

## Hazelnut Growers of Oregon Delivery Report

David Grant    Variety: BARCELONA    OrchardNo:    1    Ticket Number R02196  
 Date Received    10/8/97    Location: Walterville    ReceptNo: 20188

### Weights and Adjustments

			Lb		Lb
Received Weight					22,360.00
Washed Weight					20,110.00
Moisture		32.1000%			<u>2250</u>
less Dryaway		23.1000%	4,645.41		
less Debris (gm/sample)	8.4	0.1185%	0.00		
<b>Gross Dry Weight</b>					<b>15,464.59</b>
less Wormy		0.0000%	0.00		
less Rancid/Mold/Decay		5.1667%	799.00		
less Seriously Shriveled		2.8333%	438.16		
less Blanks	7.5000%	4.6392%	717.43		
<b>Total Cullage</b>					<b>1,954.60</b>
<b>Merchantable Weight</b>					<b>13,509.99</b>

### Payment Details

<b>Gross Pay</b>	0.4700 \$/Lb Merchantable Wt		\$6,349.69
Cleaning Charge	70.0000 \$/Ton Received Wt		\$782.60
Sorting Charge			
less Worms	0.0000 \$/Lb Gross Dry Wt	\$0.00	
less Rancid, Mold, Decay	0.0238 \$/Lb Gross Dry Wt	\$367.28	
less Seriously Shriveled	0.0000 \$/Lb Gross Dry Wt	\$0.00	
Add'l Chg for worms over 3%	0.00% Worm charges	\$0.00	
Add'l Chg for Defects over 5%	25.00% W/R/M/D charges	\$91.82	
Total Sorting Charge			\$459.10
OFC Charges	9.0000 \$/Ton Merchantable Wt		\$60.79
<b>Total Charges</b>			<b>\$1,302.49</b>
<b>Net Payment</b>			<b>\$5,047.20</b>

**Delivery Payment**    \$67.55

20 miles or less.

GrowerID: GR5000CM

1997- 12,844 lbs  
 ROCK

# Hazelnut Growers of Oregon Delivery Report

David Grant                                  Variety: BARCELONA    OrchardNo:                  1                  Ticket Number R01251  
 Date Received                  10/7/97                  Location: Waltherville                                  ReceiptNo: 20177

## Weights and Adjustments

			Lb	Lb
Received Weight				22,490.00
Washed Weight				20,777.00
Moisture		34.5750%		
less Dryaway		25.5750%	5,313.72	
less Debris (gm/sample)	10.8	0.1614%	0.00	
<b>Gross Dry Weight</b>				<b>15,463.28</b>
less Wormy		0.0000%	0.00	
less Rancid/Mold/Decay		3.8333%	592.76	
less Seriously Shriveled		0.5000%	77.32	
less Blanks	4.6667%	2.8533%	441.21	
<b>Total Cullage</b>				<b>1,111.28</b>
<b>Merchantable Weight</b>				<b>14,352.00</b>

1,713

## Payment Details

<b>Gross Pay</b>	0.4700 \$/Lb Merchantable Wt		<b>\$6,745.43</b>
Cleaning Charge	70.0000 \$/Ton Received Wt		\$787.15
Sorting Charge			
less Worms	0.0000 \$/Lb Gross Dry Wt	\$0.00	
less Rancid, Mold, Decay	0.0138 \$/Lb Gross Dry Wt	\$212.62	
less Seriously Shriveled	0.0000 \$/Lb Gross Dry Wt	\$0.00	
Add'l Chg for worms over 3%	0.00% Worm charges	\$0.00	
Add'l Chg for Defects over 5%	0.00% W/R/M/D charges	\$0.00	
Total Sorting Charge		\$212.62	
OFC Charges	9.0000 \$/Ton Merchantable Wt	\$64.58	
<b>Total Charges</b>			<b>\$1,064.35</b>
<b>Net Payment</b>			<b>\$5,681.08</b>

**Delivery Payment**                  \$71.76

20 miles or less.

GrowerID: GR5000CM

# Hazelnut Growers of Oregon Delivery Report

David Grant                                  Variety: BARCELONA    OrchardNo:                  1                  Ticket Number R01255  
 Date Received                  10/7/97                  Location: Waltherville                                  ReceptNo: 20181

**Weights and Adjustments**

			Lb	Lb
Received Weight				16,760.00
Washed Weight				14,789.00
Moisture	32.7000%			
less Dryaway	23.7000%		3,504.99	
less Debris (gm/sample)	23.9	0.3501%	0.00	
<b>Gross Dry Weight</b>				<b>11,284.01</b>
less Wormy	0.0000%		0.00	
less Rancid/Mold/Decay	4.0000%		451.36	
less Seriously Shriveled	2.6667%		300.91	
less Blanks	7.8333%	4.8520%	547.50	
<b>Total Cullage</b>				<b>1,299.77</b>
<b>Merchantable Weight</b>				<b>9,984.24</b>

1971

**Payment Details**

<b>Gross Pay</b>	0.4700 \$/Lb Merchantable Wt			<b>\$4,692.59</b>
Cleaning Charge	70.0000 \$/Ton Received Wt		\$586.60	
Sorting Charge				
less Worms	0.0000 \$/Lb Gross Dry Wt		\$0.00	
less Rancid, Mold, Decay	0.0150 \$/Lb Gross Dry Wt		\$169.26	
less Seriously Shriveled	0.0000 \$/Lb Gross Dry Wt		\$0.00	
Add'l Chg for worms over 3%	0.00% Worm charges		\$0.00	
Add'l Chg for Defects over 5%	0.00% W/R/M/D charges		\$0.00	
<b>Total Sorting Charge</b>			\$169.26	
OFC Charges	9.0000 \$/Ton Merchantable Wt		\$44.92	
<b>Total Charges</b>				<b>\$800.78</b>
<b>Net Payment</b>				<b>\$3,891.81</b>

**Delivery Payment**                  \$49.92

20 miles or less.

GrowerID: GR5000CM

# Hazelnut Growers of Oregon Delivery Report

David Grant                      Variety: BARCELONA    OrchardNo:            1            Ticket Number R02203  
 Date Received    10/8/97            Location: Walterville                      RecptNo: 20195

## Weights and Adjustments

			Lb	Lb
Received Weight				18,650.00
Washed Weight				13,783.00
Moisture	30.5375%			
less Dryaway	21.5375%	2,968.51		
less Debris (gm/sample)	46.1    0.6562%	70.97		
<b>Gross Dry Weight</b>				<b>10,743.52</b>
less Wormy	0.0000%	0.00		
less Rancid/Mold/Decay	3.1667%	340.21		
less Seriously Shriveled	2.1667%	232.78		
less Blanks	6.0000%    4.9567%	532.74		
<b>Total Cullage</b>				<b>1,105.72</b>
<b>Merchantable Weight</b>				<b>9,637.80</b>

4867

## Payment Details

<b>Gross Pay</b>	0.4700 \$/Lb Merchantable Wt		<b>\$4,529.76</b>
Cleaning Charge	70.0000 \$/Ton Received Wt		\$652.75
Sorting Charge			
less Worms	0.0000 \$/Lb Gross Dry Wt	\$0.00	
less Rancid, Mold, Decay	0.0088 \$/Lb Gross Dry Wt	\$94.00	
less Seriously Shriveled	0.0000 \$/Lb Gross Dry Wt	\$0.00	
Add'l Chg for worms over 3%	0.00% Worm charges	\$0.00	
Add'l Chg for Defects over 5%	0.00% W/R/M/D charges	\$0.00	
Total Sorting Charge		\$94.00	
OFC Charges	9.0000 \$/Ton Merchantable Wt	\$43.37	
<b>Total Charges</b>			<b>\$790.12</b>
<b>Net Payment</b>			<b>\$3,739.64</b>

**Delivery Payment**            \$48.19

20 miles or less.

GrowerID: GR5000CM

# Hazelnut Growers of Oregon Delivery Report

David Grant                                      Variety: BARCELONA    OrchardNo: 1                                      Ticket Number R01313  
 Date Received      10/6/97                      Location: Wlterville                                      RecptNo: 20165

## Weights and Adjustments

			Lb	Lb
Received Weight				22,430.00
Washed Weight				20,387.00
Moisture		29.6000%		
less Dryaway		20.6000%	4,199.72	
less Debris (gm/sample)	25.6	0.3500%	0.00	
<b>Gross Dry Weight</b>				<b>16,187.28</b>
less Wormy		0.0000%	0.00	
less Rancid/Mold/Decay		1.1667%	188.85	
less Seriously Shriveled		3.5000%	566.55	
less Blanks	3.0000%	1.6219%	294.91	
<b>Total Cullage</b>				<b>1,050.32</b>
<b>Merchantable Weight</b>				<b>15,136.96</b>

*2,043*

## Payment Details

<b>Gross Pay</b>	0.4700 \$/Lb Merchantable Wt			<b>\$7,114.37</b>
Cleaning Charge	67.0000 \$/Ton Received Wt		\$751.40	
Sorting Charge				
less Worms	0.0000 \$/Lb Gross Dry Wt	\$0.00		
less Rancid, Mold, Decay	0.0000 \$/Lb Gross Dry Wt	\$0.00		
less Seriously Shriveled	0.0038 \$/Lb Gross Dry Wt	\$60.70		
Add'l Chg for worms over 3%	0.00% Worm charges	\$0.00		
Add'l Chg for Defects over 5%	0.00% W/R/M/D charges	\$0.00		
<b>Total Sorting Charge</b>			\$60.70	
OFC Charges	9.0000 \$/Ton Merchantable Wt		\$68.11	
<b>Total Charges</b>				<b>\$880.21</b>
<b>Net Payment</b>				<b>\$6,234.16</b>

**Delivery Payment**      \$75.68

20 miles or less.

GrowerID: GR5000CM

WESTNUT - DIV OF  
 JOHN BARTH, INCORPORATED  
 P.O. BOX 125  
 DUNDEE, OREGON 97137

30450  
 Jack A. Grant  
 1927 Fircrest Dr.  
 Eugene, Oregon 97403

Date: 12/13/89

Warehouse Receipt No.: 33170      State Inspection Cert. No.: 20870

Field Net Weight		14,310	lbs		
Less: Debris	35.00 %	5,009	lbs	← ROCK	
Clean Green Weight		-----			
Less: Excess Moisture	6.00 %	558	lbs		
Orchard Dry Weight		8,744	lbs		
Dockage:					
a. Worms	.00 %				
b. Mold	.00 %				
c. Rancid/Decay	.00 %				
d. Damage/Shrivel	.00 %				
Total		0	lbs		
Blanks	3.06 %	268	lbs		
a. Merchantable Dry Weight:		8,476	lbs	at \$ .42000	\$ 3,559.92
b. Premiums for Jumbo Delivery		2,967	lbs	at \$0.14000	\$ 415.38
Less: Drying Charge					\$ 500.85
Less: Worm Sorting Charge - (Paragraph No. 1)*					\$ .00
Less: Mold/Rancid/Decay Charge - (Paragraph No. 2)*					\$ .00
Less: Seriously shriveled nuts - (Paragraph No. 3)*					\$ .00
Less: Shriveled or off-color nuts - (Paragraph No. 4)*					\$ .00
Add: Hauling Allowance					\$ 42.38
				Subtotal.....	\$ 3,516.83
Less: Oregon Filbert Commission		8,476 lbs @ \$ .0045			\$ 38.14
				Grandtotal.....	\$ 3,478.69
=====					

Last Ticket: Yes on 09/30/89      Jumbos: 35 %

Price adjusted to reflect 4 cent premium for delivery prior to Sept 30, 1989

\* = In accordance with our Contract with the Filbert Bargaining Association.



# BLUE DIAMOND GROWERS

OREGON HAZELNUT DIVISION  
2828 Cherry Avenue N.E.  
Salem, Oregon 97303  
Phone 363-1655

## HAZELNUT GRADE AND PAYMENT TICKET

11/08/88

43900  
MILLER DEHYDRATOR CO

206 BETHEL DRIVE  
EUGENE OR 97402

TICKET NO. 8621

TOTES: IN 8 OUT 0  
BULK: NO

### VARIETY

BARC GREEN

### GRADES

WORMS	.00	%
MOLD, RANCID, DECAY	.66	%
SERIOUS SHRIVEL	.00	%
SHRIVEL, OFF COLOR	.00	%
BLANKS: 13.66	8.67	%
TOTAL DOCKAGE	9.33	%

### EXTENSIONS

DELIVERED WEIGHT	10730	lbs.
LESS: DEBRIS (36.12 %)	3867	lbs.
CLEANED WEIGHT	6863	lbs.
LESS: DRYDOWN (27.40 %)	1885	lbs.
DRY WEIGHT (DELIVERED OR CONVERTED)	4978	lbs.
LESS: DOCKAGE (9.33 %)	465	lbs.
NET DRY WEIGHT	4513	lbs.
ALMOND CTS./NET DRY #	1366.50	
ALMOND PREMIUM	94.90	\$
10.60/CT HAULTAGE	48.60	\$
GROSS PAYMENT	143.50	\$
LESS: CLEANING AND DRYING CHARGES		
(DEL. WT.)	574.50	\$
SORTING CHGS. (DRY WT.)		\$
OFC ASSESS. (NET DRY WT.)		\$
OTHER		\$
TOTAL DEDUCTIONS		\$
NET DUE		\$

**RoC**

COMMENTS: DATE: 11/08/88

WHITE: OFFICE COPY  
CANARY: RECEIVER'S COPY  
PINK: LAB COPY  
GOLD: GROWER'S COPY



**BLUE DIAMOND GROWERS**  
OREGON HAZELNUT DIVISION  
2828 CHERRY AVE. N.E.  
SALEM, OREGON 97303  
PHONE 363-1655

No 08621

# Delivery Receipt and Purchase Agreement

Totes: In 8 Out       
Bulk:      Sacks:     

Date 11/8/53 Grower No. 459001

BARCELONA - ROYAL - ENNIS - OTHER     

Grower's Name WDC DUN CREAM

Green - Dry

Orchard       
Comments Cracks + Mild  
3740 McLean Hwy 7/14/54  
Final Delivery: Yes - No - Only     

Gross Weight .....	<u>20040</u>	lbs.
Less: Truck Tare .....	<u>7890</u>	lbs.
Total Delivered Weight .....	<u>12150</u>	lbs.
Less: Tote Tare .....	<u>1100</u>	lbs.
Delivered Weight .....	<u>11050</u>	lbs.

It is understood and agreed that Blue Diamond Growers, Oregon Hazelnut Division has purchased the above described product, subject to the price, grades, and tolerances established by the Hazelnut Industry. Total payment will be made to the owner of the Hazelnuts hereby purchased, less all advances, charges and assessments, if any, and mailed to the owner's address on file, unless notified to the contrary at time of delivery.

Grower Dun Cream  
**BLUE DIAMOND GROWERS**  
OREGON HAZELNUT DIVISION

By      Receiver





**OREGON HAZELNUT DIVISION**  
CALIFORNIA ALMOND GROWERS EXCHANGE

2828 Cherry Avenue N.E.  
Salem, Oregon 97303  
Phone 363-1655

**HAZELNUT GRADE AND PAYMENT TICKET**

10-26-86

253 BETHEL RD  
EUGENE OR 97402

TICKET NO. 5772  
TOTES IN 3 OUT 0  
BULK: 100

VARIETY

BARO GREEN

**EXTENSIONS**

DELIVERED WEIGHT ..... 3885 lbs.  
LESS: DEBRIS (19.38 %) ..... 752 lbs.  
CLEANED WEIGHT ..... 3133 lbs.  
LESS: DRYDOWN (18.71 %) ..... 586 lbs.  
DRY WEIGHT (DELIVERED OR CONVERTED) ..... 2547 lbs.  
LESS: DOCKAGE (20.34 %) ..... 518 lbs.  
NET DRY WEIGHT ..... 2029 lbs.

Rock

**GRADES**

WORMS .00 %  
MOLD, RANCID, DECAY 7.00 %  
SERIOUS SHRIVEL 1.00 %  
SHRIVEL, OFF COLOR 1.50 %  
BLANKS 19.00 COUNT 12.34 %

TOTAL DOCKAGE 20.34 %  
JUMBO 3.00 %

COMMENTS: NAVE GRANT

10.00/T HAULING \$ 10.15  
GROSS PAYMENT ..... \$ 821.75  
LESS: CLEANING AND DRYING CHARGES  
(DEL. WT) \$70.00 \$ 135.98-  
SORTING CHGS. (DRY WT.) \$ 95.51-  
OFC ASSESS. (NET DRY WT)  
( 9.00/TDN ) \$ 9.13-  
OTHER \$ .00  
TOTAL DEDUCTIONS ..... \$ 240.62-  
NET DUE ..... \$ 581.13

492 lbs  
Rock  
1985

Phone 363-1655

# HAZELNUT GRADE AND PAYMENT TICKET

10-29-85

TICKET NO. 3653

TOTES: IN 1 OUT 2  
BULK: NO

**VARIETY**

**EXTENSIONS**

**GRADES**

WORMS %  
MOLD, RANCID, DECAY %  
SERIOUS SHRIVEL %  
SHRIVEL, OFF COLOR %  
BLANKS: COUNT %  
TOTAL DOCKAGE %

DELIVERED WEIGHT ..... 1400 lbs.  
LESS: DEBRIS ( 9.07 %) ..... 127- lbs.  
CLEANED WEIGHT ..... 1273 lbs.  
LESS: DRYDOWN ( 20.67 %) ..... 263- lbs.  
DRY WEIGHT (DELIVERED OR CONVERTED) ..... 1010 lbs.  
LESS: DOCKAGE ( 7.40 %) ..... 75- lbs.  
NET DRY WEIGHT ..... 935 lbs.

1000 CTS./NET DRY # \$ 327.25  
\$  
\$  
\$ 4.68  
GROSS PAYMENT ..... \$ 327.25  
LESS: CLEANING AND DRYING CHARGES  
(DEL. WT.) \$ 49.00-  
SORTING CHGS. (DRY WT.) \$ 11.30-  
OFC ASSESS. (NET DRY WT.)  
( 5.00/TON) \$ 4.21-  
OTHER \$ .00  
TOTAL DEDUCTIONS ..... \$ 64.57-  
NET DUE ..... \$ 262.63  
267.36

COMMENTS:

PHENOL DETECTED

NO. 1010B

BACK 1521

1010B

11	200
88	1100
00	00
00	00
00	00
00	00
00	00

Phone 363-1655

# HAZELNUT GRADE AND PAYMENT TICKET

10 29-85

TICKET NO. 3654

TOTES: IN 1 OUT 1  
 BULK: 40

### VARIETY

### GRADES

WORMS	%
MOLD, RANCID, DECAY	%
SERIOUS SHRIVEL	%
SHRIVEL, OFF COLOR	%
BLANKS: COUNT	%
TOTAL DOCKAGE	%

### EXTENSIONS

DELIVERED WEIGHT	1370	lbs.
LESS: DEBRIS (6.20 %)	85	lbs.
CLEANED WEIGHT		
LESS: DRYDOWN (16.77 %)	215	lbs.
DRY WEIGHT (DELIVERED OR CONVERTED)	1070	lbs.
LESS: DOCKAGE (6.82 %)	73	lbs.
NET DRY WEIGHT	997	lbs.
3000 CTS./NET DRY #	\$ 348.95	
	\$	
	\$	
<i>Hauling</i>	\$ 4.99	
GROSS PAYMENT	\$ 348.95	
LESS: CLEANING AND DRYING CHARGES		
(DEL. WT.) \$01.34	\$ 47.95	
SORTING CHGS. (DRY WT.)	\$ .00	
OFC ASSESS. (NET DRY WT.)		
(.001/TON)	\$ 4.49	
OTHER	\$ .00	
TOTAL DEDUCTIONS	\$ 52.44	
NET DUE	\$ 296.51	

301.50

MENTS:

<p>NET DRY WT.</p> <p>DEL. WT. (DEL. COOR)</p> <p>DEL. WT. (CONVERT)</p> <p>DEL. WT. (NET DRY WT.)</p> <p>DEL. WT. (NET DRY WT.)</p>	<p>NET DRY WT.</p> <p>DEL. WT. (DEL. COOR)</p> <p>DEL. WT. (CONVERT)</p> <p>DEL. WT. (NET DRY WT.)</p> <p>DEL. WT. (NET DRY WT.)</p>	<p>NET DRY WT.</p> <p>DEL. WT. (DEL. COOR)</p> <p>DEL. WT. (CONVERT)</p> <p>DEL. WT. (NET DRY WT.)</p> <p>DEL. WT. (NET DRY WT.)</p>	<p>NET DRY WT.</p> <p>DEL. WT. (DEL. COOR)</p> <p>DEL. WT. (CONVERT)</p> <p>DEL. WT. (NET DRY WT.)</p> <p>DEL. WT. (NET DRY WT.)</p>	
	<p>NET DRY WT.</p> <p>DEL. WT. (DEL. COOR)</p> <p>DEL. WT. (CONVERT)</p> <p>DEL. WT. (NET DRY WT.)</p> <p>DEL. WT. (NET DRY WT.)</p>	<p>NET DRY WT.</p> <p>DEL. WT. (DEL. COOR)</p> <p>DEL. WT. (CONVERT)</p> <p>DEL. WT. (NET DRY WT.)</p> <p>DEL. WT. (NET DRY WT.)</p>	<p>NET DRY WT.</p> <p>DEL. WT. (DEL. COOR)</p> <p>DEL. WT. (CONVERT)</p> <p>DEL. WT. (NET DRY WT.)</p> <p>DEL. WT. (NET DRY WT.)</p>	<p>NET DRY WT.</p> <p>DEL. WT. (DEL. COOR)</p> <p>DEL. WT. (CONVERT)</p> <p>DEL. WT. (NET DRY WT.)</p> <p>DEL. WT. (NET DRY WT.)</p>
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HAZELNUT GRADE AND PAYMENT TICKET

10-29-85

TICKET NO. 3656

TOTES IN 1 OUT 0  
BULK: NO

EXTENSIONS

VARIETY

COFFIN

GRADES

- WORMS %
- MOLD, RANCID, DECAY %
- SERIOUS SHRIVEL %
- SHRIVEL, OFF COLOR %
- BLANKS: COUNT %
- TOTAL DOCKAGE %

DELIVERED WEIGHT	.....	1020	lbs.
LESS: DEBRIS ( 2.35 %)	.....	75	lbs.
CLEANED WEIGHT	.....	945	lbs.
LESS: DRYDOWN ( 10.60 %)	.....	158	lbs.
DRY WEIGHT (DELIVERED OR CONVERTED)	.....	787	lbs.
LESS: DOCKAGE ( 29.11 %)	.....	182	lbs.
NET DRY WEIGHT	.....	605	lbs.
25.00 CTS./NET DRY # \$	211.75		
	\$		
	\$		
Hauling	\$ 3.03		
GROSS PAYMENT	\$	211.75	
LESS: CLEANING AND DRYING CHARGES			
(DEL. WT.) 100.00	\$ 25.70-		
SORTING CHGS. (DRY WT.)	\$ 104.18-		
OFC ASSESS. (NET DRY WT.)			
2.00 TOLLY	\$ 2.72-		
OTHER	\$	1.00	
TOTAL DEDUCTIONS	\$	142.60-	
NET DUE	\$	69.15	
		70.14	

OMMENTS:

NET WEIGHT

74.0  
13.0  
87.0  
3.8  
90.8

TOP LAYER  
BULK

Phone 363-1655

# HAZELNUT GRADE AND PAYMENT TICKET

10-29-85

TICKET NO. 3655

TOTES: IN 1 OUT 0  
BULK: 30

## VARIETY

## EXTENSIONS

## GRADES

WORMS	%
MOLD, RANCID, DECAY	%
SERIOUS SHRIVEL	%
SHRIVEL, OFF COLOR	%
BLANKS: COUNT	%
TOTAL DOCKAGE	%

DELIVERED WEIGHT	1290	lbs.
LESS: DEBRIS ( 7.52 %)	97	lbs.
CLEANED WEIGHT		lbs.
LESS: DRYDOWN (21.00 %)	251	lbs.
DRY WEIGHT (DELIVERED OR CONVERTED)	942	lbs.
LESS: DOCKAGE ( 7.57 %)	74	lbs.
NET DRY WEIGHT	868	lbs.

.3500 CTS./NET DRY # \$ 303.80

\$

\$

Hauling \$ 4.34

GROSS PAYMENT \$ 303.80

LESS: CLEANING AND DRYING CHARGES

(DEL.WT.) \$60.97 \$ 45.15-

SORTING CHGS. (DRY WT.) \$ 60.35-

OFC ASSESS. (NET DRY WT.)

( 1.00/100 ) \$ 8.71-

OTHER \$ .00

TOTAL DEDUCTIONS \$ 109.11-

NET DUE \$ 194.69

199.03

ENTS:

# HAZELNUT GRADE AND PAYMENT TICKET

10-29-85

TICKET NO. 3657

TOTES: IN 2 OUT 0  
BULK: 110

**VARIETY**

**EXTENSIONS**

GRADES		%
WORMS		%
MOLD, RANCID, DECAY		%
SERIOUS SHRIVEL		%
SHRIVEL, OFF COLOR	COUNT	%
BLANKS:		%
<b>TOTAL DOCKAGE</b>		<b>%</b>

DELIVERED WEIGHT .....	108	lbs.
LESS: DEBRIS ( 7.00 %)	7.56	lbs.
CLEANED WEIGHT .....	100.44	lbs.
LESS: DRYDOWN ( 20.15 %)	20.25	lbs.
DRY WEIGHT (DELIVERED OR CONVERTED) .....	80.19	lbs.
LESS: DOCKAGE ( 4.75 %)	3.81	lbs.
NET DRY WEIGHT .....	76.38	lbs.

NET DRY WT. CTS./NET DRY # \$	205.50	
	\$	
	\$	
<i>Hauling</i>	\$ 4.65	
<b>GROSS PAYMENT</b> .....	<b>\$ 210.15</b>	
<b>LESS: CLEANING AND DRYING CHARGES</b>		
(DEL. WT.)	\$ 15.55	
SORTING CHGS. (DRY WT.)	\$ 11.71	
OFC ASSESS. (NET DRY WT.)	\$ 4.12	
OTHER	\$	
<b>TOTAL DEDUCTIONS</b> .....	<b>\$ 34.45</b>	
<b>NET DUE</b> .....	<b>\$ 175.70</b>	

MENTS:

7A



OREGON HAZELNUT DIVISION  
541 HIGHLAND AVE. SEASIDE, OREGON 97138  
(503) 738-2200 FAX (503) 738-2201

HAZELNUT GRADE AND PAYMENT TICKET

10/18/83

MILLER DEHYDRATOR CO

256 BETHEL DRIVE  
EUGENE OR 97402

Phone: (503) 653-1653

TICKET NO. 2437

TOTES IN 1  
BULK NO 0

VARIEITY  
GREEN

GRADES

WORMS	2.50 %	MOLD	.50 %
RANCID	.00 %	DECAY	.00 %
SERIOUS SHRIVEL	1.00 %	OFF COLOR	.50 %
BLANKS	16.50 %		

NON INSHELL QUALITY 4.00 %  
ROUND TYPE 99.00 %

COMMENTS:  
GRANT

EXTENSIONS

DELIVERED WEIGHT	870 lbs.
LESS: DEBRIS (1.26 %)	11 lbs.
CLEANED WEIGHT	859 lbs.
LESS: DRYDOWN (9.25 %)	79 lbs.
DRY WEIGHT (DELIVERED OR CONVERTED)	780 lbs.
LESS: DOCKAGE (13.60 %)	106 lbs.
NET DRY WEIGHT	674 lbs.
.3000 CTS./NET DRY #	202.20

GROSS PAYMENT	\$ 202.20
LESS: CLEANING AND DRYING CHARGES	
(ON DEL. WT.) \$50.34%	\$ 43.50-
SORTING CHGS. (DRY WT.)	\$ 19.50-
OFC ASSESSMENT	
(\$10.00/TON DRY WT.)	\$ 3.90-
OTHER	\$ .00
TOTAL DEDUCTIONS	\$ 66.90-
NET DUE	\$ 135.30

## Maplewood Enterprises, Inc.



Agricultural Consulting

82631 Barbre Road  
Dexter, OR 97431-9726

Phone (541) 937-2719  
E-mail peday@aol.com

June 25, 2001

Mr. Harry A. Taylor  
Land Use Consultant  
P.O. Box 1420  
Veneta, OR 97487

Dear Harry,

I am writing with reference to your questions about a 30.19-acre parcel of land in the Walterville, OR, area owned by Mr. David Grant. Specifically, it is the parcel described as T17S, R1W, Section 28, Tax Lot 700.

We visited the property and spoke with Mr. Grant in the fall of the year 2000, and during the visit were able to view all major portions of it. Since that time, I have reviewed aerial photographs of the area, soil maps from the USDA publication Soil Survey of Lane County, Oregon, and a detailed soils review produced by Mr. Gary Kitzrow, a Certified Professional Soil Scientist/Soil Classifier.

Both on the ground and in the aerial photographs it is obvious that a substantial area of mostly gravel transects the parcel from east to west, i.e., the long way across the property. Mr. Kitzrow's report describes this area in technical detail. The short description is that a substantial part of the parcel is mostly rock and gravel having little or no water holding capability.

It is my understanding that there is neither a water right associated with the property nor the opportunity to obtain one.

With regard to your question about suitability as a forage/grazing resource, I would offer the following:

1. Due to the very low water holding capacity of this ground, it would be difficult to impossible to establish a desirable stand of annual or perennial forage plants. Newly seeded plants in a spring seeding would be expected to wilt and die before they could establish an adequate root system. The obvious



answer to this problem is irrigation that apparently is not possible. A fall seeding would be expected to have problems with drowning of new plants in the areas described in the Kitzrow Report as dominated by standing water for months at a time in the rainy season.

Additionally, the amount of rock and gravel present would probably be hard on machinery used to attempt tillage of the ground.

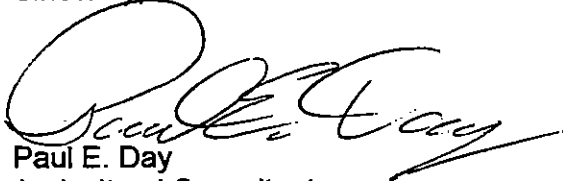
2. If a forage base could be established, its productive period would be limited to a short period each year. With the limited water holding capacity described for the soil, and without irrigation, the forage would stop growing soon after spring rains ceased. Stock would need to be moved or fed with feed brought in from off of the farm. This, coupled with the relatively small size of the parcel, would make the input/output ratio of annual cost to annual return rather unattractive when compared to a larger, more productive site.
3. Without regard to soil capacity problems, establishment of a forage base would require removal of trees that are present on the land today. This would be a substantial investment that would need to be repaid by production from the forage resource. Given that any forage production on this specific parcel will be limited, the likelihood of recovering substantial preparation investment would also be limited.
4. Adequate facilities for handling livestock do not exist on the property. At a minimum, fencing to contain/manage stock would need to be developed, as would facilities for loading/unloading stock. This would add to the unattractive investment situation noted above.

In summary, it is undeniable that some forage could be produced on the parcel; however, with the droughtiness imposed by extreme soil conditions and lack of irrigation for the property, the overall productive capacity would be quite limited. The rapid drying off of the soil at the end of the rainy season would compress the effective grazing period.

In addition to production limitations, the economic aspects of investment to establish a lowly productive situation make the property even less attractive as a grazing resource.

A prudent farmer intending to use the property primarily for production of a profit in money would not be likely to invest in the purchase/development of this parcel.

Sincerely,



Paul E. Day  
Agricultural Consultant

## **PAUL E. DAY**

Agricultural Consultant  
82631 Barbre Road  
Dexter, Oregon 97431-9726

Home Phone 541-937-2719  
E-mail peday@aol.com

### **EDUCATION**

BS Degree	Major: Animal Science	Oregon State University 1964
MS Degree	Major: Animal Science Minor: Agricultural Economics	Oregon State University 1971

### **EMPLOYMENT**

#### **1995-2001 *Agricultural Consultant***

1) International agricultural development in Bolivia, Armenia, Albania, Croatia, and Bulgaria (see attached summary). 2) Evaluate agricultural capacity of rural land parcels relative to farm plan development and land use determinations. 3) Taught forage production course at Linn-Benton Community College, Albany, OR, (spring quarter 1996). 4) Provide information regarding agricultural production practices (mostly livestock and grazing resources) to landowners new to the area or to agriculture.

#### **1972-1994 *Assoc. Prof. and Agricultural Extension Agent, Oregon State Univ.***

Developed and presented educational programs relating to livestock production, forage production and farm management for commercial and non-commercial farmers in the southern Willamette Valley of western Oregon. Methods involved: 1) On farm consultation, research, tours, and demonstrations. 2) Lecture presentations. 3) Education via media, newsletters, office and telephone consultation. 4) Development of extension publications, computer programs. Received regional and national awards for newsletters. Participated in two foreign agricultural development projects (see attached summary) in which Oregon State University participated as a member of the Consortium for International Development (CID).

#### **1971-1972 *Egg Product Sanitarian, Oregon Department of Agriculture***

Assured compliance with state and federal regulations at facilities engaged in breaking, pasteurizing, packaging, and shipping liquid and frozen egg products. Performed occasional shell egg inspection at retail establishments.

#### **1965-1967 *Peace Corps Volunteer (India 18)***

See attached summary.

#### **1964-1965 *Management Trainee, Western Farmers Assn.***

Conducted retail sales, customer relations, feed delivery scheduling, and cash management for a large farmer's cooperative specializing in poultry and egg production and marketing.

## MISC. ACTIVITIES & INTERESTS

**Agricultural Production** Owned and managed a small holder beef cattle and forage production operation on a small (29a./11ha.) farm in western Oregon from 1975-1988. Produced cattle in feeder and cow/calf enterprises and forage as pasture and hay under both rainfed and irrigated conditions.

Worked with swine production as a graduate student (1968-1970).

Worked with poultry production (hatchery, fryers, and egg layers) in Peace Corps (1965-1967) and as a child in the early 1950's.

**Volunteer Activities** Soil & water conservation, Lane County, OR: Working (2000 to present) with agricultural community to develop outcome-based criteria for control/improvement of agriculturally related non-point source pollution situations.

SELCO Credit Union, Eugene, OR: Participated (1982-1990 and 1992-1998) in volunteer management of \$265 million credit union. Credit Committee (Chair), Investment Committee, Social Responsibility Committee; planning, governmental affairs, and educational conferences.

Oregon State Univ. Extension Service: Coordinated (1995-1998) monthly educational program for area stock/forage producers, occasional workshops in stock/forage management.

Lane Community College, Eugene, OR: Member of advisory committee to Farm Business Management program.

**Reading** Current events, history, social/economic issues, fiction.

**Travel** Lived in India (20 months), Malawi (3 months), Egypt (25 months), and Armenia (6 months). Have made brief to extensive visits in 25-30 additional countries and about half of the US.

**Hobbies** Semi-precious metal-smithing, jewelry making, woodworking, photography.

## PERSONAL INFORMATION

<b><i>Date of Birth</i></b>	5/31/39
<b><i>Citizenship</i></b>	United States of America
<b><i>Family</i></b>	Married, three children (children live independently)
<b><i>Health</i></b>	Excellent
<b><i>Languages</i></b>	English -- Native tongue Telegu -- Limited conversational and technical ability (poultry) German -- Limited conversational ability

## PAUL E. DAY

### INTERNATIONAL AGRICULTURAL DEVELOPMENT SUMMARY

**Bulgaria** Feb 2001. ACDI/VOCA project. Follow-up on Nov 2000 project. Improvements in crop rotation, economic aspects of manure as fertilizer, and consideration of new enterprise development. (Two weeks.)

**Bulgaria** Nov 2000. ACDI/VOCA project. Management suggestions in a large farm production/farm service business. Focus was on improved economic efficiency in use and replacement of agricultural machinery. Business practice and crop production improvements were also addressed. (Two weeks.)

**Croatia** August 2000. ACDI/VOCA project. 1) Improvement of marketing activities and risk management in a swine producers cooperative. 2) Prepared and delivered a seminar on maintaining and expanding the cooperative. (Two weeks.)

**Albania** July 2000. ACDI/VOCA project. 1) Management suggestions for improvement of feeds, feeding, and nutrition at a private sector dairy. 2) Methods for dealing with heat stress in the dairy herd. 3) Suggestions for animal health improvements. (Two weeks.)

**Bulgaria** Apr 2000. ACDI/VOCA project. 1) Plan facility renovation and improvements to marketing and financial management at a meat processing facility. 2) Planning and option discussions for production, marketing, management improvement, and possible expansion at a private sector dairy farm. (Three weeks.)

**Bulgaria** Nov 1999. ACDI/VOCA project. Planning of production improvement, new enterprise development, and pollution abatement on private sector dairy farm. (Three weeks.)

**Bulgaria** May 1999. ACDI/VOCA project. Became familiar with swine industry and Bulgarian Association of Pork Producers (BAPP) activities. Prepared and delivered daylong seminar on methods of improving BAPP effectiveness and service to members. (Two weeks.)

**Armenia** Mar-Sep 1998. USDA Project. 1) Provided information and did initial screening of loan applications in USDA agricultural marketing program. 2) Worked with USDA, Peace Corps, and Armenian personnel on educational programs to upgrade farm business management skills of Armenian extension personnel. (Six months.)

**Bolivia** Nov-Dec 1997. ACDI/VOCA Project. Investigated relationship between grazing livestock and a substantial erosion problem in southern Bolivia. Developed and presented proposals for correction of situation. (Seven weeks.)

**Egypt** Mar. 1990-Mar 1992. USAID Project. Worked with a team of senior level Ministry of Agriculture officials, USAID personnel and American agricultural experts to upgrade management skills in Extension and Research groups, coordinate efforts of the two groups, and to decentralize Extension Service activities. (Two years.)

**Malawi** Mar-May 1988. USAID Project. Worked in a regional level pilot project to develop written communication skills of specialists who support local level extension personnel. (Three months.)

**India** Jun 1965-Jun 1967. Peace Corps Project (India 18). Worked with counterpart to develop village level extension programs in poultry production. Developed and operated demonstration layer farm, hatchery, feed production facility, and program to distribute fertile eggs and breeding stock. (Two years.)

ic: 70 AUM's = 5.8 cows  
 $\frac{70}{12} = 5.8$

TABLE 5.--YIELDS PER ACRE OF CROPS AND PASTURE--Continued

Soil name and map symbol	Pasture		Sweet corn		Snap beans		Winter wheat		Filberts		Strawberries	
	N	I	N	I	N	I	N	I	N	I	N	I
	AUM*	AUM*	Ton	Ton	Bu	Bu	Bu	Bu	Ton	Ton	Crate	Crate
21B----- Bullards-Ferrelo	8	12	---	---	---	---	---	---	---	---	---	---
21C----- Bullards-Ferrelo	8	12	---	---	---	---	---	---	---	---	---	---
21E----- Bullards-Ferrelo	8	---	---	---	---	---	---	---	---	---	---	---
21G----- Bullards-Ferrelo	6	---	---	---	---	---	---	---	---	---	---	---
22----- Camas	5	12	---	6	---	200	20	---	---	---	---	---
24----- Chapman	10	16	---	9	---	330	100	---	0.8	---	---	335
26----- Chehalis	12	18	---	9.0	---	400	100	---	0.8	---	---	330
28C----- Chehulpum	3	6	---	---	---	---	---	45	---	---	---	---
28E----- Chehulpum	2	---	---	---	---	---	---	---	---	---	---	---
29----- Cloquato	12	18	---	9	---	400	100	---	0.8	---	---	335
31----- Coburg	10	15	---	9	---	330	80	---	0.8	---	---	250
33----- Conser	10	15	---	8	---	270	55	---	0.6	---	---	170
34----- Courtney	8	12	---	4	---	270	---	---	---	---	---	---
35D, 35F----- Cruiser	3	---	---	---	---	---	---	---	---	---	---	---
35G----- Cruiser	2	---	---	---	---	---	---	---	---	---	---	---
36D----- Cumley	12	17	---	---	---	---	---	---	0.5	---	---	---
37C, 37E----- Cupola	6	10	---	---	---	---	---	---	---	---	---	---
38----- Dayton	8	12	---	---	---	---	---	---	---	---	---	---
39E, 39F----- Digger	5	---	---	---	---	---	---	---	---	---	---	---
40H----- Digger-Rock outcrop	2	---	---	---	---	---	---	---	---	---	---	---
41C----- Dixonville	6	14	---	6	---	220	50	---	0.5	---	---	220
41E----- Dixonville	6	14	---	---	---	---	50	---	0.5	---	---	220

See footnote at end of table.

TABLE 5.--YIELDS PER ACRE OF CROPS AND PASTURE--Continued

Soil name and map symbol	Pasture		Sweet corn		Snap beans		Winter wheat		Filberts		Strawberries	
	N AUM*	I AUM*	N Ton	I Ton	N Bu	I Bu	N Bu	I Bu	N Ton	I Ton	N Crate	I Crate
78----- McAlpin	9	15	---	8	---	270	65	---	0.8	---	---	170
79----- McRee	10	16	---	9	---	400	65	---	0.8	---	---	170
80F----- McCully	9	---	---	---	---	---	---	---	---	---	---	---
80G----- McCully	6	---	---	---	---	---	---	---	---	---	---	---
81D, 81F----- McDuff	7	---	---	---	---	---	---	---	---	---	---	---
81G----- McDuff	4	---	---	---	---	---	---	---	---	---	---	---
82C----- Meda	7.5	15	---	---	---	---	---	---	---	---	---	---
83B----- Minniece	10	12	---	---	---	---	---	---	---	---	---	---
84D----- Mulkey	3	---	---	---	---	---	---	---	---	---	---	---
85, 86----- Natroy	8	12	---	---	---	---	---	---	---	---	---	---
88----- Nehalem	9	18	---	---	---	270	---	---	---	---	---	220
89C, 89D----- Nekia	6	14	---	7	---	235	65	---	0.6	---	---	235
89E----- Nekia	6	---	---	---	---	---	60	---	0.6	---	---	---
89F----- Nekia	4	---	---	---	---	---	---	---	---	---	---	---
90----- Nekoma	8	18	---	---	---	270	---	---	---	---	---	220
91D----- Neskowin	6	---	---	---	---	---	---	---	---	---	---	---
91E----- Neskowin	4	---	---	---	---	---	---	---	---	---	---	---
93----- Nestucca	8	16	---	---	---	270	---	---	---	---	---	---
95, 96----- Newberg	7	18	---	9	---	330	75	---	0.8	---	---	280
98----- Noti	6	14	---	---	---	---	---	---	---	---	---	---
X 100----- Oxley	7	15	---	6	---	330	55	---	---	---	---	---
102C----- Panther	5	---	---	---	---	---	---	---	---	---	---	---

See footnote at end of table.

TABLE 5.--YIELDS PER ACRE OF CROPS AND PASTURE--Continued

Soil name and map symbol	Pasture		Sweet corn		Snap beans		Winter wheat		Filberts		Strawberries	
	N	I	N	I	N	I	N	I	N	I	N	I
	AUM*	AUM*	Ton	Ton	Bu	Bu	Bu	Bu	Ton	Ton	Crate	Crate
104E, 104G----- Peavine	7	14	---	---	---	---	---	---	0.6	---	---	---
105A----- Pengra	9	16	---	7	---	270	65	---	---	---	---	170
107C, 108C, 108F----- Philomath	4	8	---	---	---	---	---	---	---	---	---	---
111D----- Preacher	10	16	---	---	---	---	---	---	---	---	---	---
111F----- Preacher	8	---	---	---	---	---	---	---	---	---	---	---
112G----- Preacher-Bohannon- Slickrock	6	---	---	---	---	---	---	---	---	---	---	---
113C----- Ritner	6	14	---	---	---	---	---	---	---	---	---	---
113E----- Ritner	5	---	---	---	---	---	---	---	---	---	---	---
113G----- Ritner	4	---	---	---	---	---	---	---	---	---	---	---
117E----- Salander	2	---	---	---	---	---	---	---	---	---	---	---
118----- Salem	9	18	---	9	---	400	75	---	0.6	---	---	280
120B, 121B----- Salkum	7	16	---	8	---	330	80	---	0.8	---	---	280
121C----- Salkum	7	16	---	7	---	330	75	---	0.6	---	---	280
122----- Saturn	9	15	---	6	---	270	---	---	0.6	---	---	---
X 123----- Sifton	5	12	---	7	---	330	50	---	0.6	---	---	220
124D, 124F----- Slickrock	9	16	---	---	---	---	---	---	---	---	---	---
125C----- Steiwier	6	15	---	6	---	200	50	---	0.6	---	---	170
125D----- Steiwier	5	12	---	---	---	---	50	---	0.6	---	---	170
125F----- Steiwier	4	---	---	---	---	---	---	---	---	---	---	---
126F----- Tahkenitch	6	---	---	---	---	---	---	---	---	---	---	---
126G----- Tahkenitch	4	---	---	---	---	---	---	---	---	---	---	---
128B----- Veneta	10	17	---	7	---	330	85	---	0.8	---	---	280

See footnote at end of table.

TABLE 6.--WOODLAND MANAGEMENT AND PRODUCTIVITY--Continued

Soil name and map symbol	Management concerns				Potential productivity		Trees to plant
	Equip- ment limita- tion	Seedling mortal- ity	Wind- throw hazard	Plant competi- tion	Common trees	Site index	
15E*: Blachly-----	Moderate	Slight	Slight	Moderate	Douglas-fir----- Western hemlock-----	148 ---	Douglas-fir.
McCully-----	Moderate	Slight	Slight	Severe	Douglas-fir----- Western hemlock-----	147 ---	Douglas-fir, western hemlock.
16D----- Bohannon	Moderate	Slight	Moderate	Moderate	Douglas-fir----- Western hemlock-----	155 ---	Douglas-fir, western hemlock.
16F----- Bohannon	Moderate	Slight	Slight	Moderate	Douglas-fir----- Western hemlock-----	155 ---	Douglas-fir, western hemlock.
16H----- Bohannon	Severe	Slight	Slight	Moderate	Douglas-fir----- Western hemlock-----	155 ---	Douglas-fir, western hemlock.
20B----- Briedwell	Slight	Moderate	Moderate	Severe	Douglas-fir----- Oregon white oak-----	135 ---	Douglas-fir.
21R*, 21C*, 21E*: Bullards-----	Slight	Moderate	Moderate	Moderate	Douglas-fir----- Sitka spruce----- Western hemlock-----	144 --- ---	Douglas-fir, Sitka spruce, western hemlock.
Ferrelo-----	Slight	Slight	Moderate	Moderate	Douglas-fir----- Sitka spruce----- Western hemlock-----	144 --- ---	Douglas-fir, western hemlock, Sitka spruce.
21G*: Bullards-----	Moderate	Moderate	Moderate	Moderate	Douglas-fir----- Sitka spruce----- Western hemlock-----	144 --- ---	Douglas-fir, Sitka spruce, western hemlock.
Ferrelo----- <b>29 NONE</b>	Slight	Slight	Moderate	Moderate	Douglas-fir----- Sitka spruce----- Western hemlock-----	144 --- ---	Douglas-fir, Sitka spruce, Western hemlock.
35D----- Cruiser**	Moderate	Slight	Slight	Slight	Douglas-fir----- Noble fir----- Western hemlock-----	135 --- ---	Douglas-fir, western hemlock, Pacific silver fir, noble fir.
35F----- Cruiser**	Moderate	Slight	Slight	Slight	Douglas-fir----- Noble fir----- Western hemlock-----	135 --- ---	Douglas-fir, western hemlock, Pacific silver fir, noble fir.
35G----- Cruiser**	Severe	Slight	Slight	Slight	Douglas-fir----- Noble fir----- Western hemlock-----	135 --- ---	Douglas-fir, western hemlock, Pacific silver fir, noble fir.
36D----- Cumley	Severe	Slight	Severe	Severe	Douglas-fir----- Western hemlock-----	154 ---	Douglas-fir.
37C----- Cupola	Slight	Moderate	Moderate	Moderate	Douglas-fir----- Western hemlock-----	124 ---	Douglas-fir, western hemlock.
37E----- Cupola	Moderate	Moderate	Moderate	Moderate	Douglas-fir----- Western hemlock-----	124 ---	Douglas-fir, western hemlock.
39E----- Digger	Moderate	Moderate	Moderate	Moderate	Douglas-fir----- Western hemlock----- Red alder----- Bigleaf maple-----	145 --- --- ---	Douglas-fir.
39F----- Digger	Moderate	Moderate	Moderate	Moderate	Douglas-fir----- Western hemlock----- Red alder----- Bigleaf maple-----	145 --- --- ---	Douglas-fir.

See footnote at end of table.



TABLE 6.--WOODLAND MANAGEMENT AND PRODUCTIVITY--Continued

Soil name and map symbol	Management concerns				Potential productivity		Trees to plant
	Equip- ment limita- tion	Seedling mortal- ity	Wind- throw hazard	Plant competi- tion	Common trees	Site index	
81G----- McDuff	Severe	Slight	Slight	Moderate	Douglas-fir----- Bigleaf maple----- Red alder----- Western hemlock-----	142 --- --- ---	Douglas-fir.
82C----- Meda	Slight	Moderate	Slight	Severe	Douglas-fir----- Western hemlock-----	161 ---	Douglas-fir, western hemlock.
83R----- Minniece	Severe	Severe	Severe	Severe	Douglas-fir----- Western redcedar----- Western hemlock-----	130 --- ---	Western hemlock, western redcedar.
84D----- Mulkey**	Slight	Moderate	Moderate	Moderate	Noble fir----- Western hemlock----- Douglas-fir-----	143 --- ---	Douglas-fir, noble fir.
88----- Nehalem	Moderate	Slight	Slight	Severe	Douglas-fir----- Western hemlock----- Sitka spruce-----	174 --- ---	Douglas-fir, western hemlock, Sitka spruce, western redcedar.
89C----- Nekia	Slight	Moderate	Slight	Moderate	Douglas-fir-----	151	Douglas-fir.
89D----- Nekia	Slight	Moderate	Slight	Moderate	Douglas-fir-----	151	Douglas-fir.
89E----- Nekia	Slight	Moderate	Slight	Moderate	Douglas-fir-----	151	Douglas-fir.
89F----- Nekia	Moderate	Moderate	Slight	Moderate	Douglas-fir-----	151	Douglas-fir.
90----- Nekoma	Moderate	Slight	Slight	Severe	Douglas-fir----- Western hemlock-----	180 ---	Douglas-fir.
91D----- Neskowin	Moderate	Slight	Slight	Moderate	Sitka spruce----- Western hemlock-----	133 ---	Sitka spruce, western hemlock.
91E----- Neskowin	Moderate	Slight	Slight	Moderate	Sitka spruce----- Western hemlock-----	133 ---	Sitka spruce, western hemlock.
92G*: Neskowin-----	Severe	Slight	Slight	Moderate	Sitka spruce----- Western hemlock-----	133 ---	Sitka spruce, western hemlock.
Salander-----	Severe	Slight	Slight	Moderate	Sitka spruce----- Western hemlock-----	133 ---	Sitka spruce, western hemlock.
94C, 94E----- Netarts <u>100 NONE</u>	Slight	Moderate	Moderate	Moderate	Douglas-fir----- Western hemlock----- Sitka spruce----- Shore pine-----	80 --- --- ---	Western hemlock, Sitka spruce, shore pine.
104E----- Peavine	Moderate	Slight	Moderate	Moderate	Douglas-fir----- Red alder----- Bigleaf maple----- Western hemlock-----	155 --- --- ---	Douglas-fir, western hemlock.
104G----- Peavine	Severe	Moderate	Slight	Moderate	Douglas-fir----- Red alder----- Bigleaf maple----- Western hemlock-----	155 --- --- ---	Douglas-fir, western hemlock.
111D----- Preacher	Moderate	Slight	Slight	Moderate	Douglas-fir----- Western hemlock-----	181 ---	Douglas-fir, western hemlock.

See footnote at end of table.

TABLE 6.--WOODLAND MANAGEMENT AND PRODUCTIVITY--Continued

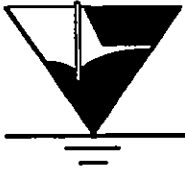
Soil name and map symbol	Management concerns				Potential productivity		Trees to plant
	Equipment limitation	Seedling mortality	Wind-throw hazard	Plant competition	Common trees	Site index	
111F----- Preacher	Moderate	Slight	Slight	Moderate	Douglas-fir----- Western hemlock-----	181 ---	Douglas-fir, western hemlock.
112G*: Preacher-----	Severe	Slight	Slight	Moderate	Douglas-fir----- Western hemlock-----	181 ---	Douglas-fir, western hemlock.
Bohannon-----	Severe	Moderate	Slight	Moderate	Douglas-fir----- Western hemlock-----	155 ---	Douglas-fir, western hemlock.
Slickrock-----	Severe	Slight	Slight	Moderate	Douglas-fir----- Western hemlock-----	195 ---	Douglas-fir, western hemlock.
113C----- Ritner	Slight	Moderate	Slight	Moderate	Douglas-fir-----	131	Douglas-fir.
113E----- Ritner	Moderate	Moderate	Slight	Moderate	Douglas-fir-----	131	Douglas-fir.
113G----- Ritner	Severe	Moderate	Slight	Moderate	Douglas-fir-----	131	Douglas-fir.
117E----- Salander	Moderate	Slight	Slight	Moderate	Sitka spruce----- Western hemlock-----	133 ---	Western hemlock, Sitka spruce.
120B----- Salkum	Moderate	Slight	Slight	Severe	Douglas-fir----- Red alder----- Western hemlock-----	145 --- ---	Douglas-fir.
121B, 121C----- Salkum	Moderate	Slight	Slight	Severe	Douglas-fir----- Western hemlock-----	145 ---	Douglas-fir.
122----- Saturn	Moderate	Moderate	Slight	Moderate	Douglas-fir----- Western hemlock-----	162 ---	Douglas-fir, western hemlock.
<del>123</del> <b>NONE</b>							
124D----- Slickrock	Moderate	Slight	Slight	Moderate	Douglas-fir----- Western hemlock----- Western redcedar-----	194 --- ---	Douglas-fir, western hemlock.
124F----- Slickrock	Moderate	Slight	Slight	Moderate	Douglas-fir----- Western hemlock----- Western redcedar-----	194 --- ---	Douglas-fir, western hemlock.
126F----- Tahkenitch	Moderate	Slight	Moderate	Moderate	Douglas-fir----- Western hemlock-----	156 ---	Douglas-fir, western hemlock.
126G----- Tahkenitch	Severe	Slight	Moderate	Moderate	Douglas-fir----- Western hemlock-----	156 ---	Douglas-fir, western hemlock.
128B----- Veneta	Moderate	Moderate	Slight	Moderate	Douglas-fir----- Pacific madrone----- Ponderosa pine----- Oregon white oak-----	139 --- --- ---	Douglas-fir, ponderosa pine.
129B----- Veneta Variant	Moderate	Slight	Slight	Moderate	Douglas-fir----- Ponderosa pine----- Oregon white oak----- Pacific madrone-----	150 --- --- ---	Douglas-fir, ponderosa pine.

See footnote at end of table.

**EXHIBIT "O"**

**WELL LOG REPORT  
PREPARED BY EGR AND ASSOCIATES  
MAY 21, 2001**

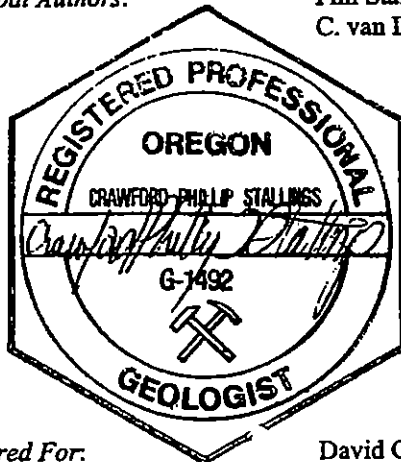
**(A full copy of this exhibit is on file at the  
Land Management Division.)**



**GRANT WELL LOG REPORT**  
**LANE COUNTY, OREGON**  
**MAY 2001**

*Principal Authors:*

Phil Stallings, R.P.G.  
C. van Donkelaar, P.E.



*Prepared For:*

David Grant  
39040 McKenzie Highway  
Springfield, OR 97478-9068

*Site Location:*

39040 McKenzie Highway  
Tax Lot 700  
Section 28, Township 17 South, Range 1 West  
of the Willamette Meridian

# GRANT WELL LOG REPORT

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APPENDIX A: LANE COUNTY CODE 13.050

APPENDIX B: OREGON WATER WELL DRILLER'S LOGS

APPENDIX C: THEIS MODEL

# GRANT WELL LOG REPORT: LANE COUNTY

Lot 700, Section 28, Township 17 South, Range 1 West of the Willamette Meridian

## INTRODUCTION

EGR & Associates (EGR) has been retained by David Grant of 39040 McKenzie Highway, Springfield, OR to prepare a well log report, per Lane County Code 13.050 (13)(d)(ii) for areas not groundwater quantity limited (Appendix A).

The subject property consists of a single 30.19-acre tax lot, currently zoned exclusive farm use (EFU), Figures 1 and 2. Under the proposed action, the property would be rezoned Rural Residential 5, with the potential for division into six, five-acre parcels.

To satisfy the requirements of the Lane County Code, drill logs from neighboring wells were used to characterize local groundwater production. The potential for aquifer depletion due to the proposed partition was assessed using a simple aquifer model.

## HYDROLOGY, GEOLOGY, AND HYDROGEOLOGY

The property is located at approximately 580 feet elevation in the McKenzie River flood plain. Surface water from the site drains southward into the McKenzie River.

Three soil types are mapped at the site<sup>1</sup>. The Sifton gravelly loam covers most of the site. This excessively drained soil is generally 15 inches thick from surface and consists of dark brown gravelly loam. It is underlain by 67 inches of gravelly sand. The low available water capacity is due to the coarse soil texture in the Sifton unit which requires frequent and light applications of fertilizer and water. The Oxley gravelly silt loam occurs along seasonal drainage on the site and comprises gravelly loam to approximately 60 inches. The gravelly surface layer in the Oxley interferes with tillage of young row crops, while high seasonal water table also limits the suitability of this soil for agriculture. The Cloquato silt loam is present on the southern extreme of the property. It is comprised of silty loam to approximately 19 inches followed by sand to 60 inches.

Beneath these sandy gravelly soils lie assorted coarse gravels and sands with some silt (Figure 3). At the site, this Holocene Age alluvium (Qal) deposited by the McKenzie River<sup>2</sup> is mapped.

Drillers' logs from wells in sections 27 and 28, Township 17 South, Range 1 West of the Willamette Meridian are presented in Appendix B. Also included in Appendix B are frequency distribution charts for depth to water, completion depth and yield. Table 1 below provides summary statistics. In general, lithologic descriptions found in drillers' well logs corroborates the presence of mixed sand, silt and gravel, with underlying basalt (occasionally reported as "shale" deposits).

Drillers' logs from tax lots 1100 and 600, immediately adjacent to tax lot 700 (the subject property), report bar run, loose sand and gravel, and sandy clay to at least 50 feet. Most of

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<sup>1</sup>Patching, W.R. (1987) *Soil Survey of the Lane County Area, U.S.D.A. Soil Conservation Service Publication, map sheet 78.*

<sup>2</sup>Walker, G.W. and MacCleod, N. S., (1991) *Geologic Map of Oregon, US Department of the Interior, USGS*

the production from these wells appears to originate from the deeper, semi-confined sand and gravel unit which was encountered near the bottom of the wells. Since water was first encountered at depth and then rose to within 10 feet of surface, the lower aquifer is likely confined beneath the semi-consolidated or semi-cemented gravel above. Production from this deeper alluvium was estimated by the drillers to be 35 and 50 gpm.

In the rest of Section 28, all but three of the 91 well logs reported completions across sand and gravel; and though the three exceptions reported mostly clay and cemented gravel, production remained 8 gpm or greater. Most wells in Section 28 are completed to approximately 50 feet in depth and yields are generally in the range of 30 gpm. Static water level in this flood plain alluvium is approximately 12 feet below ground surface (bgs).

In Section 27, twenty, or approximately half of the wells encountered the underlying bedrock basalt or "shale", and the other half were completed in mainly sand and gravel, similar to Section 28. Completion depth varied from 36 to 415 feet and the positive skewness of the data distribution was more pronounced than in Section 28 (Appendix B). Yields in Section 27 generally ranged between 5 and 35 gpm with a mean (average) of 22.1 gpm. In Section 27, water is generally encountered at around 15 feet bgs.

**Table 1: Basic Well Log Statistics**

	Static Water Level (feet)	Completion Depth (feet)	Yield (gpm)
<b>section 27</b>			
max	100	415	70
min	8	36	3.5
mean	29.2	112	22.1
mode	11.0	45.0	5.0
median	16	76	20
<b>section 28</b>			
max	70	324	100
min	3	17	7
mean	12.5	57.4	32.9
mode	10.0	42.0	30
median	11.75	49	30

**WATER 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 months of July and August, is expected to be three times average use, or 1 gpm (more than three times the EWEB average). The drill log data presented in Table 1 clearly demonstrates that the water wells in Section 27 and 28 have more than adequate water for domestic purposes.

However, to assess the potential impact a 1 gpm withdrawal from six 5-acre parcels may have on the aquifer, a mathematical model was used to estimate drawdown. The Theis<sup>3</sup> model provides a first approximation of aquifer drawdown and is commonly used for this application. The drawdown in the aquifer under peak summer use (6 months) with no recharge (e.g. rain or irrigation or bank storage or drain fields) was approximated using cumulative Theisian drawdown cone calculations. To estimate cumulative drawdown due to pumping from the proposed use, drawdown in overlapping cones were added together<sup>4</sup>. Like all mathematical models, the Theis solution requires the application of simplifying assumptions. These are presented along with the calculations in Appendix C.

Inputs to the model are transmissivity, storage, pumping rate, pumping time and distance between wells. These parameters were estimated from published reports and are summarized in Table 2. The transmissivity and storage coefficient were inserted back into the Theis equation to calibrate the model with observed drawdown in the November 18, 1998 test performed on the tax lot 600 well (Appendix C). The model predicts a drawdown of 14.3 feet, while actual drawdown after 1 hour of pumping at 50 gpm produced a 14 foot drawdown. Though the calibration solution is not unique, the excellent historical match combined with published values, and professional experience, indicates the model parameters are reasonable and suitable for predictive purposes.

**Table 2: Model Parameters**

Parameter		Source
Transmissivity	7,500 gpd/ft	Frank, F.J. 1973. Ground Water in the Eugene-Springfield Area, Southern Willamette Valley, Oregon. Geological Survey Water Supply Paper 2018. p.31; Freeze R.A. 1979. I.bid.p.29
Storage Coefficient	0.00001	Freeze R.A. 1979. I.bid. p.60.
Pumping Rate	1 gpm	EWEB: more than three times maximum for single family home
Pumping Period	6 months	Summer season May to October

To estimate maximum drawdown of the overlapping drawdown cones, six new theoretical wells were placed on each of the new lots (lot configuration is for modeling purposes only and is not meant to define the final partition pattern). The model estimates maximum drawdown where all the drawdown cones intersect. This occurs at the hypothetical new middle well (Appendix C).

Using the Theis solution, the drawdown where all the cones intersect is approximately one and a half feet after 6 months (summer season) without recharge. Since the total available head is approximately 42 feet (47'-5'=42'), the maximum potential drawdown represents

<sup>3</sup> Theis C.V. 1935. *The relation between the lowering of the piezometric surface and the rate and duration of discharge of a well using groundwater storage.* Trans. Amer. Geophys. Union. 2 pp. 519-524.

<sup>4</sup> Freeze R.A. Cherry J.A. 1979. *Groundwater.* Prentice Hall. Toronto ON. p.328



less than 4%.

Thus, based on mathematical modeling a combined total withdrawal of 6 gpm over an entire summer without recharge in the aquifer beneath the subject site will result in negligible effects to the aquifer.

### **POTENTIAL FOR AQUIFER DEPLETION**

The potential for aquifer depletion was addressed in the peak water use calculations above. Based on these calculations, which omit natural precipitation recharge, induced recharge from pumping or recharge from irrigation or drainage fields, a six month cycle would result in approximately one and half feet of combined drawdown from six wells.

Annual aquifer recharge to the Willamette Aquifer in the Eugene-Springfield area is estimated to be 13 inches<sup>5</sup>. Recharge through less permeable units, such as the cemented gravels or clayey gravel which can occur at depth beneath the site, were not characterized by the report. However, it is reasonable to assume aquifer recharge at the site will be much greater than over paved urban areas (3.1 inches)<sup>6</sup>. Over 5-acres, 3.1 inches of recharge amounts to 1.3 acre feet of water each year. Assuming average annual water consumption of a single family dwelling is 500 gallons per day, approximately 0.56 acre feet per year are needed per lot. Therefore, recharge to the aquifer from precipitation is easily more than twice as much as that withdrawn by a single family dwelling on a 5-acre lot.

Since the aquifer receives adequate recharge to offset the residential withdrawal, aquifer damage is unlikely and its ability to store or transmit water is unchanged. Therefore, the predicted temporary drawdown of the aquifer, contributed to by peak use and lack of recharge, will be mitigated during fall, winter, and spring months, when precipitation recharge to the surrounding aquifer will negate the seasonal drawdown. The proposed use does not constitute aquifer depletion.

### **LIMITATIONS**

The analysis presented above is based on assumptions which are conservative. Actual aquifer behavior may vary with extended pumping time and rate. The estimates given herein are based on commonly accepted practices and methods. Not every well drilled in the area will have the same production.

### **CONCLUSIONS**

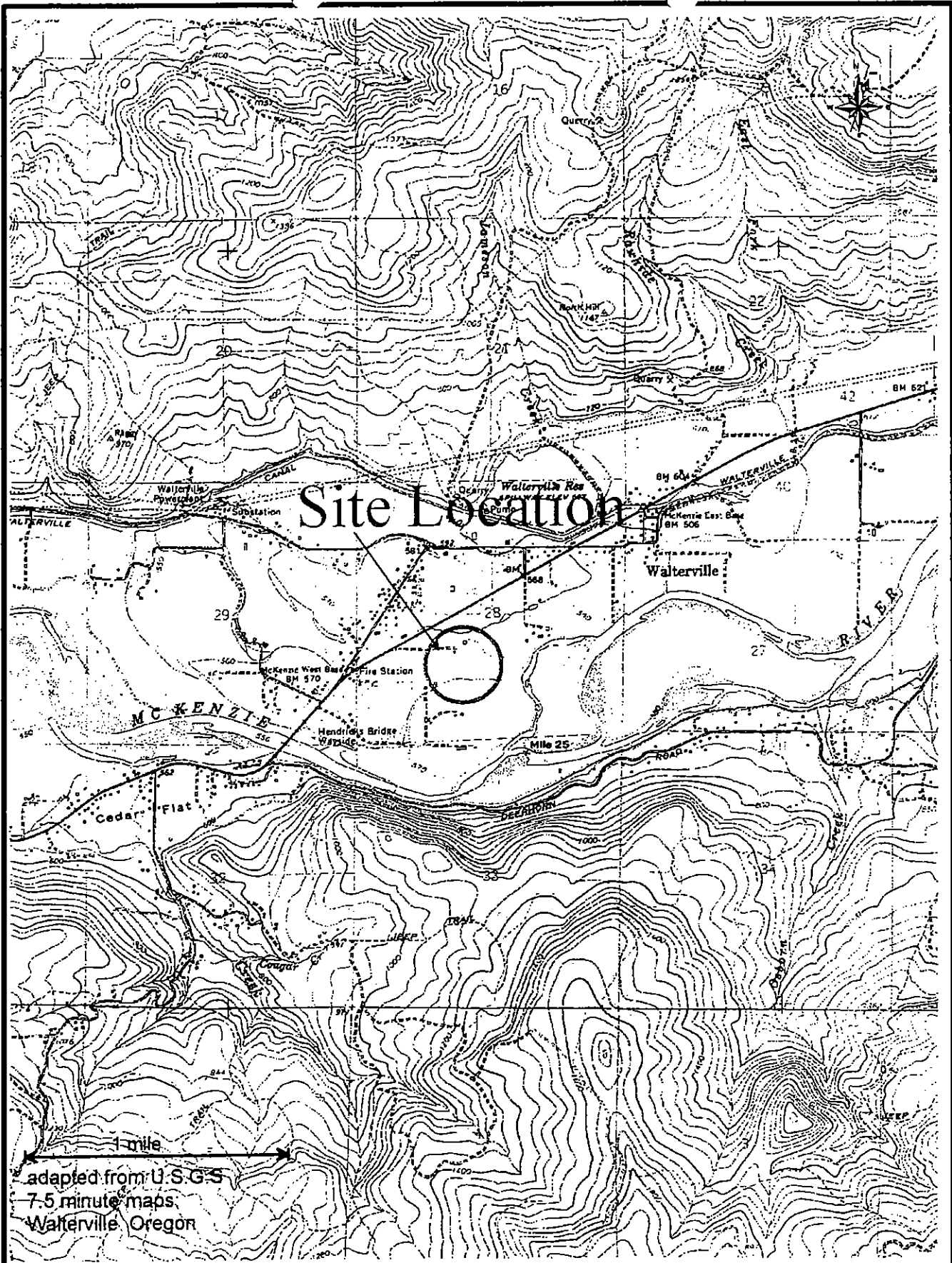
Per Lane County Code 13.050(13)(d)(ii), we conclude that the underlying aquifer will yield an adequate residential water supply for the additional proposed parcels without adversely affecting wells on adjacent properties or the underlying aquifer. Based on mathematical modeling and review of published information, the aquifer beneath the subject property can accommodate five domestic use wells at normal or peak usage.



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<sup>5</sup> Woodward D.G., M.W. Gannett, J.J.Vaccaro. 1998. *Hydrogeologic Framework of the Willamette Lowland Aquifer System. Oregon and Washington. USGS Professional Paper 1424-B. Table 10.*

<sup>6</sup> Woodward D.G., M.W. Gannett, J.J.Vaccaro. 1998. *Ibid. Table 11*



adapted from U.S.G.S  
7.5 minute maps  
Waterville, Oregon

**Figure 1:  
Site Location**

 **EGR & Associates, Inc.**  
Engineers and Geologists  
2535 B Prairie Road  
Eugene, Oregon 97402

**Grant**  
**Well Log Report**  
**May 17, 2001**

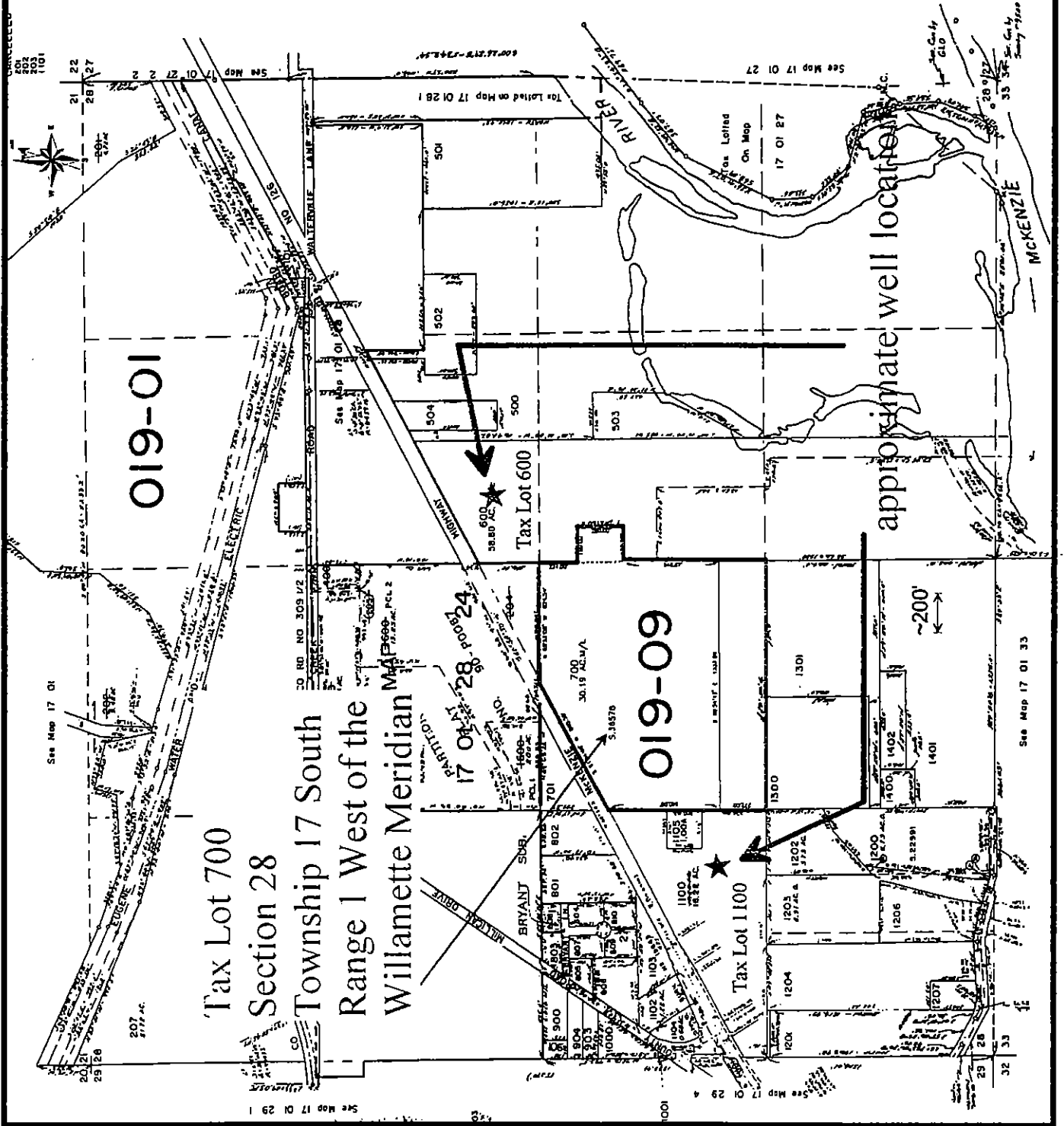
# Figure 2: Tax Lot

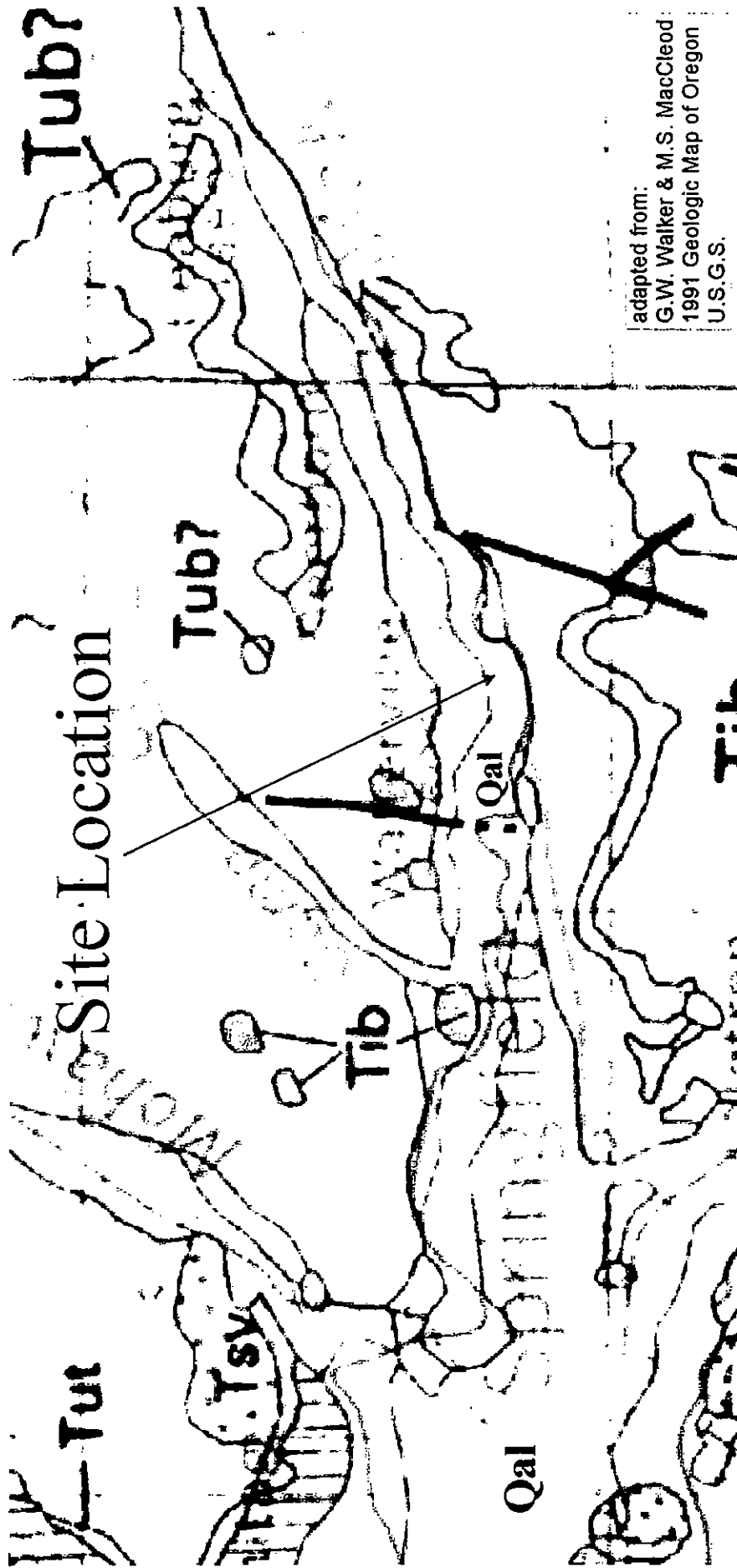
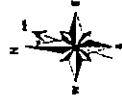
## Grant Well Log Report May 17, 2001



EGR & Associates, Inc.  
Engineers and Geologists  
2635 B Prairie Road  
Eugene, Oregon 97402

#5036-01-0060



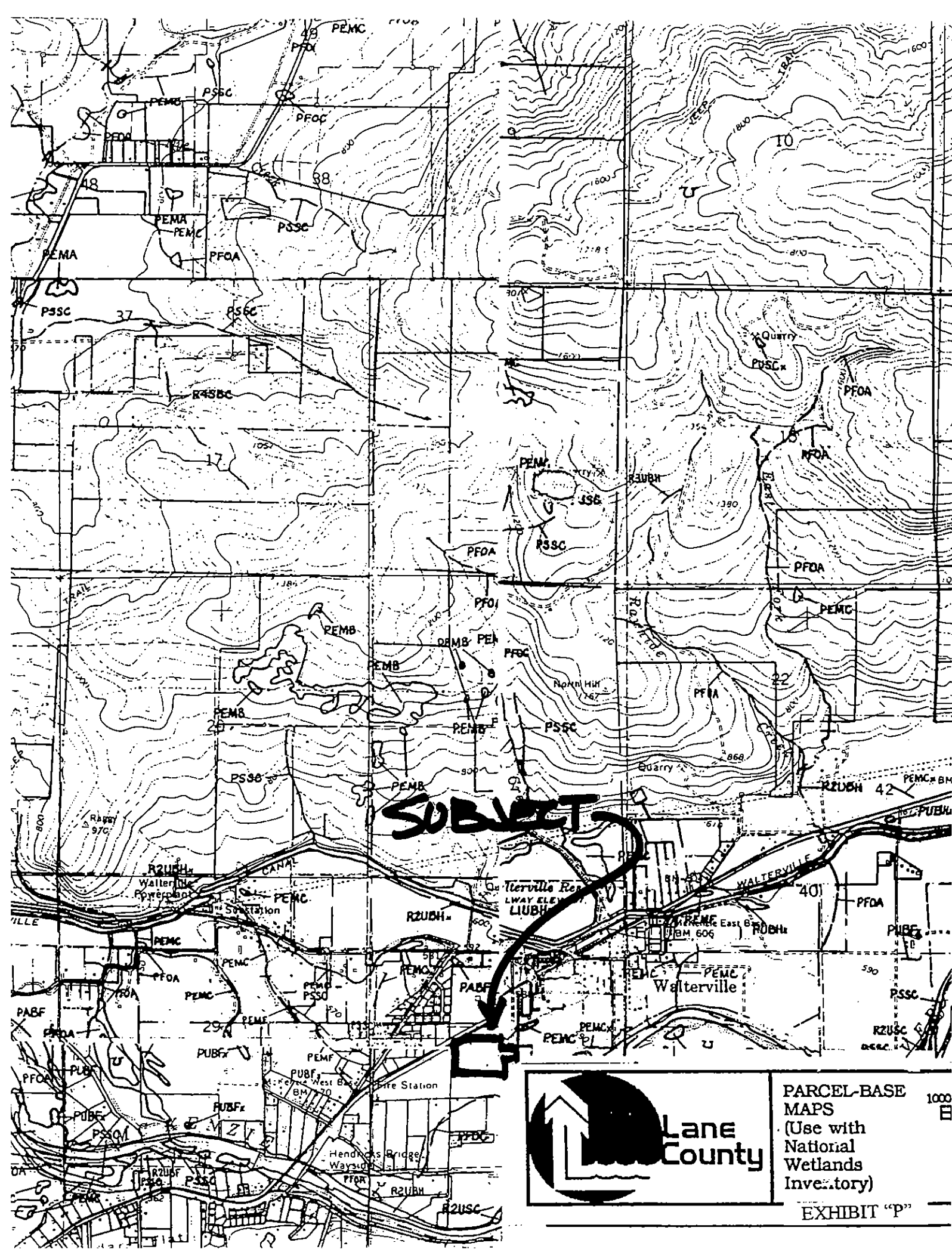


adapted from:  
 G.W. Walker & M.S. MacCleod:  
 1991 Geologic Map of Oregon  
 U.S.G.S.

**Grant  
 Well Log Report  
 May 17, 2001**

**EGR & Associates, Inc.**  
 Engineers and Geologists  
 2636 B Prairie Road  
 Eugene, Oregon 97402

**Figure 3:  
 Geology Map**

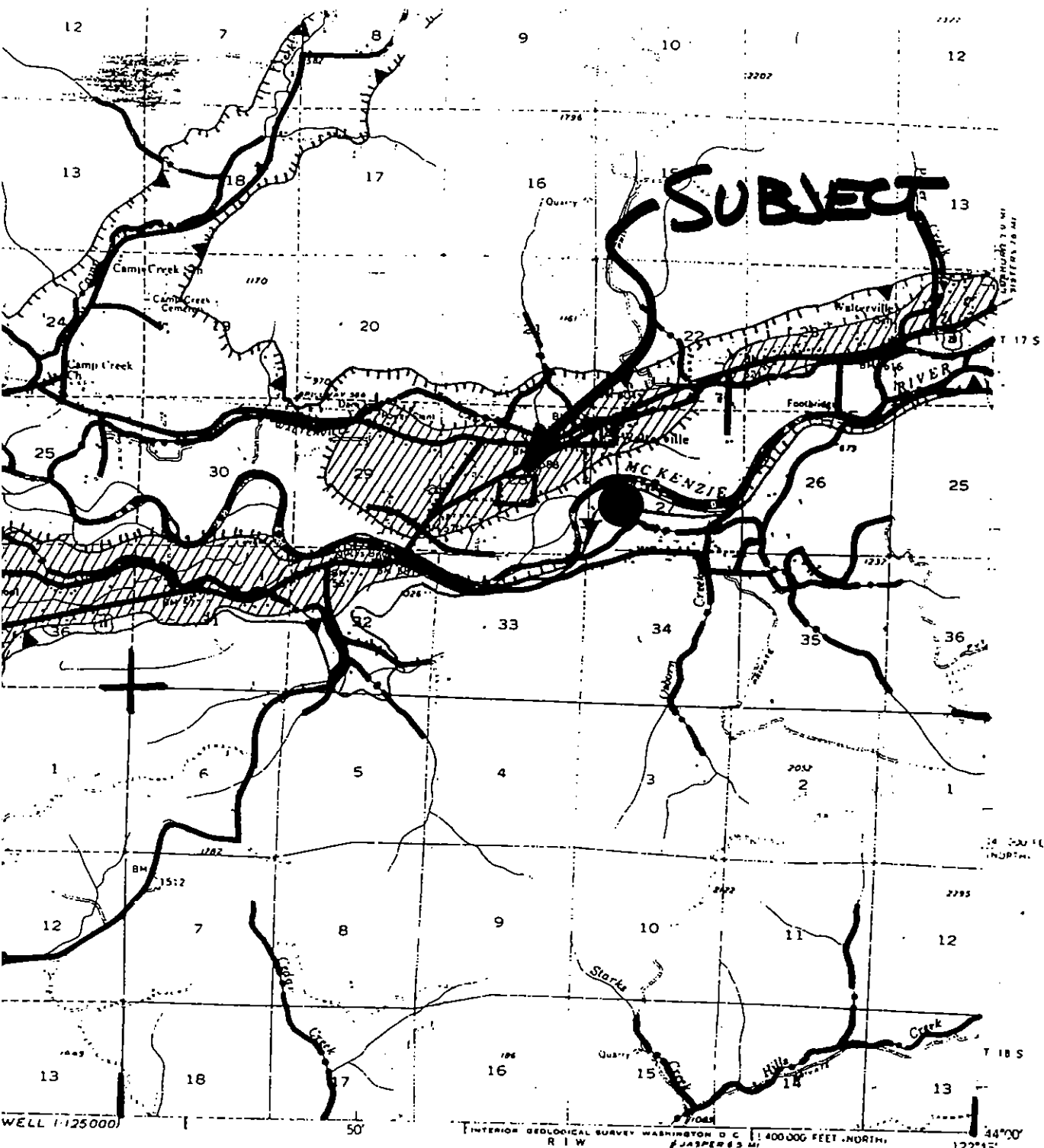


**SUBJECT**



PARCEL-BASE MAPS (Use with National Wetlands Inventory)

EXHIBIT "P"



**SUBJECT**

17

18

**ROAD CLASSIFICATION**

- Heavy duty 2 LANE 2 LANE
- Medium-duty 2 LANE 2 LANE
- Light-duty 2 LANE 2 LANE
- Unimproved dirt 2 LANE 2 LANE
- U.S. Route
- Slate Route

1/4" INTERVAL 40 FEET  
PRESENT HALF INTERVAL CONTOURS  
1:15 MEAN SEA LEVEL

SCALE 1:62,500

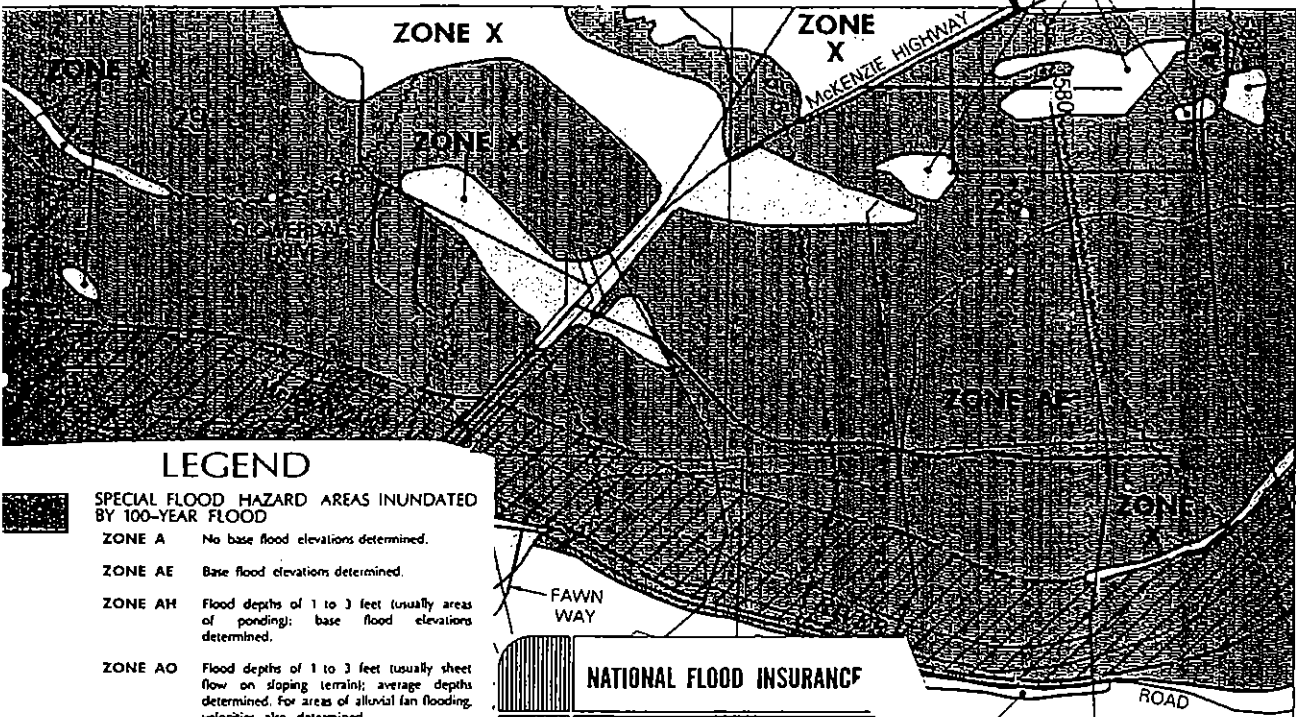
MARCOLA, OREG.  
N4400 W12245/15

EDITION OF 1957

NATIONAL MAP ACCURACY STANDARDS  
AL CENTER, DENVER, COLORADO OR WASHINGTON 25, D. C.  
C MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

EXHIBIT "Q"

SUBJECT



LEGEND

- SPECIAL FLOOD HAZARD AREAS INUNDATED BY 100-YEAR FLOOD**
- ZONE A** No base flood elevations determined.
  - ZONE AE** Base flood elevations determined.
  - ZONE AH** Flood depths of 1 to 3 feet (usually areas of ponding); base flood elevations determined.
  - ZONE AO** Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined. For areas of alluvial fan flooding, velocities also determined.
  - ZONE A99** To be protected from 100-year flood by Federal flood protection system under construction; no base flood elevations determined.
  - ZONE V** Coastal flood with velocity hazard (wave action); no base flood elevations determined.
  - ZONE VE** Coastal flood with velocity hazard (wave action); base flood elevations determined.
- FLOODWAY AREAS IN ZONE AE**
- OTHER FLOOD AREAS**
- ZONE X** Areas of 500-year flood; areas of 100-year flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 100-year flood.
- OTHER AREAS**
- ZONE X** Areas determined to be outside 500-year floodplain.
  - ZONE D** Areas in which flood hazards are undetermined.
- UNDEVELOPED COASTAL BARRIERS**
- Identified 1983
  - Identified 1990
  - Otherwise Protected Areas
- Barrier areas are normally located within or adjacent to Special Flood Hazard Areas.
- Floodplain Boundary
  - Floodway Boundary
  - Zone D Boundary
  - Boundary Dividing Special Flood Hazard Zones, and Boundary Dividing Areas of Different Coastal Base Flood Elevations Within Special Flood Hazard Zones.
  - Base Flood Elevation Line; Elevation in Feet. See Map Index for Elevation Datum
  - Cross Section Line
  - Base Flood Elevation in Feet Where Uniform Within Zone. See Map Index for Elevation Datum.
  - Elevation Reference Mark
  - River Mile
  - Horizontal Coordinates Based on North American Datum of 1927 INAD 271

NATIONAL FLOOD INSURANCE

FIRM FLOOD INSURANCE RATE MAP

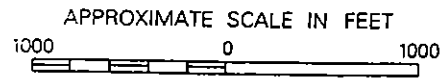
LANE COUNTY, OREGON AND INCORPORATED AREAS

PANEL 1190 OF 2975

(SEE MAP INDEX FOR PANELS NOT PRINTED)

CONTAINS: COMMUNITY

COMMUNITY	NUMBER	PANEL	SUFFIX
LANE COUNTY, UNINCORPORATED AREAS	415591	1190	F



Federal Emergency Management Agency

MAP NUMBER 41039C1190 F

EFFECTIVE DATE: JUNE 2, 1999

ZONE X

T175  
T185

EXHIBIT "R"

April 3, 2000

Water Right Search 170128 700

Jerry Kendall  
Lane County Planning

WATER  
RESOURCES  
DEPARTMENT

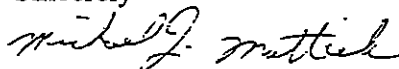
Dear Jerry Kendall,

Dave Grant recently requested I document the existence or lack of water rights on property he owns up the Mckenzie River. The parcel is in the Northeast of the Southwest of section 28, T 17 S, R 1 W.

This quarter-quarter section has a total of 14.3 acres of irrigation rights from the McKenzie River. These rights are along the Southern end of the quarter-quarter. Mr. Grant tells me that the Southern 8.3 acres of this parcel is not a part of this request. Therefore, 6 acres of water rights remain, along the Southern part of the quarter-quarter. There are approximately 24 acres in the parcel with no water rights appurtenant to them.

Please call me at 682-3620 if I can be of any assistance.

Sincerely



Michael J. Mattick  
District 2 Watermaster

cc. Dave Grant

EXHIBIT "S"

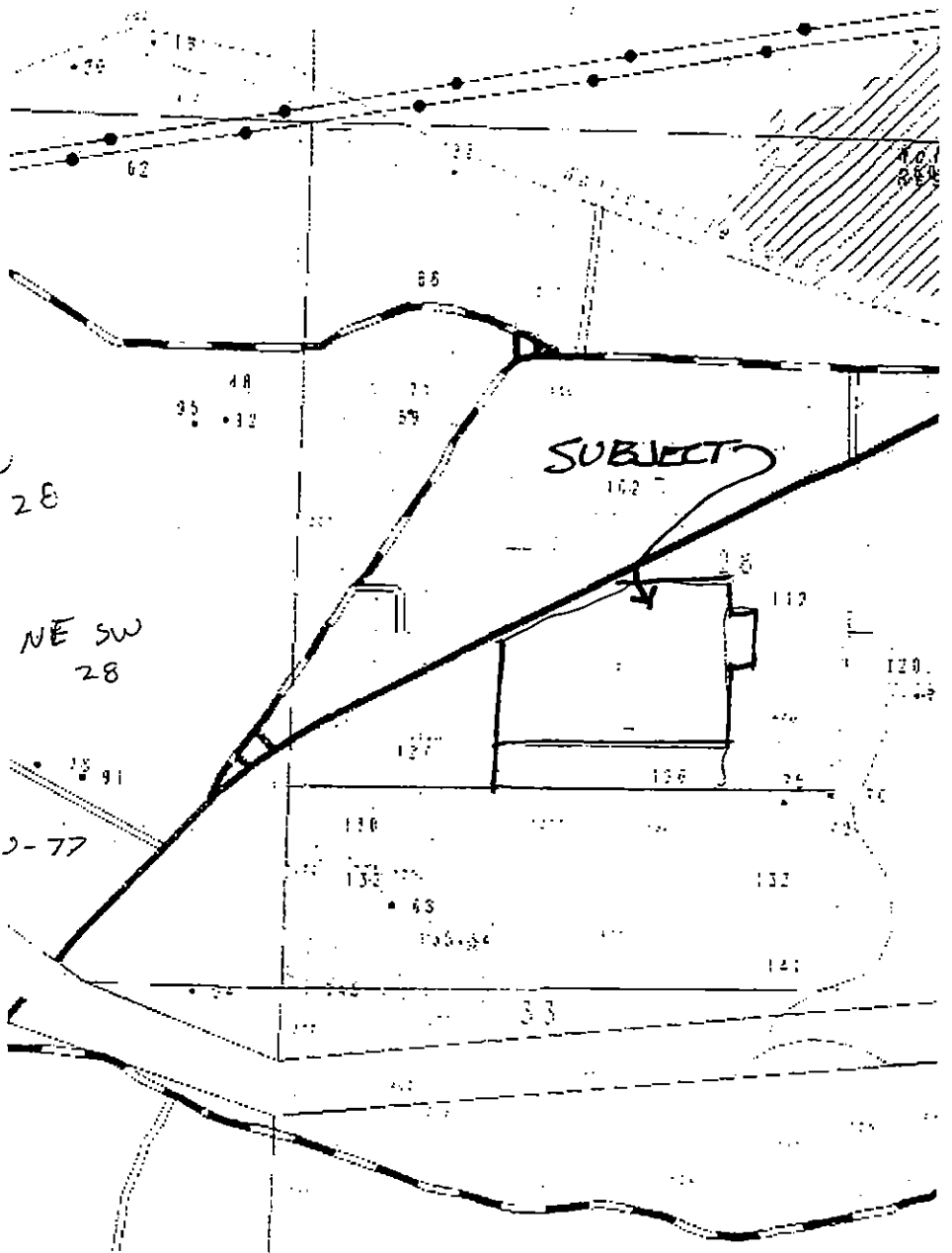


MICHAEL MATTICK  
WATERMASTER, DISTRICT 2  
CENTRAL LANE JUSTICE COURT  
220 NORTH FIFTH  
SPRINGFIELD, OR 97477 TDC



# WATER RIGHTS IN TOWN

## Section(s)



175 1W  
Sec 28

NE SW  
28

10.8 IR

S 55130 S 41335 42251 1-12-77

3.5

S 69212 S. 56641 67150 7-28-77

10.8

3.5

14.3

- 8.3

6.0

200 x 1320

**PLACE OF USE BY SOURCE OF RIGHT**  
Multiple shades indicates multiple sources for rights servicing the parcel. Bold number is parcel is referenced in report.

**POINT OF DIV**  
Number next to

- Serviced by surface water or decree right
- Reservoir right
- Serviced by Groundwater right
- Serviced by Groundwater registration right

- Surface water ri
- Groundwater righ
- Groundwater regi
- Assignment right
- Application

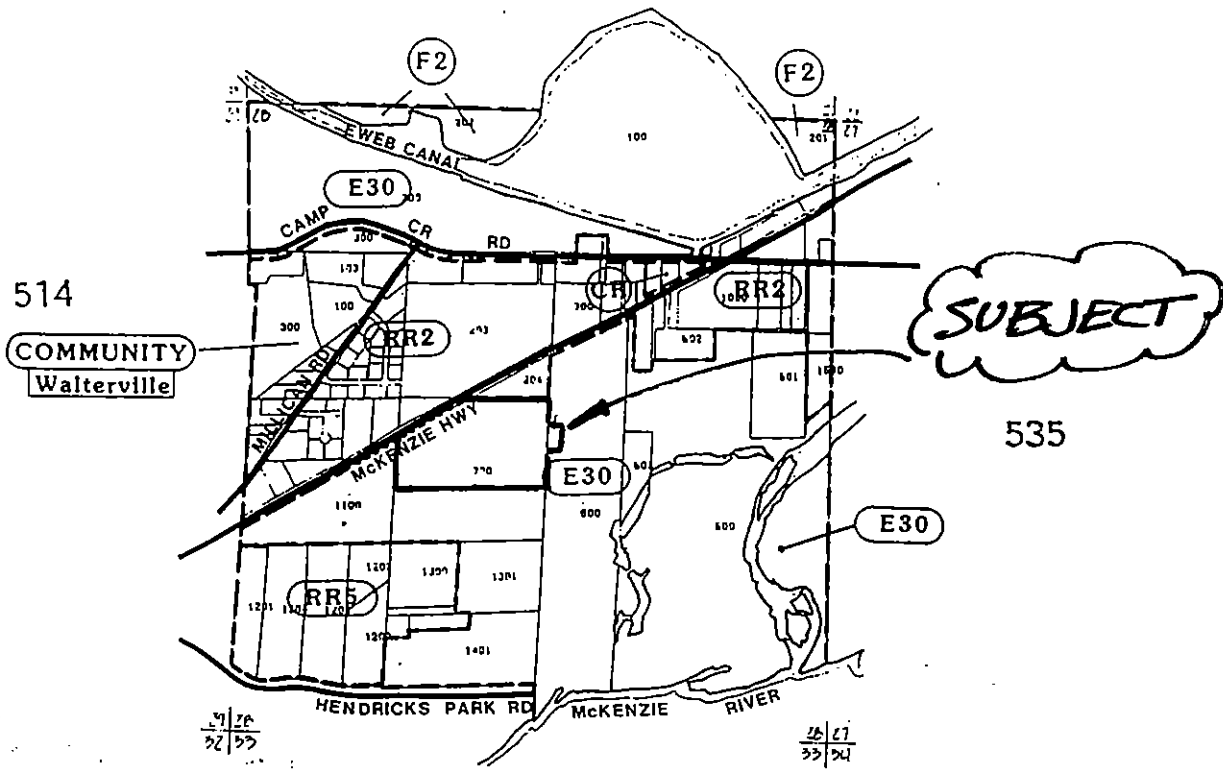


File No. 154764

Rights shown on this map are approximate. Contact OWRD for the best locational data.

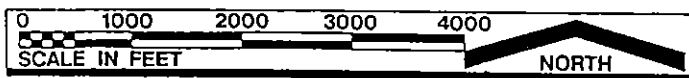
TDC

524A



535

525A



	<b>OFFICIAL ZONING MAP</b>		<b>PLOT# 525</b>
	Twntp Range Section 17 01 28		
ORIGINAL ORD. # _____ PA 884	DATE 2/29/1984	FILE # _____	EXHIBIT "T"
REVISION # _____ ORD. # _____	DATE _____	FILE # _____	

Mr. Jerry Kendall  
Lane County  
125 E 8<sup>th</sup> Ave  
Eugene, OR 97402

April 18, 2000

Dear Mr. Kendall,

It is my pleasure to provide you with information pertaining to the land currently managed by Mr. David Grant, and for which a zoning change proposal has been made.

Mr. Grant has long attempted to farm approximately 60 acres in the WALTERVILLE area, and for the 12 years that I have worked with him as a professional agronomist, I have seen both successful and defeating years. About one-half of the land is relatively good for farming, although even some of that is exceptionally sandy, requiring additional fertilizer, irrigation and some pesticides. The remaining half (which is the land in question) has more serious barriers to overcome. Much of that land is extremely rocky, both on the surface and in the subsoil. The rockiness makes mechanical cultivation very difficult, irrigation (if it were available) highly necessary and at the same time inefficient due to extraordinarily rapid drainage, soil fertility maintenance ineffective and mechanical harvest operations difficult to impossible depending on what crop is to be harvested. Other, smaller areas of the poor soil are prone to heavy flooding and generally can not support a perennial or winter crop.


Mr. Grant has planted a hazelnut orchard on much of the poor soil, and while the trees were small they survived and grew. Unfortunately, as trees grow larger, their demand for water and nutrients becomes much greater. We are seeing signs of stress in these trees now, and can not expect these trees to produce a significant yield. In addition, the surface rocks under these trees are highly damaging to harvest equipment as well as becoming contaminants in the harvested crop. I'm sure no one would want to buy a bag of hazelnuts and find that ¼ of them are really just nut-sized rocks!

I can not rightfully say that this land is entirely unfarmable. It would be possible (though very hard on the equipment) to plant grass for hay or seed, or to plant cereal grains and obtain a harvest. However, I would not expect that harvest to be large enough to yield anything more than a very meager profit, if any. Obviously, no business can operate without profit. In the past, Mr. Grant has been able to achieve yields from his better soils

which were adequate to compensate for the minimal yields from his poor soils. Currently, commodity prices are very low (i.e. mint oil, vegetables, grass seed, wheat, etc.) and I doubt this compensation is any longer possible.

I hope this information has been helpful. I believe that my education (BS and MS degrees in crop science and agronomy) as well as my field experience of 12 years as the senior field agronomist for Eugene Farmers Co-op have provided the knowledge and judgement necessary for this kind of consultation. You are welcome to contact me if you have further questions or if I can be of help in any way.

Sincerely,

  
Elena Fairchild

744-0262

April 22, 2000

To whom it may concern:

I became familiar with the property in question in the late seventies when the Grants bought the property. While the larger portions of the bottom ground on the farm were to be planted in mint, the question came up as to what to plant on the marginal ground.

At that time I was a licensed nursery operator producing 20,000 to 30,000 hazelnut trees per year. In my discussions with Dave Grant I suggested planting all marginal ground with Hazelnuts. I provided him with trees that I would normally cull out at no cost and, in some years, with good quality trees that I could not sell, at a fraction of the price or free. What would be required of Dave was ground preparation and planting. So over the next four to five years he planted the now existing orchard. Starting west of the house, then west of the barn. Then moving north next to the "Vets property" followed by moving east of the barn. One of the last planting was the area north of the barn.

The area north of the barn was the last to be planted because it was the worst of the marginal ground. The amount of rock made planting questionable. But with no cost for trees and only labor costs the decision to plant was made.

Over the years I have harvested the orchards on the Grant property in exchange for help from Dave in harvesting other orchards that I manage. It became apparent early on that the rock was going to be a problem even on the best of

the orchard sites. At that time I provided Dave with a small orchard roll that could help push the rock down each year before harvest. This roll was of no real help, as it did not weigh enough. The last three years I have provided Dave with a three set orchard roll that when filled with water each roll weights about 2400 lbs. This has helped some when the orchard is rolled both ways before harvest. But there is always a three to four foot square around the tree that cannot be covered with the rolls.

During harvest a mechanical rake is used to move the nuts into a windrow for harvest. This rake has wire teeth that move the nuts to the center of the row. These teeth cannot distinguish the difference between rock and nuts. The teeth are set at a height to come in contact with the ground so as not to leave any nuts. This contact with the ground dislodges rock at the surface and moves them into the windrow. The area between the rows that cannot be reached by the rake are cleaned out by air from a fan on the sweeper. This fan produces a high enough volume of air to move nuts leaves and rocks to the center of the next row. Again this air cannot tell the difference between nuts and rocks. The three to four foot square areas around the trees that cannot be rolled produces a lot of rock every year. Something that should be noted is that with rain, and freezing throughout the winter, new rocks continue to appear.

Over the years we have tried to harvest the area north of the barn. At times the amount of rock was 50% or more of what went into the box. We were unable at times to fill the boxes full because the front loader on the tractor could not lift the box, due to the weight of the rock. Some of the area

in this orchard is so rocky that it looks more like a European cobble stone street, solid with rock and little dirt to be found. One year the side plate of the harvester dislodged a rock the size of a basketball that caused considerable damage to the harvester. It has become apparent over the years that it is not worth it to harvest this area of the orchard and we have not harvested in the last two years.

It is my opinion as a manager of 215 acres of hazelnuts, with over thirty years of experience in the industry, that the area in question should never have been planted as an orchard. At the time of planting, it was an attempt to put marginal ground into some kind of production to generate an income source. Hindsight has shown us that while the trees may live, the economics of orchard management prohibit the continued use of the site as an orchard.

Garry Rodakowski president  
Rodakowski Farms Inc.  
45461 Goodpasture Rd.  
Vida, Oregon. 97488



# Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2540

Phone: (503) 373-0050

Main/Coastal Fax: (503) 378-6033

Director's/Rural Fax: (503) 378-5518

TGM/Urban Fax: (503) 378-2687

Web Address: <http://www.lcd.state.or.us>

REC'D JUN 17 2003

June 12, 2003



Thom Lanfear, Senior Planner  
Land Management Division  
Lane County  
125 East 8<sup>th</sup> Avenue  
Eugene, Oregon 97401

RE: PA 01-5875 (application of David Grant)

Dear Mr. Lanfear:

The Department of Land Conservation and Development submits the following objection to the application by David Grant to amend the county plan from Agriculture to Non Resource and a zone change from E-30 to RR-5 based on proposed findings that the subject site is not farm or forest land as defined by statewide goals 3 and 4. The application involves a 30.19 acre parcel which has been historical farmed in conjunction with about 60 adjacent acres in the same ownership.

Based on the submitted findings prepared by Harry Taylor dated June 27, 2001, we submit that the subject property is "agricultural" land under statewide goal 3 and recommend that the county deny this application. For the reasons explained in this letter, the applicants proposed findings do not demonstrate that the subject parcel is not "agricultural land" as defined by goal 3.

### The Subject Tract is Agricultural Land

Goal 3 defines "agricultural land" as all lands predominately SCS Class I-IV soils in western Oregon; other lands in different soil classes which are suitable for farm use taking into account certain specified factors; and land which is necessary to permit farm practices on adjacent or nearby agricultural lands (OAR 660-33-020(1)(a)). Additionally, OAR 660-33-020(1)(b) requires that land in soil classes "other than I-IV/I-VI that is adjacent to or intermingled with lands in capability classes I-IV/I-VI within a farm unit, shall be inventoried as agricultural lands even though this land may not be cropped or grazed." (See DLCD V. Coos County, 24 Or LUBA 137, (1992), 117 Or App 400 (1992), rev. den. 316 Or 527 (1993).

ATTACHMENT 2





### Predominant Soils

First, with respect to the predominant soils determination under OAR 660-33-020(1)(a)(A), based on the report submitted by the applicant prepared by Gary Kitzrow there is not substantial evidence in the record that the parcel is not predominately composed of SCS Class I-IV soils. The information about the soil classifications of the soils present on the subject parcel is contradictory. First, the application (p. 4) states that the Sifton Gravelly Loam soil (map unit 123) has Capability Classification of IVs. Second, it then indicates that based on two soil studies done by Gary Kitzrow, the parcel's soils are 67% Class V and VI and that specifically the Sifton soil should be treated as Class V. However, this is inconsistent with Mr. Kitzrow's report (Exhibit I) and the official information provided by the NRCS (see email from Steve Campbell attached).

The Kitzrow report (January 24, 2000, p. 3 ) indicates that only the "rubbly" portions of the Sifton soil units are "non-resource" (undefined) and that only "11.2 acres or 37%" of the entire acreage is "non-resource." That still leaves 18.99 acres (63%) of the parcel as I-IV soils and thus "agricultural land" under goal 3. A follow-up report dated January 24, 2003 (also Exhibit I) then concludes without any new data that the "non-rubbly" Sifton soil units are Class V or VI because there is no irrigation rights or water for the subject parcel. This information and that in the application are both inconsistent with the official NRCS soils information for the Sifton soil unit.

The attached email from Mr. Steve Campbell, Soil Scientist for NRCS dated June 11, 2003, states that the correct capability class for the Sifton soil unit is "3s" whether irrigated or not irrigated. Further, the Sifton soil unit is "Prime Farmland" as well. Please enter the email from Mr. Campbell into the record of this application.

Additionally, it is inappropriate to count any of the acreage under the homestead, out buildings, road base or county frontage easement from the acres of the soils they include. Land under such facilities is considered part of the farm and a "farm use" under ORS 215.203(2). It is disingenuous to consider land under facilities supporting a farm use as not being "agricultural land" under goal 3.

### Farm Unit

Further, even if the Sifton soil unit or other land under the farm facilities and structures is treated as non I-IV soils, it is adjacent to and intermingled with other Class I-IV soils that are part of the existing farm unit and therefore "within a farm unit" as those terms under goal 3 and OAR 660-033-0020(1)(b). (Specifically see DLCD V. Coos County, 24 Or LUBA 137, (1992), 117 Or App 400 (1992), rev. den. 316 Or 527 (1993).

It is the department's position that the subject tract is, as a matter of law, "within a farm unit" under OAR 660-33-020(1)(b) based on the county's approval of this 30 acre parcel in 1998, (See exhibit "G"). The creation of this parcel through a lot-line adjustment was consistent with the 30-acre minimum lot size for this zone. The 30-acre minimum lot size is one of the minimum lot sizes less than 80 acres approved under ORS 215.780(5). Thus the 30 acre size was approved as adequate for commercial agriculture under statewide goal 3 and ORS 215.780(2).

The whole purpose of these acknowledged provisions is to ensure that any new parcels are as large as the farm units in the area. Either by themselves or in conjunction with surrounding farm operations, new parcels must be "appropriate" for "commercial" agricultural use. Goal 3 and ORS 215.263 only allow divisions of land in an EFU zone for either farm or nonfarm uses. In this case, the approved minimum was based on the standards for the creation of a parcel for farm use (see ORS 215.263(2)(a) and ORS 215.780(2)). Thus, a new farm parcel created under provisions acknowledged to comply with goal 3, is both suitable for farm use and a "farm unit." If adjacent to or intermingled with soil classes I-IV as here, the parcel must be inventoried as "agricultural land" under goal 3.

Further, the application provides information about the ongoing farm use of the property (Exhibit J'). Although not the best farmland, the tract has been used in conjunction with adjacent farmland and can continue to be so used. Not all parts of a farm are productive. In particular, this parcel contains the farm dwelling and barn for the remaining highly productive part of the farm. Separating the house from the remaining part of the farm will undermine the farm use on this adjacent land. Also, it is not appropriate to consider the land under the primary farm dwelling and supporting structures as non-agricultural or non-resource land or not part of the existing farm unit.

#### Suitability for Farm Use

The application clearly indicates that this parcel has historically been used for farm use and has been part of farm unit. Even though this is not the most productive part of the farm, a 30-acre parcel with a dwelling is consistent with the farming and development pattern in the area. Dividing and developing the parcel further will introduce residential conflicts into an existing farming area.

#### Necessary Practices

Finally, the proposed findings do not correctly address whether the tract is "necessary to permit farm practices on adjacent or nearby agricultural lands." This determination required by goal 3 is not whether the subject tract is needed by adjacent farm operations

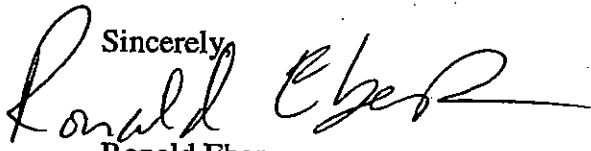
for their continued use, but rather, the question is whether the subject tract is needed to permit 'farm practices' on adjacent lands (i.e., will development of the subject tract interfere with the current farm conducted on adjacent or nearby agricultural lands." The findings do not describe how development of the subject tract may or may not interfere with any identified adjacent farm practices. If there could be interference to adjacent farm practices from development, as a result of approving this request, then the subject tract is "agricultural land" under goal 3.

Based on the information in the application, the applicant has not provided findings or substantial evidence, which demonstrate that this tract is not agricultural land under goal 3 and OAR 660, Division 33.

Summary

Because the subject parcel clearly cannot be considered "nonresource" land under goal 3, the department recommends that the county deny this request. Please enter this letter into the record of the proceedings and provide us a copy of your decision on this matter. If additional information is provided at the hearing, we ask that the hearing be continued, pursuant to ORS 197.763(4)(b), to allow us time to review the new information. If you have any questions, please contact me at 373-0050 ext. 247.

Sincerely,



Ronald Eber  
Farm and Forest Lands Specialist

Attachment: Email from Steve Campbell, NRCS, to Ronald Eber dated 6/11/03

c: Rob Hallyburton, Community Service Manager, DLCD  
Lane County PA File (003-03)

**From:** steve.campbell@or.usda.gov  
**To:** EBER Ron  
**Date:** 6/11/03 8:11AM  
**Subject:** Re: Sifton Gravelly Loam (123)

Hello Ron:

Attached to this message are two files pertaining to Lane County soil map unit 123 - Sifton gravelly loam. These files contain the entire Prime Farmland list for Lane County, and the land capability subclass for map unit 123. These are PDF files that can be opened with Adobe Acrobat Reader. If you don't have this software it can be downloaded for free from <http://www.adobe.com/products/acrobat/readstep2.html>

The land capability subclass for map unit 123 in the current database is 3S for both irrigated and nonirrigated conditions. In checking our records, it was changed from 4S to 3S prior to 1993 to be consistent with Sifton map units in Marion, Multnomah, and Columbia Counties.

Lane County map unit 123 - Sifton gravelly loam is classified as Prime Farmland. Prior to 1993 it was classified as Prime Farmland if irrigated. Again it was changed in 1993 to be consistent with Sifton map units in Marion, Multnomah, and Columbia Counties.

The official soil survey data for Oregon soils is on our web site at [http://www.or.nrcs.usda.gov/pnw\\_soil/or\\_data.html](http://www.or.nrcs.usda.gov/pnw_soil/or_data.html). The web site has Microsoft Access databases for each soil survey area. The databases contain easy to use reports for soil properties and interpretations such as Prime Farmland classes and land capability classes.

Please contact me or Ron Raney at 503-414-3263 if you have any questions about downloading and using the soil survey databases.

Steve Campbell, Soil Scientist  
USDA - Natural Resources Conservation Service  
101 SW Main Street, Suite 1300  
Portland, OR 97204-3221  
Phone: 503-414-3009 Fax: 503-414-3101  
E-mail: [steve.campbell@or.usda.gov](mailto:steve.campbell@or.usda.gov)

EBER Ron wrote:

- > The correct capability classification for the Sifton Gravelly Loam soil (#123)
- > in Lane County is central to a land use decision regarding whether a parcel is
- > "agricultural land" under statewide goal 3. So, I need to know what the
- > soil's capability class is in order to evaluate this proposed land use
- > decision.
- >
- > The core part of the "agricultural land" definition is whether or not the
- > parcel is "predominantly I-IV soils." Thus, the correct classification for
- > this soil is central to the evaluation of this application.
- >
- > Further, statewide Goal 3 allows "more detailed soil data to define
- > agricultural land [may] be utilized by local governments if such data permits





# Lane Council of Governments

99 East Broadway, Suite 400, Eugene, Oregon 97401-3111 (541) 682-4283 Fax: (541) 682-4099 TTY: (541) 682-4567

June 19, 2003

**TO:** Thom Lanfear, Lane County Land Management  
**FROM:** Kathi Wiederhold, Lane Council of Governments  
**SUBJECT:** Soils Report for Grant Application, 17-01-28, Tax Lot 700

This memo responds to your request that I review the soils report by Gary Kitzrow of Growing Soils for Jack and Beverly Grant regarding 17-01-28, tax lot 700, south of Walterville, in Lane County.

The information you forwarded to me for review was: a one-page letter from Gary Kitzrow of Growing Soils to David Grant, dated January 24, 2000; a three-page letter from Gary Kitzrow of Growing Soils to David Grant, dated January 24, 2000, including field soil inventory information; soil profile field notes dated January 17, 2000, and January 18, 2000; and an aerial photo annotated with soils information.

My review does not address the qualifications of the person submitting the soils report. This issue falls within the purview of the Land Management Division to determine what is acceptable based on code, procedure, and precedent.

**Conclusion:** The Kitzrow soils report submitted with the Grant application includes adequate information to document that portions of the subject property mapped as soil map unit 123 Sifton gravelly loam in the SCS soil survey are a variant of Sifton and have an agricultural capability class higher (indicating soils less suitable for agricultural production) than the class III that the soil survey reports for 123 Sifton. The report does not clearly present the information to make this point. The report is missing two key pieces to adequately document this point: 1) A concise clear statement of the findings and conclusions, including a data table; and 2) Reference to the guidance NRCS uses to determine agricultural capability class, including a statement for how the guide places the Sifton variant into capability class V or VI.

### Capability Class of the Sifton Variant Mapped on the Subject Property

The Kitzrow report documents that portions of the subject property mapped as 123 Sifton do not meet the Sifton series description in the SCS soil survey report, and refers to these areas as "rubby units (123)", a variant of Sifton. The Kitzrow report states that the Sifton variant on the subject property has an agricultural capability class of V or VI due primarily to an available water holding capacity of less than 2 inches, compared to the 3-6 inches available water holding capacity of the 123 Sifton gravelly loam as described by NRCS. The Kitzrow report justifies the change in available water holding capacity based on the following properties of the Sifton variant as compared to the 123 Sifton: coarser texture with lower clay content, higher percentage of

coarse fragments, and lack of ash or medial properties. This justification makes sense—the properties noted all lower available water holding capacity.

The guidance NRCS uses to determine agricultural capability class is the Guide for Placing Soils in Capability Classes in Oregon (USDA-SCS, Revised June 1977). The soils report submitted with the Grant application does not reference this guide, although it does specifically address the available water holding capacity, one of the criteria in this guide, to justify the change in capability class for a portion of soil map unit 123, Sifton gravelly loam, as mapped on the subject parcel. The soils report should clearly reference the guide and specifically speak to the properties of the Sifton variant mapped on the subject property that justify placement of the variant in capability class V or VI.

### **Data Table**

The Kitzrow soils report does not present the data in a clear format. It is difficult to figure out the acreage and agricultural capability class of each map unit in the detailed soil survey. A data table that lists the map units used by Kitzrow, along with the acreage and agricultural capability class of each, would be a clear way to present the data.

### **Accuracy of Information**

The Kitzrow report contains some inaccuracies in reporting the current NRCS data for forest and agricultural productivity, as follows.

#### **Forest Productivity**

I did not review the forest productivity information submitted with the application but noted that the application included the attachment of an outdated data table from the soil survey report. The *Lane County Soil Ratings for Forestry and Agriculture* cites the current data source for forest productivity: the USDA-Natural Resources Conservation Service National Soils Information System, *Soils Database for Lane County, Woodland Management and Productivity table*, SSURGO certified soil survey information for Lane County. The Lane County soil ratings publication was produced by LCOG for the Lane County Land Management Division.

#### **Agricultural Capability Class**

The Kitzrow soils report cites an agricultural capability class IV for map unit 123 Sifton gravelly loam, as reported in the soil survey report. The soil survey report is no longer the current NRCS data source for agricultural capability class. The *Lane County Soil Ratings for Forestry and Agriculture* cites the current data source for agricultural capability: the USDA-Natural Resources Conservation Service National Soils Information System, *Soils Database for Lane County, Land Capability and Yields Per Acre of Crops and Pasture table*, SSURGO certified soil survey information for Lane County. The agricultural capability class for 123 Sifton gravelly loam is 3.

The Kitzrow soils report refers to the capability class IV for Sifton as the irrigated capability class, stating “The stated Class IVs for Sifton is for an irrigated unit of which the subject property is not.” The NRCS reports both irrigated and non-irrigated capability classes. In Lane County, because of adequate rainfall, the ratings are the same for irrigated and non-irrigated for all except two map units, neither of which are the 123 Sifton.

**LANFEAR Thom**

---

**From:** Lauri Segel [lauri@friends.org]  
**Sent:** Tuesday, June 10, 2003 1:39 PM  
**To:** LANFEAR Thom  
**Subject:** PA 01-5875

*Thom, while reviewing the above mentioned proposal, two issues emerge as problematic for the applicant. I believe both issues to be 'show stoppers' and hope you will agree. The prominent problems are noted below:*

1) *I was reminded of the following Court of Appeals decision.*

**FILED: May 3, 2000, IN THE COURT OF APPEALS OF THE STATE OF OREGON**

**BONNIE W. RIGGS,  
JON H. RIGGS,  
COLLEEN A. McLEAN-BOWEN, ROBERT C. BOWEN,  
GREGORY L. BIERMAN, and ANN WALKER BIERMAN,**

**Respondents, v. DOUGLAS COUNTY,**

**Respondent, and CARL BARRON, Petitioner.**

**(LUBA No. 98-157; CA A109011)**

*The CoA ruled that with respect to the farm unit, ownership was not a determining factor in analysis of practicability of farming operations.*

*"It may be that, in close cases, that absence of specificity in the rule would make the temporal scope of its intended application indiscernible. See DLCD v. Jackson County, 151 Or App 210, 948 P2d 731 (1997). However, at least at the extremes, the answers are discernible through interpretation. For example, a parcel would not be part of a "farm unit" simply because concurrent farm operations occurred on it and nearby land 50 years ago. Conversely, as respondents point out, in Dept. of Land Conservation, we identified the purpose of the rule "to be the preservation of the unit"; it would be squarely contrary to that purpose to interpret the rule as contemplating that a parcel could cease being part of the unit simultaneously with and simply because of the discontinuation of farm operations on it or its ostensible sale for non-farm purposes. This case is closer to the latter extreme than the former. LUBA was correct in holding that further proceedings are necessary at the county level to identify the relevant facts. "*

2) *Harry Taylor seems to argue that the lack of a rating in the soils survey is evidence that the soils are unproductive for commercial timber - however, I believe there is sufficient case law (not sited here - sorry) substantiating that lack of rating is absence of evidence, rather than evidence that timber cannot be produced -*

*Have you discussed these issues with the applicant? In other words, is the applicant aware that this application should be denied by staff?*

*Thank you for your review of these issues.*

*Lauri Segel*



Lane County Planning Advocate  
1000 Friends of Oregon  
120 West Broadway  
Eugene OR 97401

phone: 541 431 7059  
fax: 541 431 7078  
email: [lauri@friends.org](mailto:lauri@friends.org)

*The things you cherish today about a life lived in Oregon--*

- \* vibrant communities*
- \* productive farm and forest lands*
- \* protected coastal and natural areas*
- can be a part of the legacy you leave for  
future generations*

*Join 1000 Friends of Oregon online:  
[www.friends.org/support](http://www.friends.org/support)*

**File No:** PA 01-5875

**Applicant:** Jack & Beverly Grant, Harry Taylor

**TRS/TL:** 17-01-28 #700

**Date:** May 15, 2003

**From:** Dennis Stahl  
88169 Millican Rd  
Springfield, OR 97478

**Mailing Address:** P.O. Box 448  
Walterville, OR 97489

### **Comments in Opposition to Application:**

I appreciate the opportunity to comment on this application. I apparently live within the 500 feet required for notification and thus will take advantage of this opportunity. I live in the RR2 zoning mentioned in the application as prevalent in the Walterville area. My home is located on a parcel not quite 2 acres in size and located along Millican Rd in view of the subject property.

As a local home owner, I probably would have no objection to this application. My parcel, other small acreage home sites, and nearby County subdivisions are probably not impacted or devalued in any way by this acreage turning RR5. I recognize that approval of numerous land use applications increasing the number of close-in small acreage home sites would probably limit appreciation in future years, but, I will not offer this as justification for opposition.

My problem deals with consistency in the County's implementation of the State's Planning Goals. The area of Walterville has become what it is today based on past loose interpretation and creative writing efforts by land use planners. I don't mean to indicate this is bad. I like Walterville's small acreage home sites and enjoy living here but from my own visits to the County's planning office, I know this application does not meet the intent or spirit of the State's current goals. This application is a great writing effort but should not be approved. In my opinion, approval would create a serious question of credibility with the County Planning Commission.

### **Specific Comments:**

1. **Soils:** This seems to be the crux of their argument. In view of the State's goal to preserve agricultural lands, they have apparently found a soils scientist, Mr. Kitzrow, to say that this is not Class I through IV soils, as shown by NCRS, but, 67% is really Class V and VI nonresource soils. I've not reviewed these findings and probably wouldn't understand his analysis anyway but this seems terribly convenient. I would

ATTACHMENT "5"

File No.: PA 01-5875

Applicant: Jack & Beverly Grant, Harry Taylor

TRS/TL: 17-01-28 #700

simply ask the commission to review these findings with some scrutiny. The application talks at length about how unsuccessful the filbert farming has been in support of this finding. However, to the extent I know what a filbert tree looks like, the orchard looks great. I mean really great! It certainly does not look unsuccessful. The application never comments on actual production levels compared to an average orchard. How do we know filbert farming has been unsuccessful?

2. **Irrigation Rights:** Repeatedly the applicant has stated that the parcel does not have any irrigation rights as compared to their bottom land which apparently does have water rights from the Mckenzie River. In addition to not having any water rights, we are told that the water retention depths are limited, again because of the poor soil, and that crop survival through-out the summer is impossible. However, they then share that the average and median well production in the area ranges from 20 to 32 gpm. This is huge when you consider that the State requires only 5 gpm for residential use. Why can't the well capacity of the area be used to irrigate the filbert orchard? Don't we use well's to irrigate agriculture land all the time?

3. **Farm Unit Test:** Apparently, because the term "farm unit" has been subject to tremendous litigation and still remains difficult to define, the applicant feels he can freely claim that the subject property is not part of his larger farm unit. Exhibit A plainly shows that the property, in addition to the filbert orchard, includes a home, well, outbuildings, and barn. "How" can this not be part of the farm unit? How can we consider the farmer's home not part of the farm unit?

4. **Urbanization:** From recent discussions with County Planners, I had been led to believe that zoning permitting eventual subdivision to parcels as small as 5 acres was no longer viable unless within urban growth boundaries. I don't necessarily agree with this interpretation or understanding of this goal but do believe that what's good for the goose is also good for the gander. We must be consistent in our implementation of State goals.

Thank you for this opportunity to comment. I will certainly attend the public hearing to understand for what reasons this application was approved or denied.



Dennis D. Stahl

The space on this page is provided for your written comments.

File No.: PA 01-5875  
Applicant: Jack & Beverly Grant Harry Taylor  
TRS/TL: 17-01-28 #700

You may write your comments on this page and return this document to the attention of Thom Lanfear, Lane County Land Management Division, Public Service Building, 125 East 8th Ave., Eugene, OR. 97401. ... Fax 687-3947 ...

Date: 5-2-03

From: C. D. CAMPBELL

39202 Camp Cr. Rd. #8  
Springfield, Or. 97478

Comments:

The area in question suffers from  
a water shortage. Not only in the  
summer, but also during the winter  
months. This should be a  
consideration when talking about  
~~more~~ more homes being built  
in this area. Something to think  
about. When the work was being  
done on the CWCB canal, we had  
no water. We could not wash our  
cars or anything else. The Milligan  
half watered their lawns thinking that  
being they put down a well - they could use  
all the water they wanted & they did,  
while we had none to do anything

I believe th<sup>t</sup> problem shou<sup>ld</sup> be talked  
about & a solution emerge first!!

Thank-you,

Campbell

McKenzie Meadows #8

May 14<sup>th</sup>, 2003

From: Jim and Bonna McLeod  
39136 Easton Ln  
Springfield, Oregon 97478

**Comments:**

We live across the road from Jack and Beverly Grant who have submitted an application number PA 01-5875, for subdividing their land for residential purposes. Our concern is that there are no restriction or covenants that apply to their proposed subdivision. We live in a subdivision that has such and would want the same if this request by the applicant were to be approved. We would not like to see someone buy several lots and then put in a trailer park or build apartments or buy a lot and fill it with junk. Having a single family dwelling requirement along with other covenants would help keep our property value up.

In regard to the land being poor farming soil over the several years living here we have noticed healthy looking mint and sugar beets growing with large irrigation being used. However, this may be cost prohibiting.

We would welcome their request only if they have the restrictions and covenants mentioned above.

Respectfully, Jim and Bonna McLeod

# **ATTACHMENT SEPARATOR**

# Cascade Coalition for Sustainable Communities

39621 Almen Drive  
Lebanon OR 97355  
Ph: 541.258.8990  
Fax: 541.258.6810  
lafermenoire@proaxis.com

June 27, 2003

Thom Lanfear, Senior Planner  
Land Management Division  
Lane County  
125 East 8<sup>th</sup> Avenue  
Eugene OR 97401

**RE: PA 01-5875 (application of David Grant)**

Dear Mr. Lanfear:

On behalf of LandWatch Lane County, the Cascade Coalition for Sustainable Communities submits the following objection to the application by David Grant to amend the county plan from Agriculture to Non Resource and change the zoning designation from E-30 to RR-5 based on proposed findings that the subject site is not farm or forest land as defined by statewide goals 3 and 4. The application involves a 30.19 acre parcel which has been and is being farmed in conjunction with approximately 60 adjacent acres in the same ownership.

Based on the information and findings prepared and submitted by Harry Taylor dated June 27, 2001, the subject property is agricultural land under Goal 3. In addition, it is not established that the subject property is not forest land under Goal 4. Consequently, and for the reasons explained in this letter, the county must deny this application.

1. The subject tract is agricultural land protected by Goal 3.

Soils

The Taylor packet at p. 4 discusses soil types on the subject property as indicated by the Soil Survey of Lane County Area, Oregon, 1987; and indicates that 80% of the subject property consists of 123 Sifton gravelly loam Class IVs. The most current official soil survey data for Oregon soils is on the NRCS website at [http://www.or.nrcs.usda.gov/pnw\\_soil/or\\_data.html](http://www.or.nrcs.usda.gov/pnw_soil/or_data.html). Information at that site states that the correct capability class for the Sifton soil unit is IIIs, whether irrigated or not irrigated, and that the Sifton soil unit is considered "Prime Farmland."

Gary Kitzrow, a certified soil scientist, conducted a soil survey of the property and filed two reports, the first dated January 24, 2000 and a follow-up report dated January 24, 2003 (both applicant's Exhibit). The first report concludes that only 37% of the entire acreage is nonresource. The second report, without any additional data, concludes that even the "non-rubby" Sifton soils are Class V or VI because of lack of irrigation or water rights. This explanation is inconsistent with the official NRCS data, as is the conclusion that the Sifton unit is not agricultural land.

Farm Unit

Even if the soils on the subject property are treated as non I-IV soils, the subject parcel is "adjacent to or intermingled with lands in capability class I-IV within a farm unit[.]" OAR 660-033-0020(1)(b) requires that they be inventoried as agricultural lands.

Lands with non-Class I-IV soils adjacent to or intermingled with agricultural lands and historically part of a "farm unit" have been held to remain part of a "farm unit" and therefore "agricultural lands," even after

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farm use and common ownership of the non-Class I-IV lands has ceased. *Riggs v. Douglas County*, 167 Or App 1, 1 P3d 1042 (2000). This application presents a situation in which the subject property is currently used for a farm use, i.e. a filbert orchard; the subject property is or has been intermittently used for grazing; and the subject property contains the dwelling and the farm accessory structures for the entire farm unit, including the adjacent 60 acres under common ownership. The subject property is clearly part of a "farm unit" and thus agricultural land protected by Goal 3.

2. The subject parcel is forest land protected by Goal 4.

The applicant's discussion of forest lands at p. 10 of the Applicant's Statement argues that the Soil Survey of Lane County Area, Oregon, 1987, in the soil descriptions and Table 6 Woodland Management and Productivity, does not list Cloquato, Oxley or Sifton soils as being suited for the production of Douglas-fir or any other fir or deciduous tree species. OAR 660-006-0005(2) provides that, when NRCS data are not available, an alternative method may be used if it provides equivalent data and is approved by the Department of Forestry. Lack of a productivity rating for a particular soil means only that NRCS data regarding that soil are 'not available' within the meaning of OAR 660-006-0005(2). Assuming that lack of NRCS data says anything about productivity is not an acceptable alternative method. *Carlson v. Benton County*, 34 Or LUBA 140, 149 (1998). Productivity for woodland management must consider commercial species other than Douglas-fir, including other firs, pines and hardwoods.

The applicant's discussion of forest lands concedes that Lane County in its 1997 revision of forest ratings, based on recent NRCS data, gives the Sifton unit a forest capability of 182 cf/ac/yr, but dismisses it as "error" and refers to Mr. Kitzrow's onsite soils analysis. That soils analysis did not claim to assess forest capability by any methodology accepted and approved by the Department of Forestry. Similarly, relying on a lack of evidence that the property ever supported commercial forest uses and inferring that if the property cannot support a filbert orchard it cannot support commercial tree species are not acceptable alternative methods providing data equivalent to NRCS data and approved by the Department of Forestry.

CONCLUSION

Because the subject parcel clearly cannot be considered "nonresource" land under Goals 3 and 4, the county must deny this request.

Please enter this letter into the record of the proceedings and provide the Cascade Coalition for Sustainable Communities and LandWatch Lane County copies of the decision on this matter. The address for LandWatch Lane County is:

LandWatch Lane County

40093 Little Fall Creek Road

Fall Creek OR 97438

Respectfully submitted,

Jim Just  
Executive Director