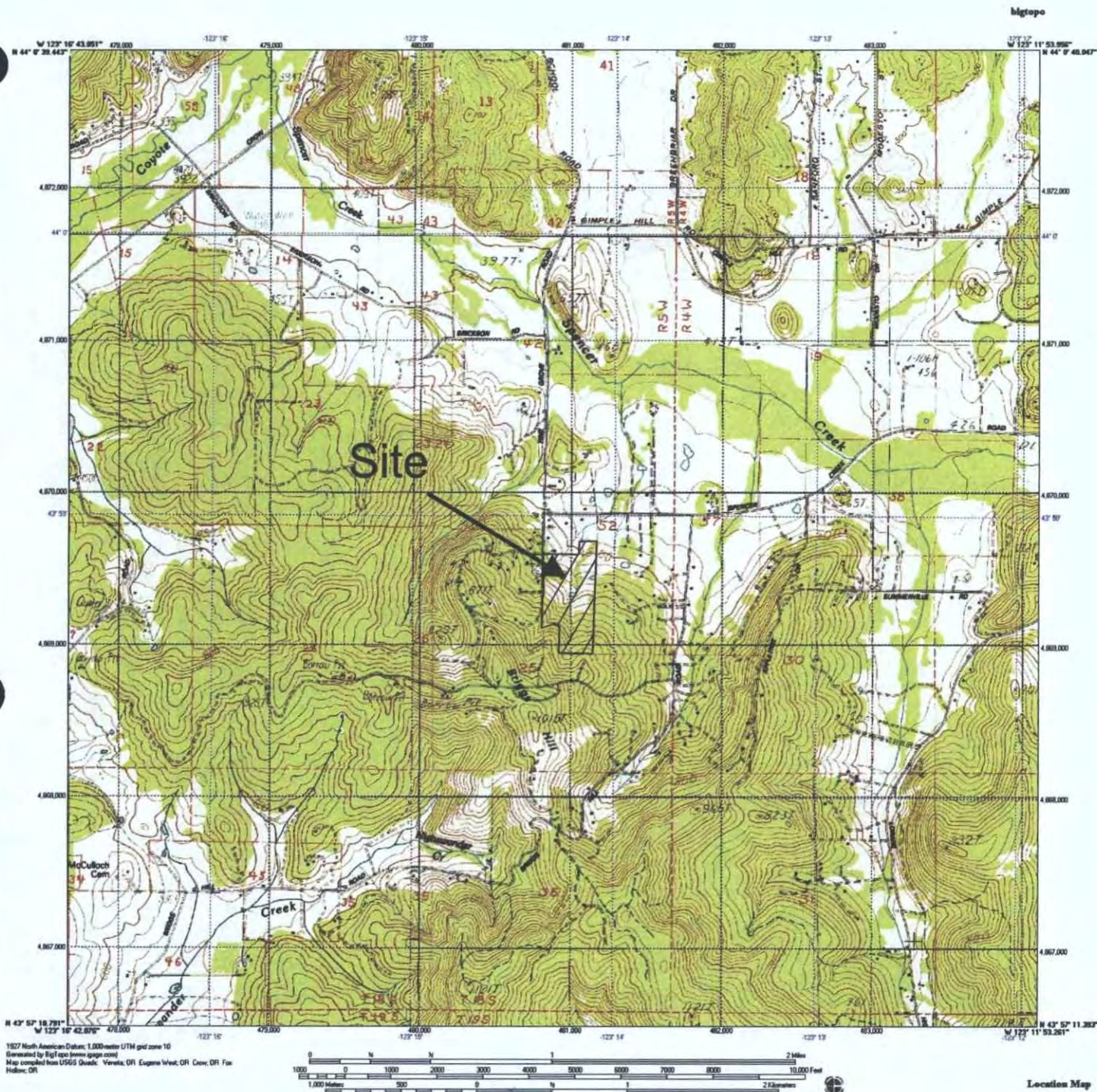
The aquifer underlying the site has sufficient capacity for the proposed four lots.

If you have any questions or comments, please feel free to contact us at 541-688-8322. Respectively submitted,

EGR & Associates Inc.,

Steven I. Recca R.G., C.W.R.E.
Geologist





**Figure 1:
Site Location Map**

Adapted from the USGS 7.5 minute
Fox Hollow and Adjoining Quadrants



EGR & Associates, Inc.
Engineers, Geologists, & Surveyors

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Phone (541) 688-8322
FAX (541) 688-8087

**Martinez
Aquifer Analysis
Eugene, Oregon**



**Figure 2: 1/4-1/4 Sections
Within 1 Mile of Site**

Google Earth Aerial Photos as Base Map



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Aquifer Analysis
Eugene, Oregon**

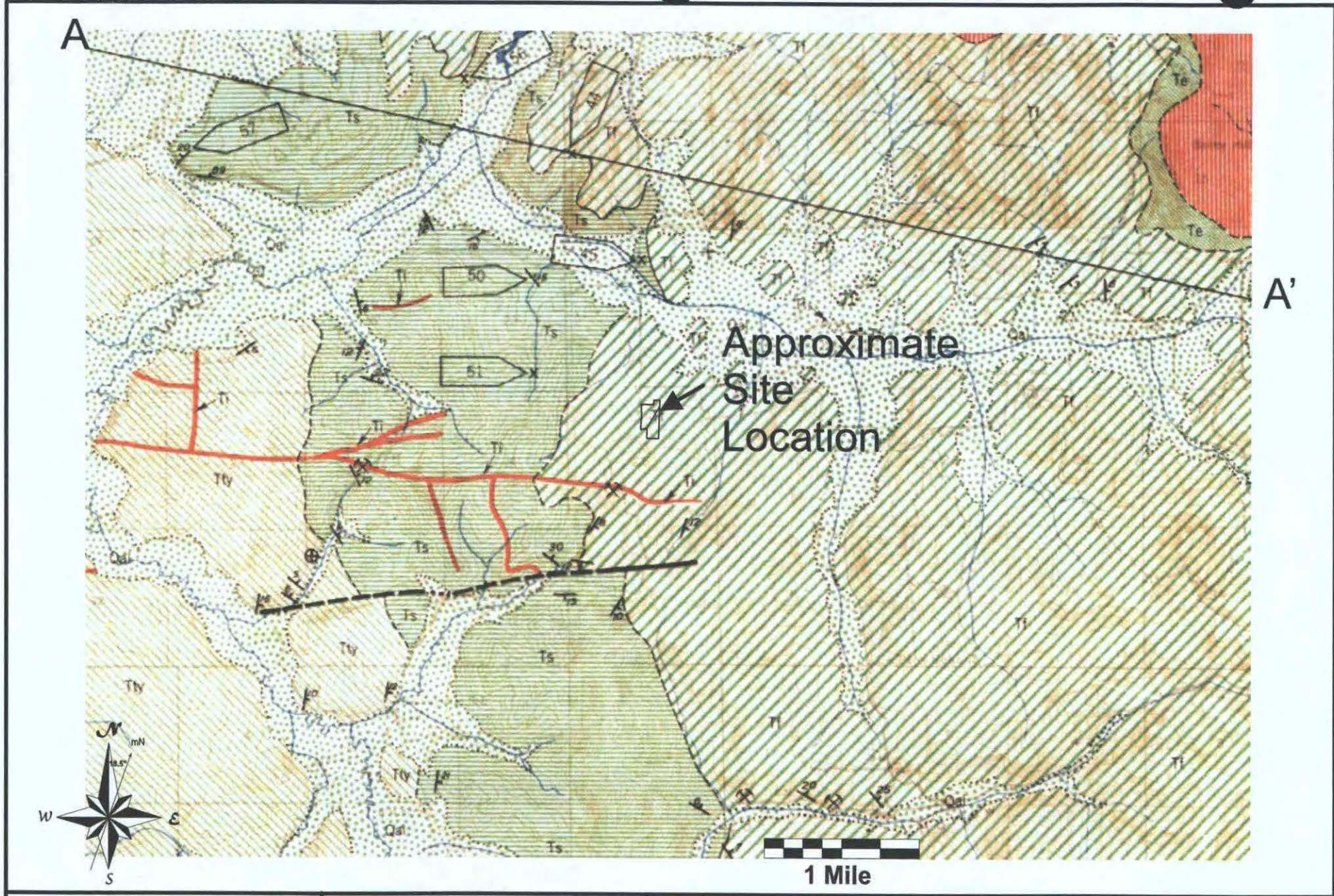



Figure 3: Geologic Map of Area Around Site
Base Map USGS OM 110 Vokes, et al. 1951

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**Martinez
Aquifer Analysis
Eugene, Oregon**

APPENDIX A

Lane Code 13.050

(13) Water Supply. Lots and parcels shall be served by an approved public, community or individual water system. No construction or development work on proposed lots or parcels shall be started until information pertaining to water availability and quality is submitted to and approved by the Department. Water system shall be in accordance with and subject to applicable provisions of ORS, as well as all appropriate rules, regulations and policies promulgated under authority of these statutes, Lane Code 13.050 Lane Code 13.050

13-9 LC13 and Manual. The establishment of rural water systems shall be consistent with RCP Goal 2 policy #24 and RCP Goal 11 policies.

(a) Public or Community Water System. The County may require that a new community or public water system be developed to serve lots or parcels when no existing public or community water system is available or suitable for use by the lots or parcels, and individual water systems are not feasible due to the density of the lots or parcels and/or the possibility of problems concerning the long-term availability of adequate quantities of suitable water. Aquifer and quality tests as discussed in LC 13.050(13)(c) below shall be required.

(b) Individual Water Systems. When lots or parcels are to be served by individual water systems, sufficient evidence shall be submitted to show that each parcel or lot will have available at time of development an adequate supply of potable water which will meet minimum County standards for drinking water. Aquifer and quality tests as discussed in LC 13.050(13)(c) below may be required.

(c) Aquifer and Quality Tests or Geological Evaluation. Aquifer and quality tests or geological evaluation may be required by Lane County for any lot or parcel. These requirements may include, but need not be limited to, evaluation of existing well logs and preparation of a geological report on the area, an evaluation of the site by a professional geologist or engineering geologist or full scale aquifer tests as required. In determining the detail of analysis required, the following apply:

(i) Areas designated by Board order as having problems in the quantity or quality of available water as adopted, documented in Lane Manual and filed in the office of the Department shall meet the following requirements for all parcels less than 20 acres in size. The applicant must affirmatively demonstrate, in a manner acceptable to Lane County, that the proposed subdivision/partition is capable of sustaining the development anticipated with sufficient potable water. This demonstration must include, but need not be limited to, aquifer tests. More specifically, the aquifer test shall show coefficient of transmissivity, permeability, storage and the specific yield. The bacteriology/chemical tests shall show compliance with standards set by the Oregon State Health Division and Lane County. The test procedure shall utilize standard acceptable practices for aquifer tests using pumped and observation wells and records of static water level, date, clock, elapsed time (in min.), depth of water, drawdown and recovery. Analysis using the non-equilibrium method (or other methods where appropriate) must be performed by a licensed geologist or engineer. A copy of all field notes and test results shall be submitted with the report, together with summary statements which indicate whether the proposed use of the aquifer could adversely impact the neighboring wells or properties or deplete the aquifer and the general impact of the proposed use.

(d) For all areas not designated as problem areas by the procedures documented in LC 13.050(13)(a) above, a pump test report or a well log report shall be supplied, unless determined by Lane County to be not necessary. Pump test and well log reports shall be prepared according to the following criteria:

(i) Pump Test. The test shall be a minimum five-hour pumping duration and record the following information: static water level, pumping level, drawdown, recovery, residual drawdown, well yield (pumping rate) and specific capacity. Measurements shall be made before pumping begins, during the pumping phase and during the recovery phase as necessary.

(ii) Well log reports shall include tax map showing the subject property and surrounding area, all well logs of record from adjacent and surrounding properties and the location of the wells on the tax lot map.

APPENDIX B

Well Logs for Adjacent Properties

JUN 20 1990

18s/4w/30ak

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

WATER RESOURCES DEPT.
SALEM, OREGON

(START CARD) # 18680

10th
LANE

(1) OWNER: Well Number: 536
Name: Harold L. Reed
Address: 85139 Apple tree Dr.
City: Eugene State: OR Zip: 97405

(9) LOCATION OF WELL by legal description:
County: Lane Latitude: Longitude:
Township: 18S N or S, Range: 4W E or W, WM:
Section: 30 NW 1/4 NE 1/4
Tax Lot: 131-162 Lot: Block: Subdivision:
Street Address of Well (or nearest address): Same

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

(10) STATIC WATER LEVEL:
255 ft. below land surface. Date: 6/6/90
Artesian pressure: lb. per square inch. Date:

(3) DRILL METHOD
 Rotary Air Rotary Mud Cable
 Other

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

(11) WATER BEARING ZONES:
Depth at which water was first found: 273 ft.

(5) BORE HOLE CONSTRUCTION:
Special Construction approval Yes No
Explosives used Yes No Type: Amount:

From	To	Estimated Flow Rate	SWL
273'	274'	2 GPM	255'
352'	353'	1 GPM	255'

HOLE		SEAL		Amount
Diameter	From To	Material	From To	sacks or pounds
10"	0' 89'	Cement	0' 89'	16 Sacks
6"	89' 500'			

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

(12) WELL LOG: Ground elevation:

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
6"	12'	89'	250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Liner:

Material	From	To	SWL
Topsoil	0	1	0
Brown Clay	1	38	0
Light Brown Clay	38	53	0
Weathered Sandstone	53	83	0
Blue Sandstone	83	120	0
Grey Sandstone	120	271	0
Blue Sandstone	271	290	255
Grey Sandstone	290	500	255

Final location of shoe(s): None

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

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
						<input type="checkbox"/>	<input type="checkbox"/>

Date started: 6/5/90 Completed: 6/6/90

(8) WELL TESTS: Minimum testing time is 1 hour
 Pump Bailer Air Flowing Artesian
Yield gal/min: 3 GPM Drawdown: Drill stem at: 500 Time: 1 hr.

(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.
Signed: [Signature] WWC Number: 1417 Date:

Temperature of water: 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:

(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.
Signed: Donald J. Foving WWC Number: 751 Date: 6/14/90

NOTICE TO WATER WELL CONTRACTOR
The original and first copy of this report are to be filed with the

STATE ENGINEER, SALEM, OREGON 97310
within 30 days from the date of well completion.

WATER WELL REPORT
LANE 18568 RECEIVED
STATE OF OREGON State Well No.

LANE 18568

(Please type or print)

Do not write above this line

JUN 24 1976

State Permit No. 115/5w25

WATER RESOURCES DEPT

(1) OWNER:

Name David L. Wiss
Address 28080 Briggs Hill Rd.
Eugene, Oregon 97405

(2) TYPE OF WORK (check):

New Well Deepening Reconditioning Abandon

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary Cable Drive Driven Jetted Bored

(4) PROPOSED USE (check):

Domestic Industrial Municipal Irrigation Test Well Other

CASING INSTALLED:

Threaded Welded
0" Diam. from 0 ft. to 59 ft. Gage .250
" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage

PERFORATIONS:

Perforated? Yes No.

Type of perforator used

Size of perforations in. by in.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.

(7) SCREENS:

Well screen installed? Yes No

Manufacturer's Name
Type Model No.
Diam. Slot size Set from ft. to ft.
Diam. Slot size Set from ft. to ft.

(8) WELL TESTS:

Drawdown is amount water level is lowered below static level

Was a pump test made? Yes No If yes, by whom?
gal./min. with ft. drawdown after hrs.
Tested by air 17 gal./min. with 74 ft. drawdown after 1 hrs.
Artesian flow g.p.m.
Temperature of water Depth artesian flow encountered ft.

(9) CONSTRUCTION:

Well seal—Material used Cement
Well sealed from land surface to 58 ft.
Diameter of well bore to bottom of seal 10 in.
Diameter of well bore below seal 6 in.
Number of sacks of cement used in well seal 11 sacks
Number of sacks of bentonite used in well seal sacks
Brand name of bentonite
Number of pounds of bentonite per 100 gallons of water lbs./100 gals.
Was a drive shoe used? Yes No Plugs Size: location ft.
Did any strata contain unusable water? Yes No
Type of water? depth of strata
Method of sealing strata off
Was well gravel packed? Yes No Size of gravel:
Gravel placed from ft. to ft.

(10) LOCATION OF WELL:

County Lane Driller's well number
1/4 Section 25 T. 189 R. 5W W.M.
Bearing and distance from section or subdivision corner

(11) WATER LEVEL: Completed well.

Depth at which water was first found 96 ft.
Static level 61 ft. below land surface. Date 5-27-76
Artesian pressure lbs. per square inch. Date

(12) WELL LOG:

Diameter of well below casing 6"
Depth drilled 135 ft. Depth of completed well 135 ft.

Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
Top soil	0	3'	
Brown clay	3'	34'	
Brown sandstone	34'	53'	
Gray blue sandstone	53'	67'	
Gray sandstone	67'	94'	
Blue green sandstone	94'	102'	
Gray sandstone	102'	135'	

Work started 5-25 1976 Completed 5-25 1976
Date well drilling machine moved off of well 5-26 1976

Drilling Machine Operator's Certification:

This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.

[Signed] _____ Date _____, 19____
(Drilling Machine Operator)

Drilling Machine Operator's License No. 702

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

Name Casey Jones Well Drilling Co., Inc.
(Person, firm or corporation) (Type or print)

Address 37115 Immigrant Rd. Pleasant Hill, Ore.

[Signed] _____
(Water Well Contractor)

Contractor's License No. 559 Date 5-26 1976

LANE 18568



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem Oregon 97301
(503) 986-0900
www.wrd.state.or.us

Application for Well ID Number

Do not complete if the well already has a Well I.D Number.

I. OWNER INFORMATION

Current Owner Name (please print): Kevin Oliphant + Kathleen Nutt
Mailing Address: 575 MURKIN ST
City: Eugene State: OR Zip: 97402-1505
Mailing Address (to send Well I.D.): 575 MURKIN ST
City: Eugene State: OR Zip: 97402-1505

II. WELL INFORMATION (Do not complete this section if the well report is attached.)

Township: 18 (North/South) Range: 5 (East/West) Section: 25
Tax Lot: 00-00905 County: LANE SE 1/4 SE 1/4
Street Address of Well: 28080 Briggo Hill Rd City: Eugene
Owner at time the well was constructed, (if known): DAVID WESS
If the property had a different street address in the past: _____

III. GENERAL WELL INFORMATION (Do not complete this section if the well report is attached)

Use of Well (domestic, irrigation, commercial, industrial, monitoring): DOMESTIC
Date Well Constructed: 5/25/76 Total Well Depth: 135' Casing Diameter: 6"
Other Information: _____

SUBMITTED BY (please print): Kevin Oliphant
PHONE: 541-294-0049 FAX: _____

Send application to Oregon Water Resources Department; 725 Summer St NE, Suite A; Salem, Oregon 97301-1266; fax (503) 986-0902. Applications are processed and Well I.D. Numbers are mailed every Wednesday.

For Official Use Only by the Oregon Water Resources Department:		
Received Date:	Well Log Number:	Well Identification #:
_____	<u>LANE 18568</u>	<u>37615</u>

RECEIVED

Last Update: 11/04/08

Well I.D. Number/ I

JUN 10 2012

WCC

WATER RESOURCES DEPT
SALEM, OREGON

WATER WELL REPORT **LANE**

STATE OF OREGON
(Please type or print)

18567

State Well No. 18s/5w-25
State Permit No. _____

WATER RESOURCES DEPARTMENT,
SALEM, OREGON 97310
within 30 days from the date
of well completion.

(Do not write above this line)

(1) OWNER:

Name Ted Pilon
Address 27673 Gibraltar Ln.
Eugene, Oregon

(2) TYPE OF WORK (check):

New Well Deepening Reconditioning Abandon
If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary Driven
Cased Jetted
Open Bored

(4) PROPOSED USE (check):

Domestic Industrial Municipal
Irrigation Test Well Other

(5) CASING INSTALLED:

Threaded Welded
6" Diam. from +1 ft. to 18 ft. Gage 250
" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage

(6) PERFORATIONS:

Perforated? Yes No.

Type of perforator used _____
Size of perforations in. by in.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.

(7) SCREENS:

Well screen installed? Yes No

Manufacturer's Name _____
Type _____ Model No. _____
Diam. Slot size Set from ft. to ft.
Diam. Slot size Set from ft. to ft.

(8) WELL TESTS:

Drawdown is amount water level is lowered below static level

a pump test made? Yes No If yes, by whom?
Yield: gal./min. with ft. drawdown after hrs.
" " " " "
" " " " "
Pump test 15 gal./min. with 310 ft. drawdown after 1 hrs.
Artesian flow g.p.m.
Temperature of water Depth artesian flow encountered ft.

(9) CONSTRUCTION:

Well seal—Material used Cement Grout
Well sealed from land surface to 18 ft.
Diameter of well bore to bottom of seal 10 in.
Diameter of well bore below seal 6 in.
Number of sacks of cement used in well seal 6 sacks
How was cement grout placed? Pressure grouted

Was a drive shoe used? Yes No Plugs _____ Size: location _____ ft.
Did any strata contain unusable water? Yes No
Type of water? _____ depth of strata _____
Method of sealing strata off _____
Was well gravel packed? Yes No Size of gravel: _____
Gravel placed from _____ ft. to _____ ft.

(10) LOCATION OF WELL:

County Lane Driller's well number _____
¼ ¼ Section 25 T. 18 R. 5W W.M. _____
Bearing and distance from section or subdivision corner _____

(11) WATER LEVEL: Completed well.

Depth at which water was first found 110 ft.
Static level 90 ft. below land surface. Date 5-20-80
Artesian pressure _____ lbs. per square inch. Date _____

(12) WELL LOG:

Diameter of well below casing 6"
Depth drilled 400 ft. Depth of completed well 400 ft.

Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
Blue Sandstone	0	65	
Grey Sandstone	65	200	
Light Grey Sandstone	200	240	
Dark Grey Sandstone	240	400	90

RECEIVED

JUN 3 1980

WATER RESOURCES DEPT
SALEM, OREGON

Work started 5-19 19 80 Completed 5-20 1980
Date well drilling machine moved off of well 5-20 1980

Drilling Machine Operator's Certification:

This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.

[Signed] Carl P. Stahl Date 5-28, 1980
(Drilling Machine Operator)
Drilling Machine Operator's License No. 386

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

Name Pitcher Pump & Drilling Co.
(Person, firm or corporation) (Type or print)
Address 87829 Green Hill Road Eugene, Ore. 97402
[Signed] Carl P. Stahl
(Water Well Contractor)
Contractor's License No. 494 Date 5-28, 1980

NOTICE TO WATER WELL CONTRACTOR
The original and first copy of this report
are to be filed with the

WATER RESOURCES DEPARTMENT,
SALEM, OREGON 97310
within 30 days from the date
of well completion.

WATER WELL REPORT

STATE OF OREGON

(Please type or print)

LANE
18568

State Well No. 185/5W-25

State Permit No. _____

(1) OWNER:

Name Mr. Ted Pilon
Address 27673 Gibraltar Loop, Eugene, Oregon

(2) TYPE OF WORK (check):

New Well Deepening Reconditioning Abandon

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary Driven
 Jetted
Dug Bored

(4) PROPOSED USE (check):

Domestic Industrial Municipal
Irrigation Test Well Other

(5) CASING INSTALLED:

Threaded Welded
6" Diam. from 1.6 ft. to 18.6 ft. Gage 250
" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage

(6) PERFORATIONS:

Perforated? Yes No.

Type of perforator used _____

Size of perforations in. by in.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.

(7) SCREENS:

Well screen installed? Yes No

Manufacturer's Name _____
Type _____ Model No. _____
Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.
Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.

(8) WELL TESTS:

Drawdown is amount water level is lowered below static level

a pump test made? Yes No If yes, by whom?
Yield: gal./min. with ft. drawdown after hrs.
" " " " " "
" " " " " "
per test gal./min. with ft. drawdown after hrs.
Artesian flow g.p.m.
Temperature of water Depth artesian flow encountered ft.

(9) CONSTRUCTION:

Well seal—Material used Cement Grout
Well sealed from land surface to 18.6 ft.
Diameter of well bore to bottom of seal 10 in.
Diameter of well bore below seal 6 in.
Number of sacks of cement used in well seal 5 sacks
How was cement grout placed? Pressure Grouted

Was a drive shoe used? Yes No Plugs _____ Size: location _____ ft.
Did any strata contain unusable water? Yes No
Type of water? _____ depth of strata _____
Method of sealing strata off _____
Was well gravel packed? Yes No Size of gravel: _____
Gravel placed from _____ ft. to _____ ft.

(10) LOCATION OF WELL:

County Lane Driller's well number _____
1/4 1/4 Section 25 T. 18 R. 5W W.M.
Bearing and distance from section or subdivision corner _____

(11) WATER LEVEL: Completed well.

Depth at which water was first found _____ ft.
Static level 180 ft. below land surface. Date 6/24/80
Artesian pressure _____ lbs. per square inch. Date _____

(12) WELL LOG:

Diameter of well below casing 6

Depth drilled 700 ft. Depth of completed well 700 ft.

Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
Soil	0	3	
Grey sandstone	3	75	
Dark blue sandstone	75	85	
Bluegreen sandstone	85	110	
Grey sandstone	110	305	
Dark grey sandstone	305	480	
Blue grey sandstone	480	520	180
Light grey sandstone	520	700	180'

RECEIVED

JUL 10 1980

WATER RESOURCES DEPT
SALEM, OREGON

Work started 6/19 19 80 Completed 6/24 19 80
Date well drilling machine moved off of well 6/24 19 80

Drilling Machine Operator's Certification:

This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.

[Signed] Carl Pitcher Date 7/9, 19 80
(Drilling Machine Operator)

Drilling Machine Operator's License No. 386

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

Name Pitcher Pump & Drilling Company
(Person, firm or corporation) (Type or print)

Address 87829 Greenhill Road, Eugene, Or 97402

[Signed] Carl Pitcher
(Water Well Contractor)

Contractor's License No. 494 Date 7/9, 19 80

NOTICE TO WATER WELL CONTRACTOR
The original and first copy of this report are to be filed with the
WATER RESOURCES DEPARTMENT,
SALEM, OREGON 97310
within 30 days from the date
of well completion.

LANE WATER WELL REPORT
STATE OF OREGON
18565
RECEIVED
JUL 31 1978
(Do not write above this line)

H₂O Rights
Gas Stone 25.00
File
State Well No. 185/5W-26
State Permit No. #10364
NEL 5W

(1) OWNER:
Name Scoggins
Address R4, P.O. 159 Scottsburg Ore. 97473

(10) LOCATION OF WELL:
SALEM, OREGON
County Lane Driller's well number
1/4 1/4 Section 26 T. 18 S. R. 5 W. W.M.
Bearing and distance from section or subdivision corner

(2) TYPE OF WORK (check):
New Well Deepening Reconditioning Abandon
If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:
Rotary Driven
Cable Jetted
Dug Bored
(4) PROPOSED USE (check):
Domestic Industrial Municipal
Irrigation Test Well Other

(11) WATER LEVEL: Completed well.
Depth at which water was first found 80 ft.
Static level 17 ft. below land surface. Date
Artesian pressure lbs. per square inch. Date

CASING INSTALLED:
Threaded Welded
10" Diam. from 1 ft. to 30 ft. Gage 1250
" Diam. from _____ ft. to _____ ft. Gage _____
" Diam. from _____ ft. to _____ ft. Gage _____

(12) WELL LOG: Diameter of well below casing 10
Depth drilled 100 ft. Depth of completed well 100 ft.
Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level and indicate principal water-bearing strata.

PERFORATIONS:
Perforated? Yes No.
Type of perforator used
Size of perforations in. by in.
_____ perforations from _____ ft. to _____ ft.
_____ perforations from _____ ft. to _____ ft.
_____ perforations from _____ ft. to _____ ft.

MATERIAL	From	To	SWL
Top Soil	0	2	
Light Grey Clay	2	9	
Brown Clay	9	16	
Weathered Sandstone	16	22	
Blue Sandstone	22	63	
Grey Sandstone	63	100	

(7) SCREENS:
Well screen installed? Yes No
Manufacturer's Name _____
Type _____ Model No. _____
Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.
Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.

(8) WELL TESTS:
Drawdown is amount water level is lowered below static level
Was a pump test made? Yes No If yes, by whom?
Yield: gal./min. with ft. drawdown after hrs.
2 1/2 hrs - Air Brown - 75 gal/min
Ballor test gal./min. with ft. drawdown after hrs.
Artesian flow g.p.m.
Temperature of water _____ Depth artesian flow encountered _____ ft.

Work started 5/26 1978 Completed 6/12 1978
Date well drilling machine moved off of well 6/12 1978

(9) CONSTRUCTION:
Well seal—Material used Portland Cement
Well sealed from land surface to 30 ft.
Diameter of well bore to bottom of seal 14 in.
Diameter of well bore below seal 10 in.
Number of sacks of cement used in well seal 12 sacks
How was cement grout placed? Mixed + Poured

Drilling Machine Operator's Certification:
This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.
[Signed] _____ Date 6-15, 1978
(Drilling Machine Operator)
Drilling Machine Operator's License No. 829

Water Well Contractor's Certification:
This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.
Name Patcher Pump & Drilling
(Person, firm or corporation) (Type or print)
Address 150 W. Live Oak
[Signed] Carl Patcher
(Water Well Contractor)
Contractor's License No. 194 Date _____, 19____

Water Well Contractor's Certification:
This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.
Name Patcher Pump & Drilling
(Person, firm or corporation) (Type or print)
Address 150 W. Live Oak
[Signed] Carl Patcher
(Water Well Contractor)
Contractor's License No. 194 Date _____, 19____

**WATER WELL REPORT
STATE OF OREGON**

**LANE
18564**

RECEIVED

State Well No. 185/5W-25

JAN 23 1984

State Permit No. _____

PLEASE TYPE

PRINT IN INK
WATER RESOURCES DEPT.

SALEM, OREGON

(1) OWNER:

Name Chuck Scoggins 2444742
Address 28235 Biggs Hill Rd.
City Eugene State OR

(2) TYPE OF WORK (check):

New Well Deepening Reconditioning Abandon

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary Air Driven
Rotary Mud Dug
Cable Bored

(4) PROPOSED USE (check):

Domestic Industrial Municipal
Irrigation Test Well Other
Thermal Withdrawal Reinjection

(5) CASING INSTALLED:

Steel Plastic
Threaded Welded
6" Diam. from 7 1/2 ft. to 58 ft. Gauge 2.50

LINER INSTALLED:

" Diam. from _____ ft. to _____ ft. Gauge _____

(6) PERFORATIONS:

Perforated? Yes No
Type of perforator used _____
Size of perforations _____ in. by _____ in.
_____ perforations from _____ ft. to _____ ft.
_____ perforations from _____ ft. to _____ ft.
_____ perforations from _____ ft. to _____ ft.

(7) SCREENS:

Well screen installed? Yes No
Manufacturer's Name _____
Type _____ Model No. _____
Diam. _____ Slot Size _____ Set from _____ ft. to _____ ft.
Diam. _____ Slot Size _____ Set from _____ ft. to _____ ft.

(8) WELL TESTS:

Drawdown is amount water level is lowered below static level
Was a pump test made? Yes No If yes, by whom?
_____ gal./min. with _____ ft. drawdown after _____ hrs.
Air test 2.5 gal./min. with drill stem at 190 ft. / hrs.
Boiler test _____ gal./min. with _____ ft. drawdown after _____ hrs.
Artesian flow _____ g.p.m.
Temperature of water _____ Depth artesian flow encountered _____ ft.

(9) CONSTRUCTION:

Special standards: Yes No
Well seal—Material used Cement Grout
Well sealed from land surface to 55 ft.
Diameter of well bore to bottom of seal 10 in.
Diameter of well bore below seal 6 in.
Number of sacks of cement used in well seal 20 sacks
How was cement grout placed? Trimmic p.p.
Was pump installed? NO Type _____ HP _____ Depth _____ ft.
Was a drive shoe used? Yes No Plugs _____ Size: location _____ ft.
Did any strata contain unusable water? Yes No
Type of Water? _____ depth of strata _____
Method of sealing strata off _____
Was well gravel packed? Yes No Size of gravel: _____
Gravel placed from _____ ft. to _____ ft.

(10) LOCATION OF WELL:

County Lane Driller's well number 27-83
SE 1/4 NE 1/4 Section 25 T. 185 R. 5 W W.M.
Tax Lot # _____ Int. Blk. Subdivision _____
Address at well location: _____

(11) WATER LEVEL: Completed well.

Depth at which water was first found 175 ft.
Static level _____ ft. below land surface. Date _____
Artesian pressure _____ lbs. per square inch. Date _____

(12) WELL LOG:

Diameter of well below casing 6"
Depth drilled 190 ft. Depth of completed well 190 ft.
Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
Red Brown Clay	0	19	
Brown sandstone	19	47	
Blue Gray sandstone	47	190	

Work started 12-22 1983 Completed 12-26-1983
Date well drilling machine moved off of well 12-26-83

(unbonded) Water Well Constructor Certification (if applicable):

This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.
[Signed] [Signature] Date 12-26-1983

Bonded Water Well Constructor Certification:

Bond 800174 Issued by Contractors Bonding Ins Co
(number) (Surety Company Name)

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

Name Art Holte (Type or print)
Address P.O. Box 148 Elmira, Or 97437 (Type or print)
[Signed] [Signature] Water Well Constructor
Date 12-28 1983

RECEIVED

LANE

ATTACHMENT 4

185/5W-25

18563

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

FEB 25 1988

WATER RESOURCES DEPT. Well Number 332

(1) OWNER: Name Associated Financial Services, Address 1142 Willagillespi (PO Box 487), City Eugene, State Or., Zip 97401

(2) TYPE OF WORK: [X] New Well, [] Deepen, [] Recondition, [] Abandon

(3) DRILL METHOD: [X] Rotary Air, [] Rotary Mud, [] Cable, [] Other

(4) PROPOSED USE: [X] Domestic, [] Community, [] Industrial, [] Irrigation, [] Thermal, [] Injection, [] Other

(5) BORE HOLE CONSTRUCTION: Special Construction approval Yes No, Depth of Completed Well 790 ft., Explosives used [] [X] Type Amount

Table with columns: HOLE Diameter, From, To, SEAL Material, From, To, Amount sacks or pounds. Row 1: 10", 0, 18, Cement, 0, 18, 5 sacks. Row 2: 6", 18, 790

How was seal placed: Method [] A [] B [X] C [] D [] E

Backfill placed from ft. to ft. Material, Gravel placed from ft. to ft. Size of gravel

(6) CASING/LINER: Table with columns: Diameter, From, To, Gauge, Steel, Plastic, Welded, Threaded. Casing: 6", +1, 19, .250, [X] [] [] []

Final location of shoe(s)

(7) PERFORATIONS/SCREENS: [] Perforations Method, [] Screens Type Material

Table with columns: From, To, Slot size, Number, Diameter, Tele/pipe size, Casing, Liner

(8) WELL TESTS: Minimum testing time is 1 hour

Table with columns: Yield gal/min, Drawdown, Drill stem at, Time. Row 1: 1/10, 10', 790', 1 hr. Note: could fluctuate

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

(9) LOCATION OF WELL by legal description: County Lane, Latitude, Longitude, Township 18S, Nor S, Range 5W, E or W, WM, Section 25, Tax Lot 318, Lot, Block, Subdivision, Street Address of Well (or nearest address) 27673 Gibraltar Ln Eugene, Or. 97405

(10) STATIC WATER LEVEL: 780' ft. below land surface, Date 1-25-88, Artesian pressure lb. per square inch, Date

(11) WATER BEARING ZONES: Depth at which water was first found 70'

Table with columns: From, To, Estimated Flow Rate, SWL. Row 1: 70', 71', 1/10 gpm, 60'

(12) WELL LOG: Ground elevation

Table with columns: Material, From, To, SWL. Rows: Topsoil (0-1), Blue Cong. (1-8), Brown Cong. (8-11), Blue Cong. (11-63), Blue Sandstone (63-790-780)

Date started 1-20-88, Completed 1-25-88

(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. Signed Bob Murphy, WWC Number 1344, Date 1-25-88

(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. Signed Casey Jones, WWC Number 559, Date 1-25-88

RECEIVED

LANE 18562

18s/SW-25 Deep.

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

JAN 27 1988

(1) OWNER: WATER RESOURCES DEPT. 1343 Name: Associated Financial Services, Inc. Address: P.O. Box 487 City: Eugene State: Or. Zip: 97401

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

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

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

(5) BORE HOLE CONSTRUCTION: Special Construction approval Yes No [] Yes [X] No Depth of Completed Well 925 ft. Explosives used [] [X] Type Amount

Table with columns: HOLE (Diameter, From, To), SEAL (Material, From, To), Amount (sacks or pounds)

How was seal placed: Method [] A [] B [] C [] D [] E [] Other not disturbed Backfill placed from ft. to ft. Material Gravel placed from ft. to ft. Size of gravel

(6) CASING/LINER: Table with columns: Diameter, From, To, Gauge, Steel, Plastic, Welded, Threaded

Location of shoe(s)

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

Table with columns: From, To, Slot size, Number, Diameter, Tele/pipe size, Casing, Liner

(8) WELL TESTS: Minimum testing time is 1 hour. Table with columns: Yield gal/min, Drawdown, Drill stem at, Time

Temperature of water 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 not tested Depth of strata:

(9) LOCATION OF WELL by legal description: County Lane Latitude Longitude Township 18S N or S, Range 5W E or W, WM. Section 25 Tax Lot 318 Lot Block Subdivision Street Address of Well (or nearest address) 27673 Gibraltar Ln. Eugene, Or.

(10) STATIC WATER LEVEL: 245 ft. below land surface. Date 12-21-87 Artesian pressure lb. per square inch. Date

(11) WATER BEARING ZONES: Depth at which water was first found 245'

Table with columns: From, To, Estimated Flow Rate, SWL. Existing water only 1/10 245'

(12) WELL LOG: Ground elevation

Table with columns: Material, From, To, SWL. Blue Gray Sandstone (Soft) 345 925 245'

Date started 12-14-87 Completed 12-21-87

(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. Signed Bob Murphy WWC Number 1344 Date 12-21-87

(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. Signed Casey Jones WWC Number 559 Date 12-21-87

No. 1343

"START CARD"
NOTICE OF BEGINNING OF WELL CONSTRUCTION
(as required by ORS 537.762)

This form must be completed, signed by both the owner (or authorized agent) and constructor, and the original delivered to the Water Resources Department prior to commencement of construction, alteration or abandonment of each well.

Owner's Name and Mailing Address Associated Financial Services
1142 Willagillespi Rd (P.O. Box 487)
Eugene, Or 97401

Proposed Commencement Date 12-9-87

Proposed Well Depth _____ Diameter 6"

and Use:
 Domestic Community Industrial Irrigation
 Thermal Injection Other Deepening

Proposed Well Location: County Lane
Township 18S (N or S) Range 5W (E or W) Section 25

- At least 2 of these must be provided
- 1. _____ 1/4 of _____ 1/4 of above section
 - 2. street address of 27673 Gibraltar Loop
Eugene, Or 97402
 - 3. tax lot number of well location 318
 - 4. attach approved map with location identified.
(see reverse of this form for approved maps)

We hereby certify that we have read the back of this form, and that to the best of our knowledge the information provided herein is accurate and the well is being properly located from septic tanks and septic drain fields.

J. C. Berg
Owner's Signature
DEPT. MGR
Title
12-8-87
Date

Casey Jones
Bonded Water Well Constructor
License No. 559
Company Casey Jones Well Drilling Co Inc

Note: This is not a Water Right application. The owner is responsible for obtaining a Water Right through the Water Resources Department if required.

NOTICE TO WATER WELL CONTRACTOR
The original and first copy of this report are to be filed with the
WATER RESOURCES DEPARTMENT,
SALEM, OREGON 97310
within 30 days from the date of well completion.

LANE WATER WELL REPORT
STATE OF OREGON
(Please type or print)
(Do not write above this line)

RECEIVED
JAN 16 1978

18561

Well No. 185/5W-256d
State Permit No. _____

(1) **OWNER:**
Name JACK A BILLINGS
Address 2251 MONROE ST
EUGENE, OREGON 97405

(2) **TYPE OF WORK (check):**
New Well Deepening Reconditioning Abandon
If abandonment, describe material and procedure in Item 12.

(3) **TYPE OF WELL:** (4) **PROPOSED USE (check):**
Rotary Driven Domestic Industrial Municipal
Cable Jetted Irrigation Test Well Other
Dug Bored

(5) **CASING INSTALLED:** Threaded Welded
" Diam. from +1 ft. to 69 ft. Gage 250
" Diam. from _____ ft. to _____ ft. Gage _____
" Diam. from _____ ft. to _____ ft. Gage _____

(6) **PERFORATIONS:** Perforated? Yes No.
Type of perforator used _____
Size of perforations _____ in. by _____ in.
_____ perforations from _____ ft. to _____ ft.
_____ perforations from _____ ft. to _____ ft.
_____ perforations from _____ ft. to _____ ft.

(7) **SCREENS:** Well screen installed? Yes No.
Manufacturer's Name _____
Type _____ Model No. _____
Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.
Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.

(8) **WELL TESTS:** Drawdown is amount water level is lowered below static level.
Was a pump test made? Yes No If yes, by whom?
Yield: _____ gal./min. with _____ ft. drawdown after _____ hrs.
" " " " " " " "
" " " " " " " "
Baller test 15 gal./min. with 51 ft. drawdown after 1 hrs.
Artesian flow _____ g.p.m.
Temperature of water 52 Depth artesian flow encountered _____ ft.

(9) **CONSTRUCTION:**
Well seal—Material used CEMENT
Well sealed from land surface to 20' + ft.
Diameter of well bore to bottom of seal 10 in.
Diameter of well bore below seal 6 in.
Number of sacks of cement used in well seal 12 sacks
How was cement grout placed? MIXED & Poured

Was a drive shoe used? Yes No Plugs _____ Size: location _____ ft.
Did any strata contain unusable water? Yes No
Type of water? _____ depth of strata _____
Method of sealing strata off _____
Was well gravel packed? Yes No Size of gravel: _____
Gravel placed from _____ ft. to _____ ft.

(10) **LOCATION OF WELL:**
County LANE Driller's well number _____
SE 1/4 NW 1/4 Section 25 T. 18S R. 5W W.M.
Bearing and distance from section or subdivision corner _____

(11) **WATER LEVEL: Completed well.**
Depth at which water was first found 53 ft.
Static level 18 ft. below land surface. Date 10 JAN 78
Artesian pressure _____ lbs. per square inch. Date _____

(12) **WELL LOG:** Diameter of well below casing 6"
Depth drilled 108 ft. Depth of completed well 108 ft.
Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
<u>SLOPE WASH, BROWN CLAY</u>	<u>0</u>	<u>10</u>	<u>-</u>
<u>WEATHERED SANDSTONE</u>			
<u>DRILLS TO SANDY CLAY</u>	<u>10</u>	<u>66</u>	<u>18</u>
<u>GREY SANDSTONE</u>	<u>66</u>	<u>88</u>	<u>18</u>
<u>(HOLE CAVING 55-60')</u>			
<u>(ADV 6" CSG TO 69')</u>			
<u>BLUE GREY SANDSTONE</u>	<u>88</u>	<u>108</u>	<u>18</u>

Work started 9 JAN 1978 Completed 13 JAN 1978
Date well drilling machine moved off of well 13 JAN 1978

Drilling Machine Operator's Certification:
This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.
[Signed] Walter N White Date 14 JAN, 1978
(Drilling Machine Operator)
Drilling Machine Operator's License No. 1086

Water Well Contractor's Certification:
This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.
Name W.N. WHITE WELL DRILLING
(Person, firm or corporation) (Type or print)
Address 91769 PRAIRIE RD Junction City
97448
[Signed] Walter N White
(Water Well Contractor)
Contractor's License No. 638 Date 14 JAN 78, 19__

WATER WELL REPORT
STATE OF OREGON

LANE
18560

RECEIVED

State Well No. 18560-25

AUG 09 1984

State Permit No.

PLEASE TYPE OR PRINT IN INK

WATER RESOURCES DEPT

(1) OWNER:

Name Bill Neal
Address 25074 Brown Hill Rd
City Eugene State 95405

(2) TYPE OF WORK (check):

New Well Deepening Reconditioning Abandon
If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary Air Mud Driven Dug Bored

(4) PROPOSED USE (check):

Domestic Industrial Municipal Irrigation Test Well Other Thermal Withdrawal ReInjection

(5) CASING INSTALLED:

Steel Threaded Plastic Welded
6" Diam. from +1 ft. to 41 ft. Gauge 2.50
" Diam. from ft. to ft. Gauge

LINER INSTALLED:

" Diam. from ft. to ft. Gauge

(6) PERFORATIONS:

Perforated? Yes No
Type of perforator used
Size of perforations in. by in.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.

(7) SCREENS:

Well screen installed? Yes No
Manufacturer's Name
Type Model No.
Diam. Slot Size Set from ft. to ft.
Diam. Slot Size Set from ft. to ft.

(8) WELL TESTS:

Drawdown is amount water level is lowered below static level
a pump test made? Yes No If yes, by whom?
Yield: gal/min. with ft. drawdown after hrs.
Air test 45 gal/min. with drill stem at 60 ft. 1 hrs.
Bailer test gal/min. with ft. drawdown after hrs.
Artesian flow g.p.m.
Temperature of water Depth artesian flow encountered ft.

(9) CONSTRUCTION:

Special standards: Yes No
Well seal—Material used Cement grout
Well sealed from land surface to ft.
Diameter of well bore to bottom of seal 5 in.
Diameter of well bore below seal 6 in.
Number of sacks of cement used in well seal 40 sacks
How was cement grout placed? Method
Was pump installed? no Type HP Depth ft.
Was a drive shoe used? Yes No Plugs Size: location ft.
Did any strata contain unusable water? Yes No
Type of Water? depth of strata
Method of sealing strata off
Was well gravel packed? Yes No Size of gravel: ft.
Gravel placed from ft. to ft.

(10) LOCATION OF WELL:

County LANE Driller's well number
Tax Lot # 709 Section 25 T. 18 R. 5W W.M.
Address at well location: same

(11) WATER LEVEL: Completed well.

Depth at which water was first found 55 ft.
Static level 10 ft. below land surface. Date 7-10-84
Artesian pressure lbs. per square inch. Date

(12) WELL LOG:

Diameter of well below casing 6 ft.
Depth drilled 60 ft. Depth of completed well 60 ft.
Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
soil + clay	0	36	
Blue Rock	36	60	10

Work started 7-10 19 84 Completed 7-10 19 84
Date well drilling machine moved off of well 7-10 19 84

(unbonded) Water Well Constructor Certification (if applicable):

This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.
[Signed] Carl P. Tech Date 7-10, 1984

Bonded Water Well Constructor Certification:

Bond 499 Issued by: Surety Company Name
This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.
Name Pitche Pump & Drilling
Address Pg Box 21131 Eugene 97408
[Signed] Carl P. Tech Water Well Constructor
Date 7-10, 1984

NOTICE TO WATER WELL CONSTRUCTOR
The original and first copy of this report are to be filed with the

WATER RESOURCES DEPARTMENT,
SALEM, OREGON 97310
within 30 days from the date of well completion.

SP*45292-690

RECEIVED LANE 18559
FEB 20 1985

LANE 18559

18 SW - 25 BA
dep.
(for official use only)

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

PLEASE TYPE OR PRINT IN INK

SALEM, OREGON

(1) OWNER:

Name Richard W. Emery
Address 695 East 40th
City Eugene, State Or. 94405

(2) TYPE OF WORK (check):

New Well Deepening Reconditioning Abandon
If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary Air Driven
Rotary Mud Dug
Cable Bored

(4) PROPOSED USE (check):

Domestic Industrial Municipal
Thermal: Withdrawal Reinjection
Other:
Piezometric Grounding Test

(5) CASING INSTALLED:

Steel Plastic
Threaded Welded
Diameter from _____ ft. to _____ ft. Gauge _____

LINER INSTALLED:

Steel Plastic
Threaded Welded
Diameter from _____ ft. to _____ ft. Gauge _____

(6) PERFORATIONS:

Perforated? Yes No
Size of perforations in. by _____ in.
_____ perforations from _____ ft. to _____ ft.
_____ perforations from _____ ft. to _____ ft.
_____ perforations from _____ ft. to _____ ft.

(7) SCREENS:

Well screen installed? Yes No
Manufacturer's Name _____ Model No. _____
Type _____ Diam. _____ Slot Size _____ Set from _____ ft. to _____ ft.
Diam. _____ Slot Size _____ Set from _____ ft. to _____ ft.

(8) WELL TESTS:

Drawdown is amount water level is lowered below static level
Was a pump test made? Yes No If yes, by whom? well driller
_____ gal./min. with 118 ft. drawdown after 4 hrs.
Air test 6+ gal./min. with drill stem at 300 ft. 1 hrs.
Bailer test _____ gal./min. with _____ ft. drawdown after _____ hrs.
Artesian flow _____ g.p.m.
Temperature of water _____ Depth artesian flow encountered _____ ft.

(9) CONSTRUCTION:

Special standards: Yes No
Well seal—Material used deepening only
Well sealed from land surface to _____ ft.
Diameter of well bore to bottom of seal _____ in.
Diameter of well bore below seal _____ in.
Amount of sealing material _____ sacks pounds
How was cement grout placed? _____
Was pump installed? _____ Type _____ HP _____ Depth _____ ft.
Was a drive shoe used? Yes No Plugs _____ Size: location _____ ft.
Did any strata contain unusable water? Yes No
Type of Water? _____ depth of strata _____

Method of sealing strata off

Was well gravel packed? Yes No Size of gravel: _____
Gravel placed from _____ ft. to _____ ft.

(10) LOCATION OF WELL by legal description:

County Lane NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 25 of
Township 18S (Township is North or South) Range 4W (Range is East or West) WM.
Tax Lot _____ Lot _____ Block _____ Subdivision _____
MAILING ADDRESS OF WELL (or nearest address) _____

(11) WATER LEVEL of COMPLETED WELL:

Depth at which water was first found approx 200 ft.
Static level 117 ft. below land surface. Date 1-23-85
Artesian pressure _____ lbs. per square inch. Date _____

(12) WELL LOG:

Diameter of well below casing _____ ft.
Depth drilled 127 ft. Depth of completed well 303 ft.
Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
<u>drilled previously</u>	<u>0</u>	<u>106</u>	
<u>gray sedimentary rock</u>	<u>106</u>	<u>303</u>	<u>117</u>
<u>water bearing at approx 200 ft. and below</u>			

Date work started 1-23-85 / completed 1-24-85
Date well drilling machine moved off of well 1-24-85

(unbonded) Water Well Constructor Certification (if applicable):

This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.

[Signed] _____ Date _____, 19 _____

(bonded) Water Well Constructor Certification:

Bond _____ (number) Issued by: _____ (Surety Company Name)
On behalf of _____ (type or print name of Water Well Constructor)

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

(Signed) Well Page # 104
(Water Well Constructor)

(Dated) 1-28-85 Well # 14984

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

LOVE

185/5w/25dd

18553

(START CARD) # 912180

(1) OWNER: Well Number: _____
Name David Wurck
Address 27673 Vibrator Loop
City Eugene State OR Zip 97405

(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:
Special Construction approval Yes No Depth of Completed Well 460 ft.
Yes No
Explosives used Type _____ Amount _____

HOLE			SEAL			Amount sacks or pounds
Diameter	From	To	Material	From	To	
10	0	19	Cement	19	0	6

How was seal placed: Method A B C D E
 Other _____
Backfill placed from 19 ft. to 0 ft. Material Cement
Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) CASING/LINER:

Casing/Liner	Diameter	From	To	Gauge	Material			
					Steel	Plastic	Welded	Threaded
Casing:	6	1	19	2.50	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Liner:					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) _____

(7) PERFORATIONS/SCREENS:

Perforations Method _____
 Screens Type _____ Material _____

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
						<input type="checkbox"/>	<input type="checkbox"/>

(8) WELL TESTS: Minimum testing time is 1 hour

Pump Bailor Air Flowing Artesian

Yield gal/min	Drawdown	Drill stem at	Time
1/4		460	1 hr.

Temperature of water ave 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: _____

(9) LOCATION OF WELL by legal description:
County Lane Latitude _____ Longitude _____
Township 18S N or S, Range 5W E or W, W.M.
Section 25 SE 1/4 SE 1/4
Tax Lot 318 Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) 27673 Vibrator Loop Eugene Oregon

(10) STATIC WATER LEVEL:
285 ft. below land surface. Date 11-16-89
Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:

Depth at which water was first found 285

From	To	Estimated Flow Rate	SWL
285	286	1/4	285

(12) WELL LOG: Ground elevation _____

Material	From	To	SWL
Brown clay	0	7	
Blue clay	7	320	
Gray clay	320	340	
Blue clay	340	380	
Gray clay	380	395	
Blue clay	395	420	
Brown clay	420	430	
Gray clay	430	460	

Date started 11-5-89 Completed 11-16-89

(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.
Signed _____ WWC Number _____
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. 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.
Signed Harold White WWC Number 630
Date 11-17-89

ORIGINAL
File Original, and
Duplicate with the
STATE ENGINEER,
SALEM, OREGON

WATER WELL DRILLERS REPORT

Do Not State Well No. 18/SW-24L(1)
Fill In State Permit No. _____

LANE
1855 **RECEIVED**
STATE ENGINEER
SALEM, OREGON
JAN 24 1957

(1) OWNER:

Name Martin Hansen
Address Rte 3 Box 4

(2) LOCATION OF WELL:

County Linn Owner's number, if any—
R. F. D. or Street No.
Bearing and distance from section or subdivision corner 4 mi North
1.4 mi East of SW Cor. Sec 24 Twp 18 S
R 5 W, W.M.

(3) TYPE OF WORK (check):

New well Deepening Reconditioning Abandon
Abandonment, describe material and procedure in Item 11.

(4) PROPOSED USE (check):

Domestic Industrial Municipal
Irrigation Test Well Other

(5) EQUIPMENT:

Rotary
Cable
Dug Well

(6) CASING INSTALLED:

FROM	ft. to	ft.	Diam.	Gage or Wall
0"	16"	6"	3/8"	"
"	"	"	"	"
"	"	"	"	"
"	"	"	"	"
"	"	"	"	"

If gravel packed

Diameter of Bore	from ft.	to ft.
"	"	"
"	"	"
"	"	"
"	"	"
"	"	"

Type and size of shoe or well ring

Describe joint None

(7) PERFORATIONS:

Type of perforator used None

SIZE of perforations	in.	length, by	in.
FROM	ft. to	ft.	perf per foot
"	"	"	" " "
"	"	"	" " "
"	"	"	" " "
"	"	"	" " "

SCREENS:

Give Manufacturer's Name, Model No. and Size

None

(8) CONSTRUCTION:

Was a surface sanitary seal provided? Yes No To what depth _____ ft.
Were any strata sealed against pollution? Yes No
If yes, note depth of strata _____

METHOD OF SEALING Casing Set In Rock @ 16'

(9) WATER LEVELS:

Depth at which water was first found 6.5 ft.
Standing level before perforating 12 ft.
Standing level after perforating _____ ft.

Log Accepted by:

[Signed] Martin Hansen Owner Dated _____, 19____

(10) WELL TESTS:

Was a pump test made? Yes No If yes, by whom?
Yield: gal./min. with _____ ft. draw down after _____ hrs.
" " " " " "
" " " " " "
Artesian flow _____ g.p.m.
Shut-in pressure _____ lbs. per square inch.
Baller test 20 g.p.m. with _____ ft. drawdown
Temperature of water 58 Was a chemical analysis made? Yes No
Was electric log made of well? Yes No

(11) WELL LOG:

Diameter of well, 6 inches.
Total depth 75 ft. Depth of completed well 75 ft.

Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.

ft. to	ft.	Description
0"	16"	Sandy Clay
16"	75"	Soft Grey Rock
"	"	"
"	"	"
"	"	"
"	"	"
"	"	"
"	"	"
"	"	"
"	"	"
"	"	"
"	"	"
"	"	"
"	"	"
"	"	"
"	"	"
"	"	"
"	"	"
"	"	"
"	"	"
"	"	"
"	"	"
"	"	"
"	"	"
"	"	"
"	"	"
"	"	"
"	"	"

Ground elevation at well site 490 feet above mean sea level.
Work started 10-8 1956 Completed 10-10 1956

Well Driller's Statement:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

NAME Northwest Equip + Drilling Co
(Person, firm, or corporation) (Typed or printed)

Address 3815 River Road Eugene Ore

Driller's well number _____

[Signed] E. H. Cameron (Well Driller)

License No. 130 Dated 1-8-57, 19____

NOTICE TO WATER WELL CONTRACTOR
The original and first copy of this report are to be filed with the
WATER RESOURCES DEPARTMENT,
SALEM, OREGON 97310
within 30 days from the date
of well completion.

WATER WELL REPORT

STATE OF OREGON
(Please type or print)

State Well No. 185/5W-24dc

State Permit No.

LANE
18556

RECEIVED
APR 26 1978

(1) OWNER:

Name BILL BAUER
Address 545 Kingswood Eugene, OR. 97405

(2) TYPE OF WORK (check):

New Well Deepening Reconditioning Abandon

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary Driven
Cable Jetted
Dug Bored

(4) PROPOSED USE (check):

Domestic Industrial Municipal
Irrigation Test Well Other

(5) CASING INSTALLED:

Threaded Welded
6" Diam. from 0 ft. to 40 ft. Gage 250
" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage

(6) PERFORATIONS:

Perforated? Yes No

Type of perforator used

Size of perforations in. by in.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.

(7) SCREENS:

Well screen installed? Yes No

Manufacturer's Name
Type Model No.
Diam. Slot size Set from ft. to ft.
Diam. Slot size Set from ft. to ft.

(8) WELL TESTS:

Drawdown is amount water level is lowered below static level

Was a pump test made? Yes No If yes, by whom?

Flow test: 22 gal./min. with 120 ft. drawdown after 1 hr.

Artesian flow g.p.m.
Temperature of water Depth artesian flow encountered ft.

(9) CONSTRUCTION:

Well seal—Material used Cement
Well sealed from land surface to 40 ft.
Diameter of well bore to bottom of seal 10 in.
Diameter of well bore below seal 6 in.
Number of sacks of cement used in well seal 5 sacks
How was cement grout placed? Mixed & Pumped

Was a drive shoe used? Yes No Plugs Size: location ft.
Did any strata contain unusable water? Yes No
Type of water? depth of strata
Method of sealing strata off
Was well gravel packed? Yes No Size of gravel:
Gravel placed from ft. to ft.

(10) LOCATION OF WELL:

County CLATSOP Driller's well number
SW 1/4 SE 1/4 Section 24 T. 18S R. 5W W.M.
Bearing and distance from section or subdivision corner

(11) WATER LEVEL: Completed well.

Depth at which water was first found 120 ft.
Static level 20 ft. below land surface. Date 4/12/78
Artesian pressure lbs. per square inch. Date

(12) WELL LOG:

Diameter of well below casing 6
Depth drilled 140 ft. Depth of completed well 140 ft.

Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
Top Soil	0	2'	
Yellow clay	2'	14'	
Brown clay	14'	30'	
Blue Rock	30'	100'	
Gray Rock	100'	140'	20'

Work started 4/11 1978 Completed 4/12 1978
Date well drilling machine moved off of well 4/12 1978

Drilling Machine Operator's Certification:

This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.

[Signed] Frank Wilson Date 4/13, 1978
(Drilling Machine Operator)

Drilling Machine Operator's License No. 40K

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

Name GROUND WATER SYSTEMS INC.
(Person, firm or corporation) (Type or print)

Address 2320 MAIN - Springfield - OR

[Signed] Frank Wilson
(Water Well Contractor)

Contractor's License No. 562 Date APR. 13, 1978

NOTICE TO WATER WELL CONTRACTOR
The original and first copy of this report
are to be filed with the

WATER RESOURCES DEPARTMENT
SALEM, OREGON 97310
within 30 days from the date
of well completion.

WATER WELL REPORT
STATE OF OREGON
(Please type or print)
(Do not write above this line)

RECEIVED

JAN 19 1978

State Well No. 185/5W-24

State Permit No. _____

LANE
18555

WATER RESOURCES DEPT.

(1) OWNER:

Name Jack Adkins
Address 1780 Oak Patch Rd.
Eugene, Oregon

(2) TYPE OF WORK (check):

New Well Deepening Reconditioning Abandon
If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary Driven
Cable Jetted
Dug Bored

(4) PROPOSED USE (check):

Domestic Industrial Municipal
Irrigation Test Well Other

(5) CASING INSTALLED:

Threaded Welded
6" Diam. from +1 ft. to 19 ft. Gage .250
5" Diam. from 16 ft. to 152 ft. Gage .10
" Diam. from _____ ft. to _____ ft. Gage _____

(6) PERFORATIONS:

Perforated? Yes No.
Type of perforator used Torch (In Steel Liner Only)
Size of perforations 1/4 in. by 1/4 in.
33 perforations from 132 ft. to 152 ft.
perforations from _____ ft. to _____ ft.
perforations from _____ ft. to _____ ft.

(7) SCREENS:

Well screen installed? Yes No
Manufacturer's Name _____
Type _____ Model No. _____
Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.
Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.

(8) WELL TESTS:

Drawdown is amount water level is lowered below static level
Air
Was a pump test made? Yes No If yes, by whom? Driller
Yield: 60 gal./min. with 145 ft. drawdown after 2 hrs.
" " " " " "
" " " " " "
Baller test 110 gal./min. with _____ ft. drawdown after _____ hrs.
Artesian flow _____ g.p.m.
Temperature of water 54° Depth artesian flow encountered _____ ft.

(9) CONSTRUCTION:

Well seal—Material used Portland Cement Type III
Well sealed from land surface to 19 ft.
Diameter of well bore to bottom of seal 10 in.
Diameter of well bore below seal 6 in.
Number of sacks of cement used in well seal 5 sacks
How was cement grout placed? Poured In From Top.

Was a drive shoe used? Yes No Plugs _____ Size: location _____ ft.
Did any strata contain unusable water? Yes No

Type of water? _____ depth of strata _____
Method of sealing strata off _____

Was well gravel packed? Yes No Size of gravel: _____
Gravel placed from _____ ft. to _____ ft.

(10) LOCATION OF WELL:

County Lane Driller's well number 2591/CP
SW 3/4 Section 24 T. 18 R. 5W W.M.
Bearing and distance from section or subdivision corner _____

(11) WATER LEVEL: Completed well.

Depth at which water was first found 139 ft.
Static level 5 ft. below land surface. Date 1/10/78
Artesian pressure _____ lbs. per square inch. Date _____

(12) WELL LOG:

Diameter of well below casing 6"
Depth drilled 152 ft. Depth of completed well 152 ft.

Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
Top Soil	0	5	
Brown Clay	5	11	
Soft Blue Shale	11	58	
Blue Shale	58	127	
Grey Sandstone	127	152	5

Work started 10/10/ 19 78 Completed 1/11/ 19 78
Date well drilling machine moved off of well 1/12/ 19 78

Drilling Machine Operator's Certification:

This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.
[Signed] Arthur J. Lewis Date 1/12/ 19 78
(Drilling Machine Operator)

Drilling Machine Operator's License No. 717

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

Name Carter's Drilling & Pump Service
(Person, firm or corporation) (Type or print)

Address P.O. Box 46-Springfield, Oregon 97477

[Signed] Para J. Carter
(Water Well Contractor)

Contractor's License No. 126 Date 1/12/78, 19 _____

LANE
18554

WATER WELL DRILLERS REPORT
STATE OF OREGON

Do Not State Well No. 18/5W-24 L
Fill In State Permit No.

(1) OWNER:

Name Martin Hansen
Address Rte 3 Box 435

RECEIVED
JAN 24 1957
STATE ENGINEER

(2) LOCATION OF WELL: SALEM, OREGON

County L200 Owner's number, if any—
R. F. D. or Street No.
Bearing and distance from section or subdivision corner 1/4 Mi North
7.5 East of SW Cor. Sec 24 Twp 18S,
R5W, W.M.

(3) TYPE OF WORK (check):

New well Deepening Reconditioning Abandon
If abandonment, describe material and procedure in Item 11.

(4) PROPOSED USE (check):

Domestic Industrial Municipal
Irrigation Test Well Other

(5) EQUIPMENT:

Rotary
Cable
Dug Well

(6) CASING INSTALLED:

Threaded Welded

If gravel packed

FROM	ft. to	ft.	Diam.	Gage or Wall	Diameter of Bore	from ft.	to ft.
0	24	"	3/4"	"			
"	"	"	7/8"	"			
"	"	"	"	"			
"	"	"	"	"			
"	"	"	"	"			

Type and size of shoe or well ring

Size of gravel:

Describe joint None

(7) PERFORATIONS:

Type of perforator used None

SIZE of perforations	in., length, by	in.		
FROM	ft. to	ft.	perf per foot	No. of rows
"	"	"	"	"
"	"	"	"	"
"	"	"	"	"
"	"	"	"	"

SCREENS:

Give Manufacturer's Name, Model No. and Size

None

(8) CONSTRUCTION:

Was a surface sanitary seal provided? Yes No To what depth ft.

Were any strata sealed against pollution? Yes No
If yes, note depth of strata

FROM ft. to ft.

METHOD OF SEALING Casing Set in Rock @ 26'

(9) WATER LEVELS:

Depth at which water was first found 80 ft.

Standing level before perforating ft.

Standing level after perforating 15 ft.

Log Accepted by:

[Signed] Martin Hansen Dated _____, 19____
Owner

(10) WELL TESTS:

Was a pump test made? Yes No If yes, by whom?

Yield: gal./min. with ft. draw down after

Artesian flow g.p.m.

Shut-in pressure lbs. per square inch.

Ballor test 30 g.p.m. with 115 ft. drawdown

Temperature of water 58 Was a chemical analysis made? Yes No

Was electric log made of well? Yes No

(11) WELL LOG:

Diameter of well, 6 inches.

Total depth 140 ft. Depth of completed well 138 ft.

Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.

0 ft. to 26 ft. Sandy Clay
26" 138" Soft Grey Rock
138" Soapstone - Caving

Ground elevation at well site 400 feet above mean sea level.

Work started 10-11 1956 Completed 10-18 1956

Well Driller's Statement:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

NAME Northwest Equip & Drilling Co
(Person, firm, or corporation) (Typed or printed)

Address 3815 River Road Eugene Ore

Driller's well number

[Signed] E. H. Peterson
(Well Driller)

License No. 130 Dated 1-8-57, 19____

NOTICE TO WATER WELL CONTRACTOR: The original and first copy of this report are to be filed with the STATE ENGINEER, SALEM, OREGON within 30 days from the date of well completion.

RECEIVED

LANE 18553

JUL 12 1966

WATER WELL REPORT

State Well No. 18/5W-24B

State Permit No.

(1) OWNER:

Name E.H. Norris
Address Rt 3 Box 441
Eugene Oregon

(2) LOCATION OF WELL:

County Lane Driller's well number 5
1/4 Section 15 T. 18S R. 5W W.M.
Bearing and distance from section or subdivision corner

(3) TYPE OF WORK (check):

New Well [X] Deepening [] Reconditioning [] Abandon []
Abandonment, describe material and procedure in Item 12.

(4) PROPOSED USE (check):

Domestic [X] Industrial [] Municipal [] Irrigation [] Test Well [] Other []

(5) TYPE OF WELL:

Rotary [] Driven [] Cable [X] Jetted [] Dug [] Bored []

(6) CASING INSTALLED:

6" Diam. from 0 ft. to 21 ft. Gage 2.50
Threaded [] Welded []

(7) PERFORATIONS:

Perforated? [] Yes [X] No
Type of perforator used
Size of perforations in. by in.

(8) SCREENS:

Well screen installed? [] Yes [X] No
Manufacturer's Name
Type Model No.
Slot size Set from ft. to ft.
Diam. Slot size Set from ft. to ft.

(9) CONSTRUCTION:

Well seal—Material used in seal Cement
Depth of seal 20 ft. Was a packer used?
Diameter of well bore to bottom of seal 10 in.
Were any loose strata cemented off? [] Yes [X] No
Was a drive shoe used? [X] Yes [] No
Was well gravel packed? [] Yes [] No Size of gravel:
Gravel placed from ft. to ft.
Did any strata contain unusable water? [] Yes [X] No
Type of water? None depth of strata
Method of sealing strata off

(10) WATER LEVELS:

Static level 11 ft. below land surface Date 7-10-66
Artesian pressure lbs. per square inch Date

(11) WELL TESTS:

Drawdown is amount water level is lowered below static level
Was a pump test made? [] Yes [] No If yes, by whom?
Yield: gal./min. with ft. drawdown after hrs.
Ballier test Less than 292/Per min gal./min. with ft. drawdown after hrs.
Artesian flow g.p.m. Date
Temperature of water Was a chemical analysis made? [] Yes [] No

(12) WELL LOG:

Diameter of well below casing 6"
Depth drilled 50 ft. Depth of completed well 50 ft.
Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.

Table with columns: MATERIAL, FROM, TO. Handwritten entries: Clay Brown (0-7), Clay Gray (7-50)

Work started 7-1 1966 Completed 7-4 1966
Date well drilling machine moved off of well 7-6 1966

(13) PUMP:

Manufacturer's Name
Type: H.P.

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

NAME Eastwood water well Drilling (Person, firm or corporation) (Type or print)

Address Rt 3 Box 282 Eugene Oregon

Drilling Machine Operator's License No. 452

[Signed] Charles Eastwood (Water Well Contractor)

Contractor's License No. 459 Date 7-11-66, 19

RECEIVED

LANE

18552

NOTICE TO WATER WELL CONTRACTOR
The original and first copy
of this report are to be
filed with the STATE ENGINEER
within 30 days from the date
of well completion.

JUL 12 1966

STATE ENGINEER WATER WELL REPORT

State Well No. 18/5W-24B

State Permit No.

STATE ENGINEER, SALEM, OREGON 97310
STATE OF OREGON (Please type or print)

(1) OWNER:
Name E. H. Norris
Address Rt #3 Box #441 Eugene Oregon
(2) LOCATION OF WELL:
County Lane Driller's well number 4
1/4 Section 13 T. 18s R. 2w W.M.
Bearing and distance from section 24 subdivision corner

(3) TYPE OF WORK (check):
New Well Deepening Reconditioning Abandon
Abandonment, describe material and procedure in Item 12.
(4) PROPOSED USE (check):
Domestic Industrial Municipal Irrigation Test Well Other
(5) TYPE OF WELL:
Rotary Driven Cable Jetted Dug Bored

(6) CASING INSTALLED:
Threaded Welded
6" Diam. from 0 ft. to 26 ft. Gage 1250
" Diam. from _____ ft. to _____ ft. Gage _____
" Diam. from _____ ft. to _____ ft. Gage _____

(7) PERFORATIONS:
Perforated? Yes No
Type of perforator used _____
Size of perforations _____ in. by _____ in.
_____ perforations from _____ ft. to _____ ft.
_____ perforations from _____ ft. to _____ ft.
_____ perforations from _____ ft. to _____ ft.
_____ perforations from _____ ft. to _____ ft.

(8) SCREENS:
Well screen installed? Yes No
Manufacturer's Name _____
Type _____ Model No. _____
_____ Slot size _____ Set from _____ ft. to _____ ft.
Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.

(9) CONSTRUCTION:
Well seal—Material used in seal Bentonite
Depth of seal 21 ft. Was a packer used? _____
Diameter of well bore to bottom of seal 10 in.
Were any loose strata cemented off? Yes No Depth _____
Was a drive shoe used? Yes No
Was well gravel packed? Yes No Size of gravel: _____
Gravel placed from _____ ft. to _____ ft.
Did any strata contain unusable water? Yes No
Type of water? Salt depth of strata 95-115
Method of sealing strata off CEMENT

(10) WATER LEVELS:
Static level 40 ft. below land surface Date 6-29-66
Artesian pressure _____ lbs. per square inch Date _____

(11) WELL TESTS:
Drawdown is amount water level is lowered below static level
Was a pump test made? Yes No If yes, by whom?
Yield: _____ gal./min. with _____ ft. drawdown after _____ hrs.
" " " " " " " " " " " "
" " " " " " " " " " " "
" " " " " " " " " " " "
" " " " " " " " " " " "
Bailer test 2 1/2 PM less gal./min. with _____ ft. drawdown after _____ hrs.
Artesian flow _____ g.p.m. Date _____
Temperature of water _____ Was a chemical analysis made? Yes No

(12) WELL LOG:
Diameter of well below casing 6"
Depth drilled 115' ft. Depth of completed well 115' ft.
Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.

MATERIAL	FROM	TO
Clay Brown	0	10
" Gray	10	19
Consolidated Rock Brown	19	37
Claystone Gray	37	95
Gravel + claystone Gray	95	115
Well was dry to 95'		
From 95' to 115' well would seep 2 gal. salt water per hr.		
Filled well with next cement from 80' to 115' Filled well from 30' to 80' with cement Grout.		
Filled well from 0-30' with Bentonite.		

Work started 6-23 1966 Completed 6-30 1966
Date well drilling machine moved off of well 6-30 1966

(13) PUMP:
Manufacturer's Name _____
Type: _____ H.P. _____

Water Well Contractor's Certification:
This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.
NAME Eastward water well Drilling
(Person, firm or corporation) (Type or print)
Address Rt #3 Box #282 Eugene Ore.
Drilling Machine Operator's License No. 452
(Signed) Charles Eastward
(Water Well Contractor)
Contractor's License No. 459 Date 7-11-66, 19

NOTICE TO WATER WELL CONTRACTOR
The original and first copy of this report are to be filed with the STATE ENGINEER, SALEM, OREGON 97310 within 30 days from the date of well completion.
Please type or print)
Do not write above this line)

LANE
18551

State Well No. 18/5W-24ba

State Permit No.

(1) OWNER:

Name Spencer Creek Lutheran Church
Address Rt 5, Box 1108 (Pine Grove Road) Eugene, Oreg

(2) TYPE OF WORK (check):

New Well Deepening Reconditioning Abandon
If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary Driven Domestic Industrial Municipal
Cable Jetted Irrigation Test Well Other
Dug Bored

(4) PROPOSED USE (check):

CASING INSTALLED:

Threaded Welded
" Diam. from NO ft. to Casing ft. Gage
" Diam. from NO ft. to Casing ft. Gage
" Diam. from NO ft. to Casing ft. Gage

PERFORATIONS:

Perforated? Yes No
Type of perforator used NO Casing
Size of perforations NO in. by Casing in.
perforations from _____ ft. to _____ ft.
perforations from _____ ft. to _____ ft.
perforations from _____ ft. to _____ ft.

(7) SCREENS:

Well screen installed? Yes No
Manufacturer's Name _____ Type _____ Model No. _____
Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.
Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.

(8) WELL TESTS:

Drawdown is amount water level is lowered below static level
Was a pump test made? Yes No If yes, by whom?
Yield: gal./min. with _____ ft. drawdown after _____ hrs.
" " " " " "
Bailer test gal./min. with _____ ft. drawdown after _____ hrs.
Artesian flow g.p.m. _____
Temperature of water _____ Depth artesian flow encountered _____ ft.

(9) CONSTRUCTION:

Well seal—Material used Cement
Well sealed from land surface to 25 ft.
Diameter of well bore to bottom of seal 6 in.
Diameter of well bore below seal 6 in.
Number of sacks of cement used in well seal _____ sacks
Number of sacks of bentonite used in well seal _____ sacks
Brand name of bentonite _____
Number of pounds of bentonite per 100 gallons of water _____ lbs./100 gals.
Was a drive shoe used? Yes No Plugs _____ Size: location _____ ft.
Did any strata contain unusable water? Yes No
Type of water? _____ depth of strata _____
Method of sealing strata off _____
Was well gravel packed? Yes No Size of gravel: _____
Gravel placed from _____ ft. to _____ ft.

(10) LOCATION OF WELL:

County Lane Driller's well number 105
NE 1/4 NW 1/4 Section 24 T. 18-S R. 5-W W.M.
Bearing and distance from section or subdivision corner _____

(11) WATER LEVEL: Completed well.

Depth at which water was first found _____ ft.
Static level _____ ft. below land surface. Date _____
Artesian pressure _____ lbs. per square inch. Date _____

(12) WELL LOG:

Diameter of well below casing 6"
Depth drilled 157 ft. Depth of completed well 157 ft.
Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
Top Soil	0	2	
Blue Green Sandstone-firm-med	2	19	
Blue Green Sandstone-Soft-med	19	20	
Blue Green Sandstone-firm-med	20	21	
Blue Green Sandstone-hard-fine	21	22	
Blue Green Sandstone-firm-med	22	26	
Dark Gray Sandstone-firm-med	26	33	
Dark Blue Sandstone-firm-med	33	44	
Blue Green Sandstone-firm-med	44	90	
Light Blue Sandstone-firm-med	90	133	
Dark Gray Sandstone-firm-med	133	142	
Light Gray Sandstone-firm-med	142	157	

This was a dry well filled up with drill cuttings and cement

Work started 10-17 19____ Completed 10-25 1971
Date well drilling machine moved off of well Oct 26 1971

Drilling Machine Operator's Certification:

This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.
[Signed] Clayton Haas Date Oct. 27 1971
(Drilling Machine Operator)
Drilling Machine Operator's License No. 489

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.
Name Clay's Well Drilling
(Person, firm or corporation) (Type or print)
Address Rt 2, Box 4118 - Eugene, Ore 97401
[Signed] Clayton Haas
(Water Well Contractor)
Contractor's License No. 502 Date Oct. 27, 1971

NOTICE TO WATER WELL CONTRACTOR

The original and first copy of this report are to be filed with the

RECEIVED
DEC 7 - 1971

RECEIVED
DEC 24 1971

STATE ENGINEER, SALEM, OREGON 97310

within 30 days from the date of well completion.

STATE OF OREGON

STATE ENGINEER (Please type or print)

SALEM OREGON (Type above this line)

State Well No. 18/5W-24ba

State Permit No.

SALEM, OREGON

(1) OWNER:

Name Spencer Creek Lutheran Church
Address Rt 5, Box 108 (Pine Grove Road)
Eugene, Oregon 18550

(2) TYPE OF WORK (check):

New Well Deepening Reconditioning Abandon

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary Driven
Cable Jetted
Dug Bored

(4) PROPOSED USE (check):

Domestic Industrial Municipal
Irrigation Test Well Other

CASING INSTALLED:

Pulled Casing
Threaded Welded

_____ " Diam. from _____ ft. to _____ ft. Gage _____
_____ " Diam. from _____ ft. to _____ ft. Gage _____
_____ " Diam. from _____ ft. to _____ ft. Gage _____

PERFORATIONS:

Perforated? Yes No.

Type of perforator used _____

Size of perforations in. by in.
_____ perforations from _____ ft. to _____ ft.
_____ perforations from _____ ft. to _____ ft.
_____ perforations from _____ ft. to _____ ft.

(7) SCREENS:

Well screen installed? Yes No

Manufacturer's Name _____

Type _____ Model No. _____

Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.

Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.

(8) WELL TESTS:

Drawdown is amount water level is lowered below static level

Was a pump test made? Yes No If yes, by whom?

Yield: gal./min. with ft. drawdown after hrs.

" " " " " "

" " " " " "

Baller test 4 gal./min. with 20 ft. drawdown after 1/2 hrs.

Artesian flow g.p.m.

Temperature of water 58° Depth artesian flow encountered _____ ft.

(9) CONSTRUCTION:

Well seal - Material used Cement

Well sealed from land surface to 3/1 ft.

Diameter of well bore to bottom of seal 6 in.

Diameter of well bore below seal _____ in.

Number of sacks of cement used in well seal 4 sacks

Number of sacks of bentonite used in well seal _____ sacks

Brand name of bentonite _____

Number of pounds of bentonite per 100 gallons of water _____ lbs./100 gals.

Was a drive shoe used? Yes No Plugs _____ Size: location _____ ft.

Did any strata contain unusable water? Yes No

Type of water? Salt depth of strata 29'

Method of sealing strata off Cemented

Was well gravel packed? Yes No Size of gravel: _____

Gravel placed from _____ ft. to _____ ft.

(10) LOCATION OF WELL:

County Lane Driller's well number 104
NE 1/4 NW 1/4 Section 24 T. 18-S. R. 5-W W.M.
Bearing and distance from section or subdivision corner

(11) WATER LEVEL: Completed well.

Depth at which water was first found 29 ft.
Static level 4 ft. below land surface. Date 10-16-71
Artesian pressure lbs. per square inch. Date

(12) WELL LOG:

Diameter of well below casing 6"

Depth drilled 31 ft. Depth of completed well _____ ft.

Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
<u>Top Soil</u>	<u>0</u>	<u>2</u>	
<u>Brown Clay</u>	<u>2</u>	<u>5</u>	
<u>Light Gray Sandstone - firm-med</u>	<u>5</u>	<u>31</u>	<u>4'</u>

This well had salt water - filled back up with cement.

Work started 10-15 1971 Completed 10-17 1971

Date well drilling machine moved off of well Oct. 17 1971

Drilling Machine Operator's Certification:

This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.

[Signed] Clayton Haas Date Oct. 27, 1971
(Drilling Machine Operator)

Drilling Machine Operator's License No. 489

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

Name Clay's Well Drilling
(Person, firm or corporation) (Type or print)

Address Rt 2, Box 411B - Eugene, Oregon 97401

[Signed] Clayton Haas
(Water Well Contractor)

Contractor's License No. 502 Date Oct. 27, 1971

NOTICE TO WATER WELL CONTRACTOR

The original and first copy of this report are to be filed with the

STATE ENGINEER, SALEM, OREGON 97310 within 30 days from the date of well completion.

LANE 18549 WATER WELL REPORT

STATE OF OREGON (Please type or print)

(Do not write above this line)

RECEIVED

AUG 21 1973

State Well No. 18S/5W-24

State Permit No.

LANE 18549

ba

(1) OWNER:

Name Donald Bowers Address 2535 Olive Eugene, Oregon

(2) TYPE OF WORK (check):

New Well [X] Deepening [] Reconditioning [] Abandon [] If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary [] Driven [] Cable [X] Jetted [] Dug [] Bored []

(4) PROPOSED USE (check):

Domestic [X] Industrial [] Municipal [] Irrigation [] Test Well [] Other []

CASING INSTALLED:

4" Diam. from +1 ft. to 19 ft. Gage 250

PERFORATIONS:

Type of perforator used Size of perforations in. by in. perforations from ft. to ft.

(7) SCREENS:

Well screen installed? [] Yes [X] No Manufacturer's Name Type Model No. Diam. Slot size Set from ft. to ft.

(8) WELL TESTS:

Drawdown is amount water level is lowered below static level Was a pump test made? [X] Yes [] No If yes, by whom? driller Yield: 60 gal./min. with 16 ft. drawdown after 1 hrs.

(9) CONSTRUCTION:

Well seal—Material used Cement Well sealed from land surface to 19 ft. Diameter of well bore to bottom of seal 10 in. Diameter of well bore below seal 6 in. Number of sacks of cement used in well seal 3 sacks

(10) LOCATION OF WELL:

County SALEM OREGON Driller's well number 195 NE 1/4 NW 1/4 Section 24 T. 18 S. R. 5 W. W.M. Bearing and distance from section or subdivision corner

(11) WATER LEVEL: Completed well.

Depth at which water was first found 26 ft. Static level 10 ft. below land surface. Date 7-9-73 Artesian pressure lbs. per square inch. Date

(12) WELL LOG:

Diameter of well below casing 6" Depth drilled 50 ft. Depth of completed well 50 ft.

Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level and indicate principal water-bearing strata.

Table with columns: MATERIAL, From, To, SWL. Rows include Top Soil, Brown Clay, Blue Green Sandstone - firm-med.

Work started 7-9 1973 Completed 7-10 1973 Date well drilling machine moved off of well July 10 1973

Drilling Machine Operator's Certification:

This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief. [Signed] Clayton Haas Date July 19, 1973 Drilling Machine Operator's License No. 489

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief. Name Clay's Well Drilling Address Rt. 2, Box 411B - Eugene, Ore 97401 [Signed] Clayton Haas Contractor's License No. 502 Date July 19, 1973

NOTICE TO WATER WELL CONTRACTOR
The original and first copy of this report are to be filed with the

WATER RESOURCES DEPARTMENT,
SALEM, OREGON 97310
within 30 days from the date
of well completion.

WATER WELL REPORT

STATE OF OREGON

(Please type or print)

(Do not write above this line)

LANE

18548

State Well No.

18s/5w-24

State Permit No.

RECEIVED
AUG 25 1978
WATER RESOURCES
SALEM, OREGON

(1) OWNER:

Name **Mr. Russell Terry**
Address **85886 Pine Grove Road**
Eugene, OR 97402

(2) TYPE OF WORK (check):

New Well Deepening Reconditioning Abandon

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary Driven
Cable Jetted
 Bored

(4) PROPOSED USE (check):

Domestic Industrial Municipal
Irrigation Test Well Other

(5) CASING INSTALLED:

Threaded Welded
6 1/2" Diam. from Plus 1 ft. to 24 ft. Gage : 250
" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage

(6) PERFORATIONS:

Perforated? Yes No.

Type of perforator used

Size of perforations in. by in.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.

(7) SCREENS:

Well screen installed? Yes No

Manufacturer's Name
Type Model No.
Diam. Slot size Set from ft. to ft.
Diam. Slot size Set from ft. to ft.

(8) WELL TESTS:

Drawdown is amount water level is lowered below static level

Was a pump test made? Yes No If yes, by whom?
ld: gal./min. with ft. drawdown after hrs.
" Well output may fluctuate " "
Air " " "
XXX test 25 gal./min. with max ft. drawdown after 1 hrs.
Artesian flow g.p.m.
Temperature of water Depth artesian flow encountered ft.

(9) CONSTRUCTION:

Well seal—Material used **Cement grout**
Well sealed from land surface to 24 ft.
Diameter of well bore to bottom of seal 10 in.
Diameter of well bore below seal 6 in.
Number of sacks of cement used in well seal 5 sacks
How was cement grout placed?
Machine mixed to gravity dry seal area

Was a drive shoe used? Yes No Plugs Size: location ft.
Did any strata contain unusable water? Yes No
Type of water? depth of strata
Method of sealing strata off
Was well gravel packed? Yes No Size of gravel:
Gravel placed from ft. to ft.

(10) LOCATION OF WELL:

County **Lane** Driller's well number **7863**
1/4 1/4 Section **24** T. **18s** R. **5w** W.M.
Bearing and distance from section or subdivision corner

(11) WATER LEVEL: Completed well.

Depth at which water was first found **44** ft.
Static level **9** ft. below land surface. Date **8-21-78**
Artesian pressure lbs. per square inch. Date

(12) WELL LOG:

Diameter of well below casing **6"**
Depth drilled **60'** ft. Depth of completed well **60'** ft.

Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
Top soil	0	2	
Brown clay	2	7	
Boulders	7	10	
Brown clay	10	13	
Blue clay	13	18	
Fractured sandstone	18	20	
Blue gray sandstone	20	60	

Work started **8-21-78** 19 Completed **8-21-78** 19
Date well drilling machine moved off of well **8-21-78** 19

Drilling Machine Operator's Certification:

This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.

[Signed] **Mark Christensen** Date **8-21-78**, 19____
(Drilling Machine Operator)

Drilling Machine Operator's License No. **9**

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

Name **Mark Christensen**
(Person, firm or corporation) (Type or print)

Address **33132 Coleman Road, Eugene, OR**

[Signed] **Mark Christensen**
(Water Well Contractor)

Contractor's License No. **97** Date **8-21-78**, 19____

NOTICE TO WATER WELL CONTRACTOR
The original and first copy of this report are to be filed with the

LANE 18547

STATE OF OREGON WATER WELL REPORT
(Please type or print)
(Do not write above this line)

RECEIVED

AUG 17 1976

STATE ENGINEER, SALEM, OREGON 97310
within 30 days from the date of well completion.

State Well No.
State Permit No. 185/SW 2460

WATER RESOURCES DEPT.

(1) OWNER:

Name Robert Bliss
Address 2804 Gimple Hill Rd., Eugene, Oregon

(2) TYPE OF WORK (check):

New Well [X] Deepening [] Reconditioning [] Abandon [X]
If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary [] Driven []
Cable [X] Jetted []
Dug [] Bored []

(4) PROPOSED USE (check):

Domestic [X] Industrial [] Municipal []
Irrigation [] Test Well [] Other []

(5) CASING INSTALLED:

Name installed - Hole abandoned.
Threaded [] Welded []
Diam. from ft. to ft. Gage

(6) PERFORATIONS:

Perforated? [] Yes [X] No.
Type of perforator used
Size of perforations in. by in.

(7) SCREENS:

Well screen installed? [] Yes [X] No
Manufacturer's Name
Type Model No.

(8) WELL TESTS:

Drawdown is amount water level is lowered below static level
Was a pump test made? [] Yes [X] No If yes, by whom?
Well: gal./min. with ft. drawdown after hrs.

(9) CONSTRUCTION:

Well seal-Material used Dry hole - abandoned
Well sealed from land surface to ft.
Diameter of well bore to bottom of seal in
Diameter of well bore below seal in
Number of sacks of cement used in well seal sacks
Number of sacks of bentonite used in well seal sacks
Brand name of bentonite
Number of pounds of bentonite per 100 gallons of water lbs./100 gals.
Was a drive shoe used? [] Yes [] No Plugs Size: location ft.
Did any strata contain unusable water? [] Yes [] No
Type of water? depth of strata
Method of sealing strata off
Was well gravel packed? [] Yes [] No Size of gravel:
Gravel placed from ft. to ft.

(10) LOCATION OF WELL:

County Lane Driller's well number
NE 1/4 NE 1/4 Section 24 T. 18S R. 5W W.M.
Bearing and distance from section or subdivision corner

(11) WATER LEVEL: Completed well.

Depth at which water was first found No water ft.
Static level ft. below land surface. Date
Artesian pressure lbs. per square inch. Date

(12) WELL LOG:

Diameter of well below casing hole filled
Depth drilled 258 ft. Depth of completed well ft.

Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level and indicate principal water-bearing strata.

Table with columns: MATERIAL, From, To, SWL.
Soil 0 2+
Clay 2 12
Rock - sedimentary - gray 12 258
No water found

hole abandoned by filling with bentonite + drill cuttings

Work started 8-3 1976 Completed 8-10 1976
Date well drilling machine moved off of well 8-10 1976

Drilling Machine Operator's Certification:

This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.

[Signed] Dell Page Date 8-10, 1976
(Drilling Machine Operator)

Drilling Machine Operator's License No. 159

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

Name Hayes & Page Well Drilling, Oregon, L.L.C.
(Person, firm or corporation)
Address 25801 Hwy 126, Veneta, Oregon 97487

[Signed] Dell Page
(Water Well Contractor)

Contractor's License No. 104 Date 8-10, 1976

NOTICE TO WATER WELL CONTRACTOR
The original and first copy of this report
are to be filed with the

RECEIVED

WATER WELL REPORT

LANE
18545

WATER RESOURCES DEPARTMENT
SALEM, OREGON 97310

within 30 days from the date
of well completion.

AUG 17 1978

STATE OF OREGON

(Please type or print)

State Well No. 185W-24

State Permit No.

SALEM, OREGON

(Do not write above this line)

(1) OWNER:

Name John Camp
Address 85973 Pine Grove Rd
Eugene, Oregon

(2) TYPE OF WORK (check):

New Well Deepening Reconditioning Abandon
If abandonment, describe material and procedure in Item 13.

(3) TYPE OF WELL:

Rotary Driven
Cable Jetted
Dug Bored

(4) PROPOSED USE (check):

Domestic Industrial Municipal
Irrigation Test Well Other

(5) CASING INSTALLED:

Threaded Welded
6" Diam. from 3 ft. to 81 ft. Gage 252 W.
" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage

(6) PERFORATIONS:

Perforated? Yes No.

Type of perforator used
Size of perforations in. by in.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.

(7) SCREENS:

Well screen installed? Yes No

Manufacturer's Name
Type Model No.
Diam. Slot size Set from ft. to ft.
Diam. Slot size Set from ft. to ft.

(8) WELL TESTS:

Drawdown is amount water level is lowered below static level

Was a pump test made? Yes No If yes, by whom?
Yield: gal./min. with ft. drawdown after hrs.
" " " " " "
" " " " " "
Bailer test / gal./min. with Max ft. drawdown after / hrs.
Artesian flow g.p.m.
Temperature of water Depth artesian flow encountered ft.

(9) CONSTRUCTION:

Well seal—Material used CEMENT
Well sealed from land surface to 20 ft.
Diameter of well bore to bottom of seal 10 in.
Diameter of well bore below seal 6 in.
Number of sacks of cement used in well seal 13 sacks
How was cement grout placed?
Cemented in with drill rig & puddled in with tools
Was a drive shoe used? Yes No Plugs Size: location ft.
Did any strata contain unusable water? Yes No
Type of water? depth of strata
Method of sealing strata off
Was well gravel packed? Yes No Size of gravel:
Gravel placed from ft. to ft.

(10) LOCATION OF WELL:

County Lane Driller's well number
1/4 1/4 Section 24 T. 18 R. 5-W W.M.

Bearing and distance from section or subdivision corner

Parcel 100

(11) WATER LEVEL: Completed well.

Depth at which water was first found 45 ft.
Static level 5 ft. below land surface. Date 8/8/78
Artesian pressure lbs. per square inch. Date

(12) WELL LOG:

Diameter of well below casing 6 inch

Depth drilled 120 ft. Depth of completed well 120 ft.

Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
Brown Silt & Clay	0	10	ft
Brown Silt & Coarse Sand	10	14	"
Blue grey sand & stone	14	120	"

Work started 8/3 1978 Completed 8/8 1978
Date well drilling machine moved off of well 8/8 1978

Drilling Machine Operator's Certification:

This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.

[Signed] Garland G. [Signature] Date 8/8, 1978
(Drilling Machine Operator)

Drilling Machine Operator's License No. 512

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

Name C. E. Gardiner & Son
(Person, firm or corporation) (Type or print)

Address 1941 Harris St Eugene, Ore

[Signed] Lloyd E. Gardiner
(Water Well Contractor)

Contractor's License No. 295 Date 8/8, 1978

LANE

18543

NOTICE TO WATER WELL CONTRACTOR

The original and first copy of this report are to be filed with the

RECEIVED AUG 10 1964

STATE ENGINEER WATER WELL REPORT

STATE ENGINEER, SALEM, OREGON within 30 days from the date of well completion.

STATE OF OREGON (Please type or print)

State Well No. 18/5W-24

State Permit No.

(1) OWNER:

STATE ENGINEER

Name Jimmy Rogers + SALES + Austin Howell Address Rt 3, Box 437, Eugene, Oregon

(2) LOCATION OF WELL:

County Lane Driller's well number 1/4 1/4 Section 24 T. 18S R. 5W W.M. Bearing and distance from section or subdivision corner

(3) TYPE OF WORK (check):

Well [X] Deepening [] Reconditioning [] Abandon [] Abandonment, describe material and procedure in Item 12.

(4) PROPOSED USE (check):

Domestic [X] Industrial [] Municipal [] Irrigation [] Test Well [] Other []

(5) TYPE OF WELL:

Rotary [] Driven [] Cable [X] Jetted [] Dug [] Bored []

(6) CASING INSTALLED:

Threaded [] Welded []

6 3/8" Diam. from 0 ft. to 20 ft. Gage 250 " Diam. from ft. to ft. Gage " Diam. from ft. to ft. Gage

(7) PERFORATIONS:

Perforated? [] Yes [X] No

Type of perforator used

Size of perforations in. by in. perforations from ft. to ft. perforations from ft. to ft. perforations from ft. to ft. perforations from ft. to ft.

(8) SCREENS:

Well screen installed? [] Yes [X] No

Manufacturer's Name Model No. Slot size Set from ft. to ft. Diam. Slot size Set from ft. to ft.

(9) CONSTRUCTION:

Well seal—Material used in seal Bentonite Depth of seal 20 ft. Diameter of well bore to bottom of seal 10" to 18" Were any loose strata cemented off? [] Yes [X] No Depth Was a drive shoe used? [] Yes [X] No Was well gravel packed? [] Yes [X] No Size of gravel: Gravel placed from ft. to ft. Did any strata contain unusable water? [] Yes [X] No Type of water? depth of strata Method of sealing strata off

(10) WATER LEVELS:

Static level 25 ft. below land surface Date 8-3-64 Artesian pressure lbs. per square inch Date

(11) WELL TESTS:

Drawdown is amount water level is lowered below static level

Was a pump test made? [] Yes [X] No If yes, by whom? Yield: gal./min. with ft. drawdown after hrs. Bailer test 3 gal./min. with 275 ft. drawdown after 1 hrs. Artesian flow g.p.m. Date Temperature of water Was a chemical analysis made? [] Yes [X] No

(12) WELL LOG:

Diameter of well below casing 6"

Depth drilled 307 1/2 ft. Depth of completed well 307 1/2 ft. Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.

Table with columns MATERIAL, FROM, TO. Entries: Soil & clay (0-12), Rock - sedimentary - varied hardness - grains blue gray water bedding at approx 120' + 283', Bottom of well in sedimentary rock (307 1/2)

Work started 7-16 1964. Completed 7-31 1964 Date well drilling machine moved off of well 8-3 1964

(13) PUMP:

Manufacturer's Name Type: H.P.

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

NAME Hayes + Page Well Drilling (Person, firm or corporation) (Type or print) Address Rt 2, Box 218, Veneta, Oregon

Drilling Machine Operator's License No. 360

[Signed] Bill Page (Water Well Contractor)

Contractor's License No. 104 Date 8-5, 1964

NOTICE TO WATER WELL CONTRACTOR
The original and first copy of this report are to be filed with the

RECEIVED
LANE WATER WELL REPORT
18542
STATE OF OREGON SEP 25 1974 State Well No. 185/5W-24
(Please type or print) STATE ENGINEER
(Do not write above this line) SALEM, OREGON State Permit No.

STATE ENGINEER, SALEM, OREGON 97310
within 30 days from the date of well completion.

(1) OWNER:

Name C. B. Stevens
Address Rt. 4, Box 33 Siblee, Texas 77656

(2) TYPE OF WORK (check):

New Well Deepening Reconditioning Abandon

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary Cable Dug
Driven Jetted Bored

(4) PROPOSED USE (check):

Domestic Industrial Municipal
Irrigation Test Well Other

CASING INSTALLED:

Threaded Welded
6" Diam. from 0 ft. to 20 ft. Gage .250
" Diam. from " ft. to " ft. Gage "
" Diam. from " ft. to " ft. Gage "

PERFORATIONS:

Perforated? Yes No.

Type of perforator used

Size of perforations in. by in.
perforations from " ft. to " ft.
perforations from " ft. to " ft.
perforations from " ft. to " ft.

(7) SCREENS:

Well screen installed? Yes No

Manufacturer's Name _____
Type _____ Model No. _____
Diam. Slot size Set from " ft. to " ft.
Diam. Slot size Set from " ft. to " ft.

(8) WELL TESTS:

Drawdown is amount water level is lowered below static level

Was a pump test made? Yes No If yes, by whom?

Yield: gal./min. with ft. drawdown after hrs.

Tested by air, estimated could fluctuate " "

Water test 30 gal./min. with 82 ft. drawdown after 1 hrs.

Artesian flow g.p.m.

Temperature of water Depth artesian flow encountered " ft.

(9) CONSTRUCTION:

Well seal—Material used Cement

Well sealed from land surface to 19 1/2 ft.

Diameter of well bore to bottom of seal 10 in.

Diameter of well bore below seal 6 in.

Number of sacks of cement used in well seal 5 sacks

Number of sacks of bentonite used in well seal _____ sacks

Brand name of bentonite _____

Number of pounds of bentonite per 100 gallons _____

of water _____ lbs./100 gals.

Was a drive shoe used? Yes No Plugs _____ Size: location _____ ft.

Did any strata contain unusable water? Yes No

Type of water? _____ depth of strata _____

Method of sealing strata off _____

Was well gravel packed? Yes No Size of gravel: _____

Gravel placed from _____ ft. to _____ ft.

(10) LOCATION OF WELL:

County Lane Driller's well number _____
1/4 Section 24 T. 18S R. 5W W.M.
Bearing and distance from section or subdivision corner _____

(11) WATER LEVEL: Completed well.

Depth at which water was first found 24' ft.
Static level 38 ft. below land surface. Date 9/10/74
Artesian pressure _____ lbs. per square inch. Date _____

(12) WELL LOG:

Diameter of well below casing 6"
Depth drilled 120 ft. Depth of completed well 120 ft.

Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
Top Soil	0	2	
Brown Clay	2	7	
Blue Gray Sandstone	7	26	
Gray Sandstone	26	35	
Brownish Gray Claystone	35	38	
Blue Sandstone	38	49	
Gray Cong.	49	120	

Work started 9/9/74 19 _____ Completed 9/10/74 19 _____
Date well drilling machine moved off of well 9/10/74 19 _____

Drilling Machine Operator's Certification:

This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.

[Signed] Alvin K. Jones Date 9/10/74 19 _____
(Drilling Machine Operator)

Drilling Machine Operator's License No. 702

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

Name Casey Jones Well Drilling Co., Inc.
(Person, firm or corporation) (Type or print)

Address Rt. 8 Box 695, Pleasant Hill, Oregon 97401

[Signed] Casey Jones
(Water Well Contractor)

Contractor's License No. 559 Date 9/10/74 19 _____

RECEIVED

NOTICE TO WATER WELL CONTRACTOR
The original and first copy
of this report are to be
filed with the

WATER WELL REPORT

STATE ENGINEER, SALEM, OREGON 97310
within 30 days from the date
of well completion.

STATE OF OREGON JUN 16 1975

State Well No. 185/SW-2Haa

(Please type or print) STATE ENGINEER
SALEM, OREGON

State Permit No.

LANE
18541

(1) OWNER:
Name Robert Bliss
Address Rt 5, Box 1104, Eugene, Oregon

(10) LOCATION OF WELL:
County Lane Driller's well number
NE 1/4 NE 1/4 Section 24 T. 185 R. 5W W.M.
Bearing and distance from section or subdivision corner

(2) TYPE OF WORK (check):
New Well Deepening Reconditioning Abandon
If abandonment, describe material and procedure in Item 12.

(11) WATER LEVEL: Completed well.
Depth at which water was first found 81 ft.
Static level 54 ft. below land surface. Date 6-11-75
Artesian pressure lbs. per square inch. Date

(3) TYPE OF WELL: (4) PROPOSED USE (check):
Rotary Driven Domestic Industrial Municipal
Cable Jetted Irrigation Test Well Other
Dug Bored

(5) CASING INSTALLED:
Threaded Welded
6" O.D. Diam. from 0 ft. to 20 1/2 ft. Gage 350
" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage

(12) WELL LOG: Diameter of well below casing 6
Depth drilled 220 ft. Depth of completed well 220 ft.
Formation: Describe color, texture, grain size and structure of materials;
and show thickness and nature of each stratum and aquifer penetrated,
with at least one entry for each change of formation. Report each change in
position of Static Water Level and indicate principal water-bearing strata.

(6) PERFORATIONS:
Perforated? Yes No
Type of perforator used
Size of perforations in. by in.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.

MATERIAL	From	To	SWL
Soil	0	1	
Clay	1	5	
Rock - sedimentary - gray - water bearing at approx 81'	5	220	54
Bottom of well in gray sedimentary rock		220	

(7) SCREENS: Well screen installed? Yes No
Manufacturer's Name
Type Model No.
Diam. Slot size Set from ft. to ft.
Diam. Slot size Set from ft. to ft.

(8) WELL TESTS: Drawdown is amount water level is
lowered below static level
Was a pump test made? Yes No If yes, by whom?
Yield: gal./min. with ft. drawdown after hrs.
Bailer test 4 1/2 gal./min. with 150 ft. drawdown after 1 1/2 hrs.
Artesian flow g.p.m.
Temperature of water Depth artesian flow encountered ft.

Work started 6-5 1975 Completed 6-11 1975
Date well drilling machine moved off of well 6-11 1975

(9) CONSTRUCTION:
Well seal—Material used Cement
Well sealed from land surface to 20 1/2 ft.
Diameter of well bore to bottom of seal 10 in. to 14"
Diameter of well bore below seal 6 in.
Number of sacks of cement used in well seal 5 1/2 sacks
Number of sacks of bentonite used in well seal sacks
Brand name of bentonite
Number of pounds of bentonite per 100 gallons
of water lbs./100 gals.
Was a drive shoe used? Yes No Plugs Size: location ft.
Did any strata contain unusable water? Yes No
Type of water? depth of strata
Method of sealing strata off
Was well gravel packed? Yes No Size of gravel: ft.
Gravel placed from ft. to ft.

Drilling Machine Operator's Certification:
This well was constructed under my direct supervision.
Materials used and information reported above are true to my
best knowledge and belief.
[Signed] Dell Page Date 6-11, 1975
(Drilling Machine Operator)
Drilling Machine Operator's License No. 159

Water Well Contractor's Certification:
This well was drilled under my jurisdiction and this report is
true to the best of my knowledge and belief.
Name Hayes + Page Well Drilling, Oregon, Inc.
(Person, firm or corporation) (Type or print)
Address 25561 Highway 126, Veneta, Oreg. 97407
[Signed] Dell Page
(Water Well Contractor)
Contractor's License No. 107 Date 6-11 1975

NOTICE TO WATER WELL CONTRACTOR
The original and first copy
of this report are to be
filed with the

WATER WELL REPORT

RECEIVED

LANE
18540

STATE OF OREGON JAN 31 1977 State Well No. 185/5W24

STATE ENGINEER, SALEM, OREGON 97310
within 30 days from the date
of well completion.

(Please type or print)
WATER RESOURCES DEPT
SALEM, OREGON

(1) OWNER:

Name Dan McIntyre
Address 933 Irving Ct.
Eugene, OR

(2) TYPE OF WORK (check):

New Well Deepening Reconditioning Abandon
If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary Driven
Cable Jetted
Dug Bored

(4) PROPOSED USE (check):

Domestic Industrial Municipal
Irrigation Test Well Other

(5) CASING INSTALLED:

6" Diam. from 0 ft. to 19 ft. Gage .250
" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage

(6) PERFORATIONS:

Perforated? Yes No.
Type of perforator used
Size of perforations in. by in.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.

(7) SCREENS:

Well screen installed? Yes No
Manufacturer's Name
Type Model No.
Diam. Slot size Set from ft. to ft.
Diam. Slot size Set from ft. to ft.

(8) WELL TESTS:

Drawdown is amount water level is lowered below static level
Was a pump test made? Yes No If yes, by whom?
Yield: gal./min. with ft. drawdown after hrs.
Tested by Air (Est. could fluctuate)
Packer test 45 gal./min. with 93 ft. drawdown after 1 hrs.
Artesian flow g.p.m.
Temperature of water Depth artesian flow encountered ft.

(9) CONSTRUCTION:

Well seal—Material used Cement
Well sealed from land surface to 18' ft.
Diameter of well bore to bottom of seal 10 in.
Diameter of well bore below seal 6 in.
Number of sacks of cement used in well seal 3 sacks
Number of sacks of bentonite used in well seal sacks
Brand name of bentonite
Number of pounds of bentonite per 100 gallons of water lbs./100 gals.
Was a drive shoe used? Yes No Plugs Size: location ft.
Did any strata contain unusable water? Yes No
Type of water? depth of strata
Method of sealing strata off
Was well gravel packed? Yes No Size of gravel:
Gravel placed from ft. to ft.

(10) LOCATION OF WELL:

County Lane Driller's well number
1/4 1/4 Section 24 T. 18S R. 5W W.M.
Bearing and distance from section or subdivision corner

(11) WATER LEVEL: Completed well.

Depth at which water was first found 102 ft.
Static level 22 ft. below land surface. Date 1/15/77
Artesian pressure lbs. per square inch. Date

(12) WELL LOG:

Diameter of well below casing 6"
Depth drilled 115 ft. Depth of completed well 115 ft.

Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
Top Soil	0	2	
Brown Clay	2	3	
Yellow clay	3	6	
Blue sandstone	6	36	
Blue gray sandstone	36	115	

Work started 1/15 19 77 Completed 1/15 19 77
Date well drilling machine moved off of well 1/15 19 77

Drilling Machine Operator's Certification:

This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.

[Signed] *Al. K. Jones* Date 1/15, 1977
(Drilling Machine Operator)

Drilling Machine Operator's License No. 702

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

Name Casey Jones Well Drilling Co., Inc.
(Person, firm or corporation) (Type or print)
Address 37115 Immigrant Road, Pleasant Hill, OR

[Signed] *Casey Jones*
(Water Well Contractor)

Contractor's License No. 559 Date 1/15, 19 77

NOTICE TO WATER WELL CONTRACTOR

The original and first copy
of this report are to be
filed with the

RECEIVED WATER WELL REPORT

LANE

STATE OF OREGON

18533

STATE ENGINEER, SALEM, OREGON 97310
within 30 days from the date
of well completion

DEC 11 1975
WATER RESOURCES DEPT.

(Do not write above this line)

State Well No. 185/5W-24 ac

State Permit No. _____

SALEM, OREGON

(1) OWNER:

Name Bill L. McCabe
Address 172 Mecca, Eugene, Oregon

(2) TYPE OF WORK (check):

New Well Deepening Reconditioning Abandon

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary Driven
Cable Jetted
Dug Bored

(4) PROPOSED USE (check):

Domestic Industrial Municipal
Irrigation Test Well Other

CASING INSTALLED:

Threaded Welded
6 7/8 Diam. from 0 ft. to 19 1/4 ft. Gage .250
" Diam. from _____ ft. to _____ ft. Gage _____
" Diam. from _____ ft. to _____ ft. Gage _____

PERFORATIONS:Perforated? Yes No.

Type of perforator used _____

Size of perforations _____ in. by _____ in.
_____ perforations from _____ ft. to _____ ft.
_____ perforations from _____ ft. to _____ ft.
_____ perforations from _____ ft. to _____ ft.

(7) SCREENS:Well screen installed? Yes No

Manufacturer's Name _____
Type _____ Model No. _____
Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.
Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.

(8) WELL TESTS:

Drawdown is amount water level is lowered below static level

Was a pump test made? Yes No If yes, by whom? _____
Yield: _____ gal./min. with _____ ft. drawdown after _____ hrs.
" " " " " " " " " " " "
" " " " " " " " " " " "
Bailer test 11 1/4 gal./min. with 80 ft. drawdown after 1 hrs.
Artesian flow _____ g.p.m.
Temperature of water _____ Depth artesian flow encountered _____ ft.

(9) CONSTRUCTION:

Well seal—Material used Cement
Well sealed from land surface to 19 1/4 ft.
Diameter of well bore to bottom of seal 10 in.
Diameter of well bore below seal 6 in.
Number of sacks of cement used in well seal 4 1/2 sacks
Number of sacks of bentonite used in well seal _____ sacks
Brand name of bentonite _____
Number of pounds of bentonite per 100 gallons
of water _____ lbs./100 gals.
Was a drive shoe used? Yes No Plugs _____ Size: location _____ ft.
Did any strata contain unusable water? Yes No
Type of water? _____ depth of strata _____
Method of sealing strata off _____
Was well gravel packed? Yes No Size of gravel: _____
Gravel placed from _____ ft. to _____ ft.

(10) LOCATION OF WELL:

County Lane Driller's well number _____
NE 1/4 SW 1/4 Section 24 T. 185 R. 5W W.M.
Bearing and distance from section or subdivision corner _____

(11) WATER LEVEL: Completed well.

Depth at which water was first found 50 ft.
Static level 30 ft. below land surface. Date 11-10-75
Artesian pressure _____ lbs. per square inch. Date _____

(12) WELL LOG:

Diameter of well below casing 6
Depth drilled 122 ft. Depth of completed well 122 ft.

Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
Soil	0	2 1/2	
Clay-brown	2	8	
Rock-sedimentary-gray	8	79	
Rock-sedimentary-brown	79	87	
Rock-sedimentary-gray	87	122	30
water bearing at approx 50' and beyond. Exact depth of lower water not easy to determine. because small increases were noted each time a bailer check was made.			
Bottom of well in gray sedimentary rock	122		

Work started 11-6 1975 Completed 11-10 1975
Date well drilling machine moved off of well 11-10 1975

Drilling Machine Operator's Certification:

This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.

[Signed] Dell Page Date 11-10, 1975
(Drilling Machine Operator)

Drilling Machine Operator's License No. 159**Water Well Contractor's Certification:**

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

Name Hayes & Page Well Drilling, Oreg. Ltd.
(Person, firm or corporation) (Type or print)

Address 2584 Hwy 126, Veneta, Oregon 97457

[Signed] Dell Page
(Water Well Contractor)

Contractor's License No. 104 Date 11-10, 1975

WATER WELL REPORT
STATE OF OREGON

LANE

18530

State Well No. 185/50-24

State Permit No.

(1) OWNER:

Name John P. Bradley
Address 38 Orchard Rd
City Grinde State OR 94563

(2) TYPE OF WORK (check):

New Well Deepening Reconditioning Abandon

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rock Air Driven Dug Cable Bored Domestic Industrial Municipal Irrigation Test Well Other Thermal: Withdrawal ReInjection

(4) PROPOSED USE (check):

(5) CASING INSTALLED: Steel Threaded Plastic Welded

6" Diam. from +1 1/3 ft. to 42 ft. Gauge 2.50
" Diam. from ft. to ft. Gauge

LINER INSTALLED:

" Diam. from ft. to ft. Gauge

(6) PERFORATIONS: Perforated? Yes No

Type of perforator used
Size of perforations in. by in.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.

(7) SCREENS: Well screen installed? Yes No

Manufacturer's Name
Type Model No.
Diam. Slot Size Set from ft. to ft.
Diam. Slot Size Set from ft. to ft.

(8) WELL TESTS: Drawdown is amount water level is lowered below static level

Was a pump test made? Yes No If yes, by whom?
Yield: gal./min. with ft. drawdown after hrs.

Air test 23 gal./min. with drill stein at 160 ft. 1 1/2 hrs.
Test gal./min. with ft. drawdown after hrs.
Artesian flow g.p.m.
Temperature of water Depth artesian flow encountered ft.

(9) CONSTRUCTION: Special standards: Yes No

Well seal—Material used Cement + bentonite (5%)
Well sealed from land surface to 42 ft.
Diameter of well bore to bottom of seal 10 3/8 in. to 38"
Diameter of well bore below seal 6 in.
Number of sacks of cement used in well seal 9 sacks
How was cement grout placed? pumped

Was pump installed? Type HP Depth ft.

Was a drive shoe used? Yes No Plugs Size: location ft.

Did any strata contain unusable water? Yes No

Type of Water? depth of strata

Method of sealing strata off

Was well gravel packed? Yes No Size of gravel: ft.

Gravel placed from ft. to ft.

(10) LOCATION OF WELL:

County Lane Driller's well number
1/4 Section 24 T. 185 R. 50 W.M.

Tax Lot # 400 Lot Blk Subdivision

Address at well location: Spencer Creek Rd, Eugene

(11) WATER LEVEL: Completed well.

Depth at which water was first found 145 ft.

Static level 52 ft. below land surface. Date 8-13-80

Artesian pressure lbs. per square inch. Date

(12) WELL LOG: Diameter of well below casing 6

Depth drilled 143 ft. Depth of completed well 143 ft.

Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
Soil	0	2 1/2	
Clay - brown	2	20	
Rock - sedimentary -	20	24	
Rock - sedimentary -	24	37	
reddish gray - soft			
Rock - sedimentary -	37	163	52
gray or bluish gray -			
water bearing at 145'			
flow increased slightly			
as drilling progressed			
Bottom of well in gray		163	
sedimentary rock			

RECORDED
SEP 17 1980
WATER RESOURCES DEPT
SALEM, OREGON

Work started 8-12 1980, Completed 8-13 1980
Date well drilling machine moved off of well 8-13 1980

Drilling Machine Operator's Certification:

This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.

[Signed] Dell Page Date 8-13, 1980
(Drilling Machine Operator)

Drilling Machine Operator's License No. 159

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

Name Dell Page Well Drilling
(Person, firm or corporation)

Address 2554 1 Hwy 126 Veneta, Or 97487

[Signed] Dell Page
(Water Well Contractor)

Contractor's License No. 104 Date 8-13, 1980