

T-10386

GR-MC

Name Charles H. + Penny K Rabe

WITHDRAWN

FEEES PAID

By _____

DESCRIPTION OF WATER RIGHT

Address 34081 S. Barlow Rd

Woodburn OR 97071

503 634-2585 503 634-2581

Name of stream Well

Trib. of Drescher County of Clackamas

Use IRR

Quantity of water _____ No. of acres _____

Name of ditch _____

Date of priority 1955

In name of August Rabe

_____ Adjudication, Vol. _____, page _____

App. No. GR 899 Per. No. _____ Cert. No. _____

Certificate cancelled _____

Notation made on record by _____

Change in APOA

Date filed _____

Date of hearing _____

Place of hearing _____

Date of order 9-2-08 Vol. 75, page 703

Date for application of water _____

Proof mailed _____

Proof received _____

Certificate issued _____ Vol. _____, page _____

Date	Amount
5/15/07	500.00
TOTAL . . .	
	Cert. Fee

FEEES REFUND

Date	Amount
10/27/08	350.00

REMARKS

NOTE
Clackamas County Planning Dept 9101 SE Sunnybrook Blvd Clackamas OR 97015



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

May 18, 2007

CHARLES H RABE
34081 S BARLOW RD
WOODBURN OR 97071

Reference: Groundwater Modification Transfer 10386

On May 15, 2007 we received your water right transfer application requesting an additional point of appropriation for use of water from WELL 1, tributary to DRESCHER CREEK. The application was accompanied by \$500.00. Our receipt 87586 is enclosed.

By copy of this letter, we are asking the Watermaster for his report regarding the potential for injury to existing water rights which may be caused by the change.

Your application will be examined to determine if additional information is needed. You will be contacted following this examination.

Except as provided under ORS 540.510(3) for municipalities, you may not use water for the new use, in the new place of use or from the new point of diversion until the transfer application has been approved. In order to avoid any possible forfeiture of the water right, you should continue to use the water as described by your existing water right. If the land is sold before the transfer is approved, the buyer's consent to the transfer will be required unless a recorded deed or other legal document clearly established that the water right was not conveyed in the sale.

We will notify you if additional information or corrections to the application or map are required.

If you have any questions, please call the Transfer Section, (503)986-0883.

cc: Watermaster #16
Groundwater
Clackamas County Planning Department (9101 SE Sunnybrook Blvd, Clackamas, OR 97015)

enclosure



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

725 Summer Street NE, Suite A

Salem, OR 97301-1271

503-986-0900

FAX 503-986-0904

**Notice of Application for
Water Right Transfer, Temporary Transfer, or Permit Amendment
05/22/07**

The Department seeks comment on the recently-filed application listed below. Any person may comment on the application. Comments must be received by the Department within 30 days of the date of this notice. The Director may presume that the transfer would be allowed by, and compatible with comprehensive plans unless an affected local government informs the Director otherwise within 30 days of this notice.

County: CLACKAMAS
Transfer: 10386
Water Right: GR-899
Priority Date: 1955
Name: CHARLES & PENNY RABE
Address: 34081 S BARLOW RD; WOODBURN OR 97071
Change: APOA
Source: WELL
Authorized APOA: T5S R1E 30
Proposed APOA: T5S R1E 30

The holder of a water right may apply to permanently change an existing water use subject to transfer. A transfer application may involve any of the following changes: Point of diversion or appropriation (POD; POA); Additional point of diversion or appropriation (APOD; APOA); Historic POD (HIST); Place of use (POU); Character of use (USE); Instream (ISWR); Substitution (SUB); or Exchange (EXCH).

The holder of a water right subject to transfer may request to temporarily change the place of use of the water for up to 5 years and, if necessary to convey the water, to temporarily change the point of diversion or appropriation.

The holder of a water right permit may apply to change a point of diversion (POD) or appropriation (POA) or to change the place of use (POU).

Any person who provides comments within the comment period will receive a copy of the Department's preliminary determination of whether the application should be approved or rejected after the Department has completed a review of the application and will be provided an opportunity to protest the application and preliminary determination at that time. Comments should be sent to the Transfers Section at the Department's Salem office.

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WATER RESOURCES DEPT
SALEM, OREGON



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

Application for Permit Amendment or Ground Water Registration Modification

Please type or print legibly in dark ink. If your application is incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "N/A" to indicate Not Applicable. As you complete this form, please refer to notes and guidance included on the application. A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/OWRD/PUBS/forms.shtml.

1. TYPE OF APPLICATION

Please check **one** of the following:

- Permit Amendment
- Ground Water Registration Modification

2. APPLICANT INFORMATION

Name: Charles H. & Penny K. Rabe
First Last

Address: 34081 S. Barlow Rd.

Woodburn OR 97091
City State Zip

Phone: 503-634-2585 503-634-2581
Home Work Other

Fax: 503-634-2110 E-Mail address: rabeauto@monitorcop.com

3. AGENT INFORMATION

(The agent listed is authorized to represent the applicant in all matters relating to this application.)

Name: NONE
First Last

Address: _____

City State Zip

Phone: _____
Home Work Other

Fax: _____ E-Mail address: _____

- If an agent is listed above, please check **one** of the following:
 - Please send all correspondence to Agent. Send *copies* of correspondence to Applicant; **or**
 - Please send all correspondence to Applicant. Send *copies* of correspondence to Agent.

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Permit Amendments

- If you propose to amend multiple permits under this application, a separate set of pages 3 through 7 must be provided for each permit. (NOTE: Concurrent changes to a water right must be filed separately on a transfer application.)

Ground Water Registration Modifications

- You may propose modification of only one ground water registration per application, unless in accordance with OAR 690-382-0300(2), the ground water registrations to be modified are layered. (NOTE: Concurrent changes to a water right must be filed separately on a transfer application.)

4. TYPE OF AMENDMENT OR MODIFICATION PROPOSED

Please check all of the following that apply:

Point of Diversion or Appropriation	Place of Use	Character of Use
<input type="checkbox"/> Change (The old point of diversion or appropriation will <u>not</u> be used for the portion of the water right affected by the amendment or modification.) <input checked="" type="checkbox"/> Additional (Both the old <u>and</u> new points of diversion or appropriation will be used for the portion of the water right affected by the amendment or modification.) <p style="text-align: center;"><i>Not Available for Ground Water Registrations</i></p> <input type="checkbox"/> Surface Water to Ground Water (A new point of appropriation will be used instead of the old point of diversion. The old point of diversion will <u>not</u> be used.)	<input type="checkbox"/> All of the Permit or Registration will be exercised at a different location than currently authorized (Use of water at the current authorized location will be discontinued.) <input type="checkbox"/> Only a portion of the Permit or Registration will be exercised at a different location than currently authorized (Use of water at a <u>portion</u> of the current authorized location will be discontinued.)	<p style="text-align: center;"><i>Not Available for Permit Amendments</i></p> <p>Change existing authorized use to the following proposed <u>new</u> use:</p> <input type="checkbox"/> Irrigation <input type="checkbox"/> Municipal <input type="checkbox"/> Quasi-municipal <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Domestic (indicate number of households): _____ <input type="checkbox"/> Other _____

- Reason(s) for amendment/modification(s): The original well does not yield as much as it did in the past.

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5. CURRENT PERMIT OR REGISTRATION INFORMATION

Permit or Registration to be Amended/Modified (check and complete one of the following):

<input type="checkbox"/> Permit to be Amended:	_____	_____
	Permit Number	Current Completion Date of Permit
<input checked="" type="checkbox"/> Ground Water Registration to be Modified:	<u>GR 899</u>	
	Ground Water Registration Number	

NOTE: Concurrent changes to a water right must be filed separately on a transfer application.

Name on Permit or Registration: August E. Rabe

County: Clackamas

Authorized Use(s) to be affected by this Amendment/Modification: irrigation

Priority Date(s): 1-21-1955

If there are multiple Priority Dates identified on the Permit or Registration, any information provided on pages 4 through 7 must identify which priority date is associated with each of the authorized and proposed points of diversion or appropriation and places of use.

All Source(s) of Water to be affected by this Amendment/Modification: Well

Tributary to: Bu He Cr.

If there are multiple Sources listed on the Permit or Registration, any information provided on pages 4 through 7 must identify which source is associated with each of the authorized and proposed points of diversion or appropriation and places of use.

For an application proposing a Change in Place of Use or Character of Use:

Are there any other "Layered" Water Rights, Permits, or Ground Water Registrations issued for Irrigation purposes that are appurtenant to the same place of use as the Permit or Registration being Amended/Modified? Yes No N/A - No Change in Use or Place of Use

If "Yes", pursuant to ORS 540.510, OAR 690-380-2240 and OAR 690-382-0200, the other "layered" water uses subject to transfer must either change concurrently or be cancelled, except as provided in OAR 690-380-2240(5).

Remarks: The Pou for this GR has a suppl. right (G-10631). No changes are proposed for the suppl. right.

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- The following information must be provided only for those points of diversion or appropriation that are involved in the permit amendment or ground water registration modification (i.e., list only the portion of the permit/registration you propose to amend/modify). Attach additional pages as necessary.

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing permit or ground water registration.

Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:
(i.e., the allowed point(s) of diversion/appropriation that will be affected by the proposed amendment/modification, the "FROM" point(s) of diversion/appropriation)

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-)	Source and Priority Date	Township	Range	Mer.	Sec.	1/4 1/4	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
Clac 2713	Sand gravel 1-21-55	5 S	1 E	WM	30	NW, NE	TL 700	C ppr 11 chains S + 18 chains of N 1/4 corner Sec 30

- Does the permit/registration being amended/modified involve a ground water source(s)?
 Yes No (Surface water source only.)

If "Yes", for each authorized point of appropriation (well) involved, you must either:

- A. Supply a copy of the well log(s) for each point of appropriation that is clearly labeled and associated with the corresponding well in the table above and on the accompanying application map.

(NOTE: You may search for well logs on the Department's website at: www.wrd.state.or.us)

or

- B. If a well log is not available, you must describe the construction of the authorized point of appropriation by completing the table below. Attach additional copies as necessary.

Construction of Existing Authorized Point(s) of Appropriation – (Only needed if no well log is available.)

Wells in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

OWRD Well No. as identified in table above	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
Clac 2713									

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- The following information must be provided only for those places of use that are involved in the permit amendment or ground water registration modification (i.e., list only the portion of the permit/registration you propose to amend/modify.) Attach additional pages as necessary.

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing permit or ground water registration.

Location of Existing Authorized Place of Use to be Affected:

(i.e., the allowed lands that will be affected by the proposed amendment/modification, the "FROM" lands)

Source and Priority Date	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
Proposed POA affects the entire POU under GR-899.							

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6. PROPOSED PERMIT AMENDMENT OR REGISTRATION MODIFICATION

- Describe proposed changes to the permit or registration involving point(s) of diversion and/or appropriation. Survey coordinates described below should accurately correspond to the points shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Point(s) of Diversion or Appropriation: (i.e., the "TO" point(s) of diversion/appropriation)

(NOTE: Complete this table only if a Change in Point of Diversion or Appropriation is being proposed.)

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
Sand/gravel	5 S	1 E	WM	30	NW, NE	TL 700	appr. 11 chains S. + 18 chains E. N¼ corner Sec. 30
							1 rod west of existing POA

- If there are proposed point(s) of appropriation (wells) listed in the table above, are the well(s) already constructed? Yes No N/A - No proposed well(s) listed above.

If "Yes", attach and clearly label the corresponding well log(s) for each proposed well, or if well log(s) are not available, describe the construction of the well(s) using the table below.

(NOTE: You may search for well logs on the Department's website at: www.wrd.state.or.us)

If "No", describe the anticipated construction for the proposed well(s) in the following table:

Construction of Proposed Point(s) of Appropriation or Well(s):

Well numbers in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L-)	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
NO	—									

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- Describe proposed changes to the permit or registration involving place of use. Information described below should accurately correspond to the proposed place of use shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Place of Use: (i.e., the "TO" lands)

(NOTE: Complete this table only if a Change in Place of Use is being proposed.)

Source	Township	Range	Mer	Sec.	$\frac{1}{4}$ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)

Remarks: NO changes in POU are being requested.

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7. AFFECTED DISTRICTS AND LOCAL GOVERNMENTS

- Are any of the Permit(s) or Registration(s) proposed for amendment/modification located within or served by an irrigation or other water district? Yes No
- Will any of the Permit(s) or Registration(s) be located within or served by an irrigation or other water district after the proposed amendment/modification? Yes No
- Is water for any of the Permit(s) or Registration(s) supplied under a water service agreement or other contract for stored water with a federal agency? Yes No

If "Yes", for any of the above, list the name and mailing address of the district and/or agency:

N/A

- List the name and mailing address of all affected local governments (e.g., county, city, municipal corporation, and tribal governments within whose jurisdiction the right(s) are located).

Clackamas County Planning Dept.
9101 S.E. Sunnybrook Blvd.
Clackamas, OR. 97015

8. PERMIT HOLDER OF RECORD

This section is to be completed only for Permit Amendment applications.

- N/A – This is a Ground Water Registration Modification application.

- Is the applicant the permit holder of record? Yes No

If "No", the applicant must either:

A. Be assigned as a permit holder of record by submitting a completed Request for Assignment form and the required statutory fee for an assignment;

or

B. Submit an Affidavit of Consent from the permit holder of record that gives permission for the applicant to amend the permit.

9. LAND OWNERSHIP

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If for a Permit Amendment proposing a Change in Place of Use:

- Does the permit holder of record own or control the land **TO** which the place of use is being moved? Yes No

If "No", the owner of the land **TO** which the place of use is being moved must be assigned to the permit as a permit holder of record by submitting a completed Request for Assignment form and the required statutory fee for an assignment.

- Check one of the following:
 - The permit holder of record will be responsible for completion of the proposed changes after the final order is issued. All notices and correspondence should be sent to the permit holder of record.
 - The applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to the applicant and applicant's agent.

If for a Ground Water Registration Modification:

- Does the applicant own the lands **FROM** which the registration is being moved? Yes No

If "No", provide the following information:

Names of Current Landowner(s): _____
First Last

Address: _____

City State Zip

- Does the applicant own the lands **TO** which the registration is being moved? Yes No

If "No", provide the following information:

Names of Receiving Landowner(s): _____
First Last

Address: _____

City State Zip

- Check one of the following:
 - The receiving landowner will be responsible for completion of the proposed changes after the final order is issued. All notices and correspondence should be sent to this landowner.
 - The applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to the applicant and applicant's agent.

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10. ATTACHMENTS

Check each of the following attachments included with this application.
The application will be returned if all required attachments are not included.

<p>Map:</p> <p><input type="checkbox"/> A map meeting the requirements of OAR 690-380-3100 must be included but need not be prepared by a Certified Water Right Examiner.</p> <p>Land Use Information Form:</p> <p><input type="checkbox"/> Enclosed; <i>or</i></p> <p><input type="checkbox"/> Not required if all of the following are met:</p> <ul style="list-style-type: none">① In EFU zone or irrigation district;② Change in place of use only;③ No structural changes needed, including diversion works, delivery facilities, other structures; <i>and</i>④ Irrigation only. <p>Water Well Reports/Well Logs:</p> <p><input type="checkbox"/> The application involves a change in point of appropriation or change from surface water to ground water and copies of all water well reports are attached.</p> <p><input checked="" type="checkbox"/> Water well reports are not available and a description of construction details including well depth, static water level, and information necessary to establish the ground water body developed or proposed to be developed is attached.</p> <p><input type="checkbox"/> N/A. The application does not involve a change in point of appropriation or a change from surface water to ground water, so water well reports are not required.</p>	<p>Fees:</p> <p><input type="checkbox"/> Amount enclosed: \$ _____ See the Department's Fee Schedule at www.wrd.state.or.us/OWRD/PUBS/forms.shtml or call (503) 986-0900.</p> <p><u>For Permit Amendments Only...</u></p> <p>Request for Assignment:</p> <p><input type="checkbox"/> Enclosed. The applicant is NOT the permit holder of record and needs to be assigned to the permit; OR the landowner of the proposed place of use is NOT the permit holder of record and needs to be assigned to the permit. <i>The Request for Assignment form is available online at: www.wrd.state.or.us/OWRD/PUBS/forms.shtml ; or</i></p> <p><input type="checkbox"/> N/A. The applicant is the permit holder of record and owns or controls the proposed place of use; OR the applicant is not the permit holder of record but is supplying an Affidavit of Consent from the permit holder.</p> <p>Affidavit of Consent:</p> <p><input type="checkbox"/> Enclosed. Because the applicant is NOT the permit holder of record, an Affidavit of Consent is being supplied that gives permission for the applicant to amend the permit; or</p> <p><input type="checkbox"/> N/A. Not required because the applicant is the permit holder of record.</p>
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Before submitting your application to the Department, be sure you have:

- Answered each question completely.
- Included all the required attachments.
- Provided original signatures for **all** named deed holders, or other parties, with an interest in the water
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.

11. SIGNATURES

For Ground Water Registration Modification Applications only, check the appropriate one and sign the application in the signature box below:

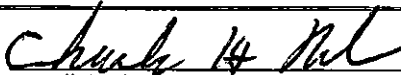
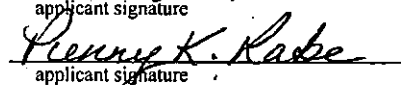
In accordance with OAR 690-382-0400(16)(a), I (we) understand that prior to Department approval of a permanent modification and upon my receipt of a draft Preliminary Determination for the proposed modification, I (we) will be required [pursuant to OAR 690-382-0700(5)] to provide the following landownership information and evidence demonstrating that I (we) are authorized to pursue the modification:

- (a) A report of ownership and lien information that has been prepared by a title company *within the last three months*;
- (b) A copy of written notification of the proposed modification provided by the applicant to **all** lien holders on the subject lands unless the report of ownership and lien information shows that a water right conveyance agreement has been recorded for the subject lands. *If a water right conveyance agreement has been recorded for the subject lands, a copy of the recorded agreement and a listing of the owner(s) of the lands at the time the agreement was recorded must be submitted; and*
- (c) If the applicant is not **both** the person named on the ground water registration or the assignee *and* the owner of the lands to which the registration is appurtenant, as identified in the report of ownership and lien information, then **either** of the following must be provided:
 - A) Notarized statements consenting to the modification by all persons, other than the applicant, who are named on the ground water registration or identified as landowners in the report of ownership and lien information or who are authorized representatives of an entity to whom the interest in the water right has been conveyed as identified in a water right conveyance agreement; *or*
 - B) Documentation demonstrating that the applicant is authorized to pursue the modification in the absence of consent of the persons named on the ground water registration or the assignee *and* the owner of the lands to which the registration is appurtenant.

I (we) affirm that the applicant is a municipality, as defined in ORS 540.510(3)(b), and that the right is in the name of the municipality or a predecessor. Therefore, pursuant to OAR 690-382-0400(16)(b), the applicant is **NOT** required to provide the above described report of ownership and lien information.

I (we) affirm that the applicant is an entity with the authority to condemn property and is acquiring the property to which the ground water registration proposed for modification is appurtenant by condemnation. Documentation is provided with this application supporting this statement. Therefore, pursuant to OAR 690-382-0400(16)(c), the applicant is **NOT** required to provide the above described report of ownership and lien information. (NOTE: Such an entity may only apply for recognition of a modification under this subsection if it has filed a condemnation action to acquire the property and deposited the funds with the court as required by ORS 35.265.)

For both Permit Amendment *and* Ground Water Registration Modification Applications, I (we) affirm that the information contained in this application is true and accurate.

 applicant signature	Charles. H. Rabe name (print)	5/1/07 date
 applicant signature	Penny K. Rabe name (print)	5/1/07 date

Registration Statement

OF CLAIMANT OF RIGHT TO APPROPRIATE GROUND WATER

(Under Chapter 708, Oregon Laws 1955.)

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SALEM, OREGON

TO THE STATE ENGINEER OF OREGON:

I, August E. Sale Et. 2. Box 195a
of Woodburn, Oregon County of Clackamas

State of OREGON, do hereby make application for a certificate of registration as evidence of a right to appropriate ground water.

1. Source from which water is withdrawn is Pump well
(Flowing well, pump well, infiltration trench, or tunnel)

2. Location is: 1 mile East and 1 mile North of Monitor, Ore.
(Approximate distance and direction from nearest city or town)

and is more particularly described as follows:

(a) Approx. 11 Ch. S. 2 1/2 Ch. E. from N.W. Corner of Sec. 30
(Give distance and bearing to corner of section or other legal subdivision)

being within 1/4 of Sec. 30 Twp. 5 S. Rge. 1 E.
(Smallest legal subdivision) (N. or S.) (E. or W.)

or (b) within limits of recorded platted property, town or city:

in Lot _____ Block _____ of _____
(Name of plat or addition)

County of _____
(If within city or town, give name)

3. Construction Work was begun on Jan 2, 1955; was completed on March 1, 1955
(Date) (Date)

and the ground water claimed was first used for the purposes set out below on July, 1955
(Date)

since which time the water has been used Continuously
(Continuously or intermittently)

from July, 1955 to Present
(Date) (Date)

4. Quantity of water claimed and used is _____ gallons per minute; _____ acre feet per year.

5. Purpose or Purposes for which water is used Irrigation
(Domestic, irrigation, municipal, manufacturing, industrial, etc.)

6. Description of Well: Depth _____ feet Type Drilled
(Dug or drilled)

diameter 6 inches. Elevation of ground at well site 225 feet, mean sea level.
(As near as known)

Depth to water table 25-32 feet.

7. Capacity of Well: 110 g.p.m. with 41 feet drawdown.

_____ g.p.m. with _____ feet drawdown.

Date of test MARCH 14, 1955

If Flowing Well: Measured discharge _____ g.p.m. on _____
(Date)

Shut-in pressure at ground surface _____ lbs. per sq. in. on _____
(Date)

Water is controlled by _____
(Cap, valve, etc.)

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8. Casing: (Give diameter, commercial specifications and depth below ground surface of each casing size.)

6 inch diameter Standard Steel from 53'4" feet
 inch diameter from to feet
 inch diameter from to feet
 inch diameter from to feet

Describe and show depth of shoe, plug, adapter, liner or other details:

Shoe Depth 53'4"

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9. Perforated Casings or Screens:

No Perforation from to
 (Number per foot and size of perforations, or describe screen)
 from to
 from to
 from to

WATER RESOURCES DEPT
 to SALEM, OREGON

10. Log of Well: (Describe each stratum or formation clearly, indicate if water bearing, and give thickness and depth as indicated.)

MATERIAL	Thickness (Feet)	Depth to Bottom (Feet)
Clay	20 ft.	0 to 20
Clay and sand	5 ft	20 to 25
Sand and fine gravel (water)	7 ft.	32 to 39
Clay (soft) and sand	6 ft	39 to 45
Clay	5 ft	45 to 50
Sand (Water 6 gpm)	2 ft.	48 to 50
Fine sand	3 ft	48 to 51
Gravel	3 ft	48 to 51
Clay	10 ft	51 to 61
Start of sand in clay	1 ft	51 to 52
Sand (Yielded 40 gpm Drawdown to 50ft)	3 ft	52 to 55
Sand	3 ft	55 to 58

GR-377-A

If log of well is not available, give name and address of driller.

11. Infiltration Trench: Covered or open 5
 Dimensions: Length _____ ft. Minimum depth _____ ft. Maximum depth _____ ft.

Bottom width _____ ft. Discharge _____ g.p.m. Date of test _____

12. Tunnel: Type of lining _____
 Dimensions: _____
 (Length, course, and cross sectional size)

Position of water bearing stratum with reference to portal of tunnel _____

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Log of tunnel: (Preceding table for log of well may be used, if desired. Give footage from portal and character of materials, as pertinent.)

13. Pumping Equipment:

(a) Pump Peerless, 6B, V Capacity 75 g.p.m.
 (Make, type and size)

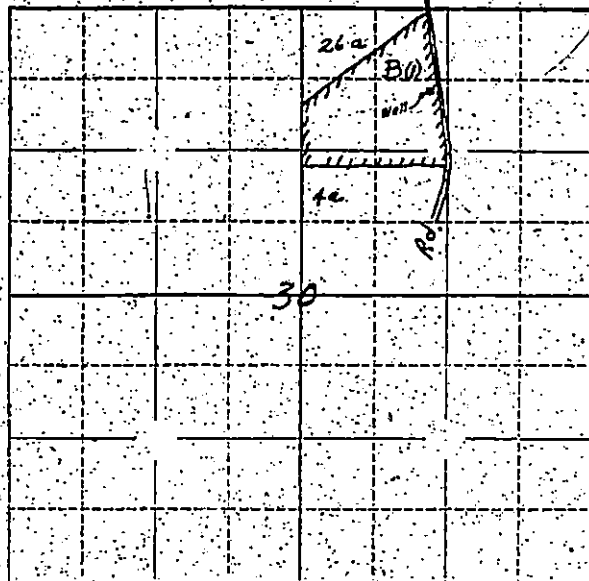
(b) Motor GE 5 Horse
 (Type and horsepower)

14. Location of area irrigated or to be irrigated, or place of use if for purposes other than irrigation.

Township North or South	Range E. or W. of Willamette Meridian	Section	Four-acre Tract	Number Acres To Be Irrigated	Date of Reclamation
<u>5S</u>	<u>1E</u>	<u>30</u>	<u>NW 1/4 of NE 1/4</u>	<u>14</u>	<u>July 1955</u>
			<u>SW 1/4 of NE 1/4</u>	<u>12</u>	<u>will be irrigated</u>
			<u>SW 1/4 of NE 1/4</u>	<u>4</u>	<u>1957</u>
				<u>30 Ac</u>	

15. If the ground water supply is supplemental to an existing water supply, identification of any application for a permit, permit, certificate or adjudicated right to appropriate water made or held by the registrant:

Township 55 Range 15, W.M. North



RECEIVED
MAY 15 2007
WATER RESOURCES DEPT
SALEM, OREGON

Locate well and acreage of irrigated land on plat.
Scale: $\frac{1}{4}$ " = 1 Mile

STATE OF OREGON }
County of Marion } ss.

I, August E. Rake, being first duly sworn, do hereby certify that I have read the foregoing Registration Statement and that all of the items therein contained are true to the best of my knowledge and belief.

August E. Rake
(Signature of Registrant)

Subscribed and sworn to before me this 13th day of December, 1957

My commission expires Sept 18 1960
Chas. A. [unclear]
(Notary Public)

(SEAL)

CERTIFICATE OF REGISTRATION

STATE OF OREGON }
County of Marion } ss.

This is to certify that the foregoing Registration Statement was received in the office of the State Engineer on the 17 day of January, 1958, at 5:00 o'clock A.M. and has been duly recorded in said office in Book No. 5 of Registration Statements on page 874

~~Construction of this well completed by X-X-X-X-X-X-X-X-X-X-X-X and the water completely applied to beneficial use by X-X-X-X-X-X-X-X-X-X-X-X~~

Witness my hand this 24 day of April, 1958

[Signature]
(State Engineer)

By _____ (Deputy)
GR-872-C

10386

CERTIFICATE OF REGISTRATION

(172)

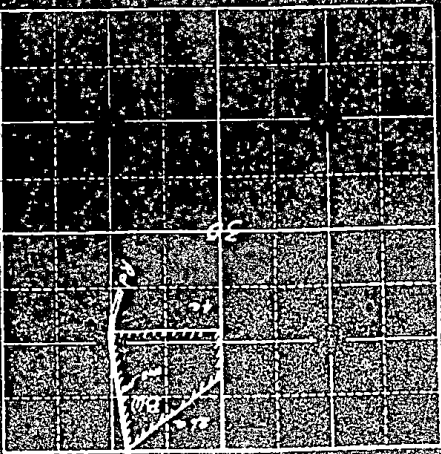
My commission expires 10/1/1931
Subscribed and sworn to before me this 10th day of December 1930

Robert E. Rolt
Notary Public

I, Robert E. Rolt, being first duly sworn, do hereby certify that I have read the foregoing Registration Statement and that all of the items therein contained are true to the best of my knowledge and belief.

STATE OF OREGON
County of Marion

Scale 1/2 Mile
Locate well and acreage of irrigated land on plat



1/2 Mile
Scale

T-10386

GR-MDD

Name Charles H. + Penny K. Rabe

By _____

Address 34081 S. Barlow Rd

Woodburn OR 97071

503 634-2585 503 634-2581

Change in APDA

Date filed _____

Date of hearing _____

Place of hearing _____

Date of order _____ Vol. _____, page _____

Date for application of water _____

Proof mailed _____

Proof received _____

Certificate issued _____ Vol. _____, page _____

DESCRIPTION OF WATER RIGHT

Name of stream Well

Trib. of Drescher County of Clackamas

Use IRR

Quantity of water _____ No. of acres _____

Name of ditch _____

Date of priority 1955

In name of August Rabe

Adjudication, Vol. _____, page _____

App. No. GR 879 Per. No. _____ Cert. No. _____

Certificate cancelled _____

Notation made on record by _____

FEEES PAID

Date	Amount	Receipt No.
<u>5/15/67</u>	<u>500.00</u>	<u>87586</u>
TOTAL . . .		
	Cert. Fee	

FEEES REFUNDED

Date	Amount	Check No.

REMARKS

NOTE

Clackamas County Planning Dept 9101 SE Sunnybrook Blvd Clackamas OR 97015



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

October 29, 2008

CHARLES H. RABE
PENNY K RABE
34081 S BARLOW RD
WOODBURN OR 97071

Reference: Transfer 10386

The above transfer application was withdrawn from the record of the Water Resources Department on September 2, 2008, by Special Order Volume 75, Page 703. Enclosed is a refund check in the amount of \$350.00.

The application is no further force or effect.

If you have any questions, please contact the Transfer Section, (503)986-0883.

Sincerely,

Sarah Henderson
Executive Support

cc: Watermaster #16
Fiscal

Enclosure



**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of Ground Water)
Registration Modification Application) FINAL ORDER WITHDRAWING
T-10386, Clackamas County) A GROUND WATER REGISTRATION
) MODIFICATION APPLICATION

Authority

ORS 537.610, 537.705 and 540.505 to 540.580 establish the process in which the holder of a certificate of registration may submit a request for recognition of modifications to the place of use, character of use or point of appropriation under a ground water certificate of registration.

OAR Chapter 690, Divisions 382 and 380 implement the statutes and provide the Department's procedures and criteria for evaluating ground water registration modification applications.

Applicant

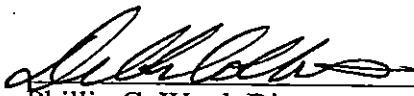
CHARLES H. AND PENNY K. RABE
34081 SOUTH BARLOW ROAD
WOODBURN, OR 97071

Ground Water Registration Modification Application T-10386, in the name of Charles H. and Penny K. Rabe, was filed on May 15, 2007. On August 25, 2008, the applicants submitted a written request that Ground Water Registration Modification Application T-10386 be withdrawn.

Now, therefore, it is ORDERED:

Ground Water Registration Modification Application T-10386, in the name of Charles H. and Penny K. Rabe, is withdrawn and of no further force or effect. Any unearned fees will be refunded.

Dated at Salem, Oregon this 2nd day of September, 2008.


Phillip C. Ward, Director

Mailing date: OCT 30 2008

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

Lisa Jaramillo

From: RABE AUTO [rabeauto@monitorcoop.com]

Sent: Monday, August 25, 2008 7:09 PM

To: Lisa Jaramillo

Subject: Emailing: gr modification t-10386

Attachments: gr modification t-10386.wpd

The message is ready to be sent with the following file or link attachments:
gr modification t-10386

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

Water Resources Department
North Mall Office Building
725 Summer Street NE Suite A
Salem, OR. 97301-1266

August 25, 2008

Transfer Specialist
Field Services Division
Lisa J. Jaramillo,

RECEIVED
AUG 25 2008
WATER RESOURCES DEPT.
SALEM, OREGON

As per our phone conversation, we (Charles H. & Penny K. Rabe) do not wish to drill the proposed well at this time. Please withdraw GR Modification # T-10386. Please keep this on file for future reference. Thank you, Lisa for your time and help, and Mike McCord, water master district #16, also.

Sincerely,

Charles H. & Penny K. Rabe

Lisa Jaramillo

From: Lisa Jaramillo
Sent: Tuesday, August 26, 2008 8:47 AM
To: RABE AUTO
Subject: RE: Emailing: gr modification t-10386

Penny & Charles,

Thank you for sending the withdrawal request. I will begin working on the withdrawal order and refund. You should see it in the next month or so (it takes a few weeks for our Fiscal Section to cut a refund check)

Thanks again,
Lisa Jaramillo

From: RABE AUTO [mailto:rabeauto@monitorcoop.com]
Sent: Monday, August 25, 2008 7:09 PM
To: Lisa Jaramillo
Subject: Emailing: gr modification t-10386

The message is ready to be sent with the following file or link attachments:
gr modification t-10386

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

8/26/2008

T-10386
COPY

WATER RESOURCES DEPARTMENT
REQUEST FOR DISTRIBUTION OF FUNDS

TO: **Fiscal Services Section** DATE: August 26, 2008
FROM: Lisa Jaramillo, Transfer Specialist
Phone: 503-986-0880
SUBJECT: **TRANSFER FILE - Request for Payment or Refund**

TRANSFER FILE #: T-10386 RECEIPT #: 87586, written on 5-15-07

Please prepare payment in the amount of \$350.00, made payable to:

Name: **Charles H. and Penny K. Rabe**
Address: **34081 South Barlow Road**
City: **Woodburn, OR 97071**

These funds are being paid or refunded as a result of (check one):

- Request from applicants for file to be Withdrawn**
- Excess fees were collected for application/PON
- Payment of PON
- Protest filing fee
- Other: _____

I have reviewed this distribution request and have determined the request to be justified as to the purpose indicated above. Fiscal Services is hereby authorized to process the requested distribution.

Authorized Signature: _____ Date: _____

Water Resources Department
North Mall Office Building
725 Summer Street NE Suite A
Salem, OR. 97301-1266

August 25, 2008

Transfer Specialist
Field Services Division
Lisa J. Jaramillo,

RECEIVED
AUG 25 2008
WATER RESOURCES DEPT.
SALEM, OREGON

As per our phone conversation, we (Charles H. & Penny K. Rabe) do not wish to drill the proposed well at this time. Please withdraw GR Modification # T-10386. Please keep this on file for future reference. Thank you, Lisa for your time and help, and Mike McCord, water master district #16, also.

Sincerely,

Charles H. & Penny K. Rabe



Oregon

Theodore R. Kulongoski, Governor

July 30, 2008

T-10386

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

CHARLES H. & PENNY K. RABE
34081 SOUTH BARLOW ROAD
WOODBURN, OR 97071

SUBJECT: Ground Water Registration Modification T-10386

Enclosed, please find a draft of our Preliminary Determination regarding Ground Water Registration Modification Application T-10386. The document reflects the Department's conclusion that, based on the information currently available, recognition of the ground water registration modification will be approved. This draft is intended to provide you with an opportunity to comment on our findings and conclusions should you wish to do so. Please review the draft carefully to evaluate whether the document is consistent with your intent in seeking the ground water registration modification, and whether you agree with the proposed action.

At this time, you must submit a report of ownership and lien information prepared by a title company within the last three months, as required by OAR 690-382-0700(5). If there are additional lienholders identified in the report that have not previously been notified of the ground water registration modification, you must send notice of the modification to them, and submit copies of each such notice to the Department to document that each lienholder has been informed of the ground water registration modification.

Issuance of the Preliminary Determination will occur shortly after we receive both your response and the report of ownership and lien information. If we do not receive your response and the report by **Friday, August 29, 2008**, a Preliminary Determination may be issued denying the application. You may provide your response in writing or via e-mail.

Please do not hesitate to contact me at 503-986-0880 or Lisa.J.Jaramillo@wrp.state.or.us if I may be of assistance.

Sincerely,

Lisa J. Jaramillo
Transfer Specialist
Field Services Division

cc: GR Modification T-10386
Mike McCord, Watermaster District #16

enc



**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of Ground Water)	D R A F T	
Registration Modification Application)		
T-10386, Clackamas County)		PRELIMINARY DETERMINATION
)		PROPOSING TO APPROVE
)		RECOGNITION OF A MODIFICATION TO ADD A POINT OF APPROPRIATION

Authority

ORS 537.610, 537.705 and 540.505 to 540.580 establish the process in which the holder of a certificate of registration may submit a request for recognition of modifications to the place of use, character of use or point of appropriation under a ground water certificate of registration.

OAR Chapter 690, Divisions 382 and 380 implement the statutes and provide the Department's procedures and criteria for evaluating ground water registration modification applications.

Applicant

CHARLES H. AND PENNY K. RABE
34081 SOUTH BARLOW ROAD
WOODBURN, OR 97071

Findings of Fact

Background

1. On May 15, 2007, Charles H. and Penny K. Rabe filed a ground water registration modification application to add a point of appropriation under Registration Application GR-899 (Certificate of Registration GR-874). The Department assigned the application number T-10386.
2. On May 17, 2007, Registration Application GR-899 (Certificate of Registration GR-874) was assigned from August E. Rabe to Charles H. and Penny K. Rabe.
3. The applicant submitted additional information on August 30, 2007, describing the manner in which the proposed point of appropriation is to be constructed and clarifying its location.
4. The ground water registration to be modified is as follows:
 - Registration:** Application GR-899 (Certificate of Registration GR-874), in the name of AUGUST E. RABE (*assigned to Charles H. and Penny K. Rabe*)
 - Use:** IRRIGATION OF 30.0 ACRES
 - Tentative Priority Date:** JANUARY 2, 1955
 - Quantity:** 75.0 GALLONS PER MINUTE (GPM)
 - Source:** PUMP WELL #1, in the Butte Creek Basin.

Original Point of Appropriation:

Twp.	Rng	Mer	Sec	¼ ¼	Survey Coordinates
5 S	1 E	WM	30	NW NE	Pump Well #1 – 11 chains South and 18 chains East from the North ¼ corner of Section 30

Original Place of Use:

Twp	Rng	Mer	Sec	¼ ¼	Acres
5 S	1 E	WM	30	NW NE	26.0
5 S	1 E	WM	30	SW NE	4.0
TOTAL:					30.0

5. Application T-10386 proposes to modify the point of appropriation under the ground water registration. The proposed additional point of appropriation, located approximately 16.5 feet West from the original well, is located as follows:

Twp	Rng	Mer	Sec	¼ ¼	Survey Coordinates
5 S	1 E	WM	30	NW NE	Well #2 – 11 chains South and 18 chains, 1 rod West from the North ¼ corner of Section 30

6. Notice of the application for ground water registration modification was published on May 22, 2007, pursuant to OAR 690-382-0600. No comments were filed in response to the notice.

Review Criteria for Ground Water Registration Modification Applications [OAR 690-382-0700(2)]

7. The proposed modification would not result in enlargement of the ground water registration.
8. The proposed modification would not result in a state Scenic Waterway not receiving previously available water during periods in which streamflows are less than the quantities determined by the Department to be necessary to meet the requirements of ORS 390.835.
9. The proposed modification would not result in injury to other water rights.

Determination and Proposed Action

The modification to add a point of appropriation proposed in Application T-10386 appears to be consistent with the requirements of ORS 537.610, 537.705, 540.505 to 540.580 and OAR 690-382-1000, and will be recognized provided that protests are not filed pursuant to OAR 690-382-0900.

If Ground Water Registration Modification Application T-10386 is recognized, the final order will include the following:

1. *The modification to add a point of appropriation to Registration Application GR-899 (Certificate of Registration GR-874) proposed in Application T-10386 is recognized. Recognition of the modification shall not be construed as a final determination of the right to appropriate ground water under the certificate of registration or modification. Such a determination will occur in an adjudication proceeding under ORS 537.670 to 537.695.*
2. *The use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Registration Application GR-899 (Certificate of Registration GR-874) and any related decree.*
3. *Water shall be acquired from the same aquifer (water source) as the original point of appropriation.*
4. *The quantity of water diverted at the additional point of appropriation, together with that diverted at the original point of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation.*
5. *When required by the Department, the water user shall install and maintain an in-line flow meter or other suitable device for measuring and recording the quantity of water appropriated. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.*

Dated at Salem, Oregon this ____ day of _____ 2008.

DRAFT

Phillip C. Ward, Director

This draft Preliminary Determination was prepared by Lisa J. Jaramillo. If you have any questions about the information in this draft preliminary determination, you may reach me at (503) 986-0880 or Lisa.J.Jaramillo@wrdd.state.or.us.

Water Right Transfer Checklist

Transfer T-10386

Transfer Specialist: Lisa J.

Transfer Type: GR-MOD - **APOA**

Applicant Name/Address: Charles H. & Penny K. Rabe; 34081 S Barlow Rd; Woodburn OR 97071

Agent Name/Address: NONE

CWRE Name/Number: NONE

Rec Landowner Name/Address: NONE

Irr. District Name/Address: NONE

Affected Gov'ts Name/Address: Clackamas County Planning Dept; 9101 SE Sunnybrook Blvd; Clackamas or 97015

Commentors: Name/Address: NONE

Water Rights Affected

Records Marked	Records Copied	App File No. or Decree Name	Permit No.	Certificate No.	RR/CR Needed	RR/CR Nos.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	GR 899		GR 874	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	

Key Dates & Initial Actions

Rec'd: <u>05/15/07</u>	Proposed Action(s): POU POD HST APOD USE OTHER: APOA	
Fees Pd: <u>500.00</u>	WM District: <u>16</u>	ODFW District: <u>NONE</u>
Initial Notice: <u>05/22/07</u>	WM Review sent: <u>05/22/07</u>	ODFW Review sent: <u>NONE</u>
Acknowledgement Letter Sent <input checked="" type="checkbox"/>		GW Review sent: <u>05/22/07</u>

Processing Dates & Actions

Deficiency Contacts: _____

DPD Mailed: _____

ODFW contact sheet sent with DPD, or N/A

PD Mailed: _____

PD Weekly Notice: _____

Newspaper Pub Affid Due: N/A

not required

~~Affid of Pub Rec'd:~~ _____

~~Last Day Published:~~ _____

~~Affidavit Reminder Sent:~~ _____

~~Reminder Deadline:~~ _____

- Proposed well is 16 1/2 feet west from permitted well.

Preliminary Determination

Electronic Files uploaded

PD Cover letter

PD Notice

File Assigned/ ModPod updated

Preliminary Determination

~~Fee Refund Due~~

~~Remaining Rights~~

DPD Review (Optional)	PD Review (Salem)	Final Order Review (Salem)
Reviewer: _____	Reviewer: _____	Reviewer: _____
Date: _____	Date: _____	Date: _____
Coordinator: _____	Coordinator: _____	Coordinator: _____
Date: _____	Date: _____	Date: _____
Comments/Special Issues:		

Special Order Volume: Vol _____ Pages _____ Final Order Signature Date: _____

Notice of FO email'd to processors _____

T-10386

**Ground Water Registration Modification
Processing Log (Division 382)**

Reviewer's Name: [Signature]

Date: 8-14-07

GR Modification #T- <u>10386</u>	Type of Change: <u>APOA</u>	POU	USE
Appl No. GR- <u>899</u>	Certificate of Registration No. GR- <u>874</u>		
Date filed: <u>5-15-07</u>	Initial Public Notice: <u>5-22-07</u>		
County: <u>Clackamas</u>	WM District: <u>#16-Mike McCord</u>		
Applicant's Name & Mailing Address: <u>Charles H. & Penny K. Rabe</u> <u>34081 S. Barlow Rd.</u> <u>Woodburn, OR 97071</u>			
CWRE (if any) or Agent: <u>N/A</u>			

✓ GR file Assigned to Rabe's on 5-17-07

Workflow Maintenance: Has file been assigned to me? Yes No (If No, Update Workflow in ModPod)

Check Application

- ☑ Type of Change indicated clearly? (Only POA, POU or USE allowed for GR Modifications.) *Additional POA*
- ☑ Application signed by all applicants?
- ☑ Have appropriate fees been paid? Paid \$500.00 on 5-15-07.
~~If any fees are to be refunded, generate a Request for Refund memo to be forwarded to WRD Fiscal Section.~~
- ☑ Does the Land Use Form match affected tax lots and is it signed by the proper official?
- OK For a Change in POA, are well logs for authorized & proposed wells attached?
- If well logs are NOT available or if the proposed well is NOT yet constructed, the applicant must provide a description of the authorized or proposed well construction.
Description of Proposed POA, or a copy of the well log

Check Application Map (Map is NOT required to be prepared by a CWRE)

- ☑ Is the size and scale accurate and appropriate as per OAR 690-380-3100(1)(c) & (d)? *OK. See Orig. GR map.*
- ☑ Are all authorized and proposed POA's and POU's shown and clearly labeled?
- ☑ Do the location coordinates for the POA's properly describe the location on the map? *OK. See Orig. GR map.*
- ☑ Do the map acres match the tabulation on the GW Registration?
- ☑ Pull maps for the GW Registration. Does the application map match the GW Registration map?
- ☑ Pull aerial photos, if needed (and available).
- ☐ Other: _____

Check Ownership and Review Report of Ownership & Lien Information:

Print a copy of the current tax lot map. (You may contact the County Assessor's office to research current ownership info.)

Is the applicant the owner of the "from" land? Yes No

Have all owners signed the application? Yes No

- See ROLI ALSO

- If No, is there a notarized, signed statement of consent from any landowners other than applicant? Yes No

N/A Verify agent authority if applicant has not specifically signed a statement authorizing agent to work on his behalf.

The Report of Ownership and Lien Information will be requested at the P.D. stage, once it is submitted you will need to consider the following:

Has the Report of Ownership and Lien Information been prepared for the subject parcel of land? Yes No

Are any other owners of record identified? Yes No

-If Yes, have they consented to the modification?

Are any lien holders identified? Yes No

Is there a copy of written notification of the transfer to each lien holder identified in the Report? Yes No

- If No, applicant needs to submit a copy of notification to lien holder(s).

Is Application Complete?

application form

map *OK*

GR registration

land-use form

fees paid

well logs *OK*

report of ownership & lien (requested at P.D. stage)

well log or description for proposed POA (constr.)

Reviews/comments received?

Watermaster

Ground Water

ODFW (if hydraulically connected) N/A

Deficiencies to be resolved:

OK
OK
Rcvd 8-30-07

Copy of well log or description of the proposed POA (constr.)

Appl says New Add'l Well is 16.5 ft west of existing POA; but Appl map shows it being to the East

Determining the "From" and "To" Lands (make working copy of application & GW Registration to mark on

Are only the authorized POA's and/or POU's to be modified listed?

No Do application & GW Registration tabulations match? (check off on A.ppl & GW Regist. copies and note corrections needed)

you change Mark on the GW Registration copy which acreage is being modified and what will remain in each 1/4 1/4.

Print plat card report. Are there conflicting rights? Suppl Right (Appl G-11543/Permit G-10631)

Are there any rights that need to be cancelled or diminished to supplemental? If so, prepare an affidavit.

Are there any rights that need to transferred concurrently with this GR Modification? No - APOA Δ Only.

Other: (No POA Δ.)

N/A Is Newspaper Notice required? Yes No (If so, generate a draft of the notice to include with P.D.)

Proposed APOA is approx. 16.5 feet (1 rod) west of existing GR well.

Injury/Enlargement Determination:

Injury:

Watermaster Injury: Yes No Conditions: Yes No

Ground Water Injury: Yes No Conditions: Yes No

N/A ODPW Injury: Yes No Conditions: Yes No

Conditions requested:

Measurement devices: Required prior to use -or- "When in the judgement..."

Other: _____

Would the modification result in injury issues to other ground water users? Yes No

Other: _____ See GW Review.

If hydraulically connected....

N/A Check Interactive Mapping. Are there any intervening POD's? Yes No

N/A Would it result in reduction of flows available to junior rights? Yes No

N/A Would it affect flows available for instream water rights? Yes (moves into or within ISWR) No problem

Enlargement: No

N/A Will the "from" lands be able to be dried up? Yes No No POA change.

N/A If hydraulically connected, are return flows an issue? Yes No No POA change.

Other: _____

N/A **State Scenic Waterway:** Would the proposed modification result in a State Scenic Waterway **NOT** receiving previously available water during periods in which streamflows are less than the quantities determined by the Department to be necessary to meet the requirements of ORS 390.835?
Not within or above a state scenic waterway.

N/A Is this use of ground water hydraulically connected to surface water? Yes No (See GW review.)

N/A If hydraulically connected to surface water, is the authorized POA located within or above a State Scenic Waterway reach? Yes No If Yes, identify State Scenic Waterway reach: _____

-If No, will the proposed modification result in moving the POA to a point that is located within or above a State Scenic Waterway reach? Yes No If Yes, identify reach: _____

N/A Does the authorized POA contribute return flows to a State Scenic Waterway reach? Yes No

-If Yes, will the proposed modification result in those return flows no longer contributing or no long being available to that State Scenic Waterway reach? Yes No

Remarks:

WORK COPY

RECEIVED
MAY 15 2007
WATER RESOURCES DEPT
SALEM, OREGON



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

Application for Permit Amendment or Ground Water Registration Modification

Please type or print legibly in dark ink. If your application is incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "N/A" to indicate Not Applicable. As you complete this form, please refer to notes and guidance included on the application. A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/OWRD/PUBS/forms.shtml.

1. TYPE OF APPLICATION

Please check **one** of the following:

Permit Amendment

Ground Water Registration Modification

2. APPLICANT INFORMATION

Name: Charles H. & Penny K. Rabe
First Last

Address: 34081 S. Barlow Rd.

Woodburn OR 97071
City State Zip

Phone: 503-634-2585 503-634-2581
Home Work Other

Fax: 503-634-2110 E-Mail address: rabeauto@monitorcoop.com

3. AGENT INFORMATION

(The agent listed is authorized to represent the applicant in all matters relating to this application.)

Name: NONE
First Last

Address: _____

City State Zip

Phone: _____
Home Work Other

Fax: _____ E-Mail address: _____

▪ If an agent is listed above, please check **one** of the following:

Please send all correspondence to Agent. Send *copies* of correspondence to Applicant; **or**

Please send all correspondence to Applicant. Send *copies* of correspondence to Agent.

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WATER RESOURCES DEPT
SALEM, OREGON

Permit Amendments

- If you propose to amend multiple permits under this application, a separate set of pages 3 through 7 must be provided for each permit. (**NOTE:** Concurrent changes to a water right must be filed separately on a transfer application.)

Ground Water Registration Modifications

- You may propose modification of only one ground water registration per application, unless in accordance with OAR 690-382-0300(2), the ground water registrations to be modified are layered. (**NOTE:** Concurrent changes to a water right must be filed separately on a transfer application.)

4. TYPE OF AMENDMENT OR MODIFICATION PROPOSED

Please check **all** of the following that apply:

Point of Diversion or Appropriation	Place of Use	Character of Use
<input type="checkbox"/> Change (The old point of diversion or appropriation will not be used for the portion of the water right affected by the amendment or modification.) <input checked="" type="checkbox"/> Additional (Both the old <u>and</u> new points of diversion or appropriation will be used for the portion of the water right affected by the amendment or modification.) <p style="text-align: center;"><u>Not Available for Ground Water Registrations</u></p> <input type="checkbox"/> Surface Water to Ground Water (A new point of appropriation will be used instead of the old point of diversion. The old point of diversion will not be used.)	<input type="checkbox"/> All of the Permit or Registration will be exercised at a different location than currently authorized (Use of water at the current authorized location will be discontinued.) <input type="checkbox"/> Only a portion of the Permit or Registration will be exercised at a different location than currently authorized (Use of water at a <u>portion</u> of the current authorized location will be discontinued.)	<p style="text-align: center;"><u>Not Available for Permit Amendments</u></p> <p>Change existing authorized use to the following proposed <u>new</u> use:</p> <input type="checkbox"/> Irrigation <input type="checkbox"/> Municipal <input type="checkbox"/> Quasi-municipal <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Domestic (indicate number of households): _____ <input type="checkbox"/> Other _____

- Reason(s) for amendment/modification(s): The original well does not yield as much as it did in the past.

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5. CURRENT PERMIT OR REGISTRATION INFORMATION

Permit or Registration to be Amended/Modified (check and complete one of the following):

<input type="checkbox"/> Permit to be Amended:	Permit Number _____	Current Completion Date of Permit _____
<input checked="" type="checkbox"/> Ground Water Registration to be Modified:	<u>GR 899</u> Ground Water Registration Number	NOTE: Concurrent changes to a water right must be filed separately on a transfer application.

Name on Permit or Registration: August E. Rabe

County: Clackamas

Authorized Use(s) to be affected by this Amendment/Modification: irrigation

Priority Date(s): 1-21-1955

If there are multiple Priority Dates identified on the Permit or Registration, any information provided on pages 4 through 7 must identify which priority date is associated with each of the authorized and proposed points of diversion or appropriation and places of use.

All Source(s) of Water to be affected by this Amendment/Modification: Well

Tributary to: Bu He Cr.

If there are multiple Sources listed on the Permit or Registration, any information provided on pages 4 through 7 must identify which source is associated with each of the authorized and proposed points of diversion or appropriation and places of use.

For an application proposing a Change in Place of Use or Character of Use:

Are there any other "Layered" Water Rights, Permits, or Ground Water Registrations issued for Irrigation purposes that are appurtenant to the same place of use as the Permit or Registration being Amended/Modified? Yes No N/A -No Change in Use or Place of Use

If "Yes", pursuant to ORS 540.510, OAR 690-380-2240 and OAR 690-382-0200, the other "layered" water uses subject to transfer must either change concurrently or be cancelled, except as provided in OAR 690-380-2240(5).

Remarks: The Pou for this GR has a suppl. right (G-10631). No changes are proposed for the suppl. right.

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- The following information must be provided only for those points of diversion or appropriation that are involved in the permit amendment or ground water registration modification (i.e., list only the portion of the permit/registration you propose to amend/modify). Attach additional pages as necessary.

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing permit or ground water registration.

Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:

(i.e., the allowed point(s) of diversion/appropriation that will be affected by the proposed amendment/modification, the "FROM" point(s) of diversion/appropriation)

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-)	Source and Priority Date	Township	Range	Mer	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
Clac 2713	Sand gravel 1-21-55	5 S	1 E	WM	30	NW, NE	TL 700	C ppr 11 chains S + 18 chains of N ¼ corner Sec 30

- Does the permit/registration being amended/modified involve a ground water source(s)?
 Yes No (Surface water source only.)

If "Yes", for each authorized point of appropriation (well) involved, you must either:

A. Supply a copy of the well log(s) for each point of appropriation that is clearly labeled and associated with the corresponding well in the table above and on the accompanying application map.

(NOTE: You may search for well logs on the Department's website at: www.wrd.state.or.us)

or

B. If a well log is not available, you must describe the construction of the authorized point of appropriation by completing the table below. Attach additional copies as necessary.

Construction of Existing Authorized Point(s) of Appropriation – (Only needed if no well log is available.)

Wells in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

OWRD Well No. as identified in table above	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
Clac 2713									

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- The following information must be provided only for those places of use that are involved in the permit amendment or ground water registration modification (i.e., list only the portion of the permit/registration you propose to amend/modify.) Attach additional pages as necessary.

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing permit or ground water registration.

Location of Existing Authorized Place of Use to be Affected:

(i.e., the allowed lands that will be affected by the proposed amendment/modification, the "FROM" lands)

Source and Priority Date	Township	Range	Mer	Sec	Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
Proposed POA affects the entire POU under GR-899.							

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6. PROPOSED PERMIT AMENDMENT OR REGISTRATION MODIFICATION

- Describe proposed changes to the permit or registration involving point(s) of diversion and/or appropriation. Survey coordinates described below should accurately correspond to the points shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Point(s) of Diversion or Appropriation: (i.e., the "TO" point(s) of diversion/appropriation)

(NOTE: Complete this table only if a Change in Point of Diversion or Appropriation is being proposed.)

Source	Township	Range	Mer.	Sec.	1/4-1/4 Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
Sand/gravel	5 S	1 E	WM	30	NW, NE	TL 700	appr. 11 chains S. + 18 chains E. N 1/4 corner Sec. 30 1 rod west of existing POA

- If there are proposed point(s) of appropriation (wells) listed in the table above, are the well(s) already constructed? Yes No N/A - No proposed well(s) listed above.

If "Yes", attach and clearly label the corresponding well log(s) for each proposed well, or if well log(s) are not available, describe the construction of the well(s) using the table below.

(NOTE: You may search for well logs on the Department's website at: www.wrd.state.or.us)

If "No", describe the anticipated construction for the proposed well(s) in the following table:

Construction of Proposed Point(s) of Appropriation or Well(s):

Well numbers in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L-774)	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
NO	---									

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- Describe proposed changes to the permit or registration involving place of use. Information described below should accurately correspond to the proposed place of use shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Place of Use: *(i.e., the "TO" lands)*

(NOTE: Complete this table only if a Change in Place of Use is being proposed.)

Source	Township	Range	Mer	Sec	1/4 1/4 Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)

Remarks: NO changes in POU are being requested.

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7. AFFECTED DISTRICTS AND LOCAL GOVERNMENTS

- Are any of the Permit(s) or Registration(s) proposed for amendment/modification located within or served by an irrigation or other water district? Yes No
- Will any of the Permit(s) or Registration(s) be located within or served by an irrigation or other water district after the proposed amendment/modification? Yes No
- Is water for any of the Permit(s) or Registration(s) supplied under a water service agreement or other contract for stored water with a federal agency? Yes No

If "Yes", for any of the above, list the name and mailing address of the district and/or agency:

N/A

- List the name and mailing address of all affected local governments (e.g., county, city, municipal corporation, and tribal governments within whose jurisdiction the right(s) are located).

Clackamas County Planning Dept.
9101 S.E. Sunnybrook Blvd.
Clackamas, OR. 97015

8. PERMIT HOLDER OF RECORD

This section is to be completed only for Permit Amendment applications.

- N/A – This is a Ground Water Registration Modification application.

- Is the applicant the permit holder of record? Yes No

If "No", the applicant must either:

A. Be assigned as a permit holder of record by submitting a completed Request for Assignment form and the required statutory fee for an assignment;

or

B. Submit an Affidavit of Consent from the permit holder of record that gives permission for the applicant to amend the permit.

9. LAND OWNERSHIP

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SALEM, OREGON

If for a Permit Amendment proposing a Change in Place of Use:

- Does the permit holder of record own or control the land **TO** which the place of use is being moved? Yes No

If "No", the owner of the land **TO** which the place of use is being moved must be assigned to the permit as a permit holder of record by submitting a completed **Request for Assignment** form and the required statutory fee for an assignment.

- Check one of the following:
 - The permit holder of record will be responsible for completion of the proposed changes after the final order is issued. All notices and correspondence should be sent to the permit holder of record.
 - The applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to the applicant and applicant's agent.

If for a Ground Water Registration Modification:

- Does the applicant own the lands **FROM** which the registration is being moved? Yes No

If "No", provide the following information:

Names of Current Landowner(s): _____
First Last

Address: _____

City State Zip

- Does the applicant own the lands **TO** which the registration is being moved? Yes No

If "No", provide the following information:

Names of Receiving Landowner(s): _____
First Last

Address: _____

City State Zip

- Check one of the following:
 - The receiving landowner will be responsible for completion of the proposed changes after the final order is issued. All notices and correspondence should be sent to this landowner.
 - The applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to the applicant and applicant's agent.

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SALEM, OREGON

10. ATTACHMENTS

Check each of the following attachments included with this application.
The application will be returned if all required attachments are not included.

<p>Map:</p> <p><input type="checkbox"/> A map meeting the requirements of OAR 690-380-3100 must be included but need not be prepared by a Certified Water Right Examiner.</p> <p>Land Use Information Form:</p> <p><input type="checkbox"/> Enclosed; <i>or</i></p> <p><input type="checkbox"/> Not required if all of the following are met:</p> <ul style="list-style-type: none">❶ In EFU zone or irrigation district;❷ Change in place of use only;❸ No structural changes needed, including diversion works, delivery facilities, other structures; <i>and</i>❹ Irrigation only. <p>Water Well Reports/Well Logs:</p> <p><input type="checkbox"/> The application involves a change in point of appropriation or change from surface water to ground water and copies of all water well reports are attached.</p> <p><input checked="" type="checkbox"/> Water well reports are not available and a description of construction details including well depth, static water level, and information necessary to establish the ground water body developed or proposed to be developed is attached.</p> <p><input type="checkbox"/> N/A. The application does not involve a change in point of appropriation or a change from surface water to ground water, so water well reports are not required.</p>	<p>Fees:</p> <p><input type="checkbox"/> Amount enclosed: \$ _____ See the Department's Fee Schedule at www.wrd.state.or.us/OWRD/PUBS/forms.shtml or call (503) 986-0900.</p> <p><u>For Permit Amendments Only...</u></p> <p>Request for Assignment:</p> <p><input type="checkbox"/> Enclosed. The applicant is NOT the permit holder of record and needs to be assigned to the permit; OR the landowner of the proposed place of use is NOT the permit holder of record and needs to be assigned to the permit. <i>The Request for Assignment form is available online at: www.wrd.state.or.us/OWRD/PUBS/forms.shtml ; or</i></p> <p><input type="checkbox"/> N/A. The applicant is the permit holder of record and owns or controls the proposed place of use; OR the applicant is not the permit holder of record but is supplying an Affidavit of Consent from the permit holder.</p> <p>Affidavit of Consent:</p> <p><input type="checkbox"/> Enclosed. Because the applicant is NOT the permit holder of record, an Affidavit of Consent is being supplied that gives permission for the applicant to amend the permit; or</p> <p><input type="checkbox"/> N/A. Not required because the applicant is the permit holder of record.</p>
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WATER RESOURCES DEPT
SALEM, OREGON

Before submitting your application to the Department, be sure you have:

- Answered each question completely.
- Included all the required attachments.
- Provided original signatures for all named deed holders, or other parties, with an interest in the water right.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.

11. SIGNATURES

For Ground Water Registration Modification Applications only, check the appropriate one and sign the application in the signature box below:

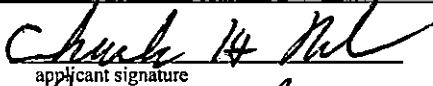
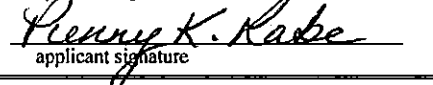
In accordance with OAR 690-382-0400(16)(a), I (we) understand that prior to Department approval of a permanent modification and upon my receipt of a draft Preliminary Determination for the proposed modification, I (we) will be required [pursuant to OAR 690-382-0700(5)] to provide the following landownership information and evidence demonstrating that I (we) are authorized to pursue the modification:

- (a) A report of ownership and lien information that has been prepared by a title company *within the last three months*;
- (b) A copy of written notification of the proposed modification provided by the applicant to all lien holders on the subject lands unless the report of ownership and lien information shows that a water right conveyance agreement has been recorded for the subject lands. *If a water right conveyance agreement has been recorded for the subject lands, a copy of the recorded agreement and a listing of the owner(s) of the lands at the time the agreement was recorded must be submitted; and*
- (c) If the applicant is not both the person named on the ground water registration or the assignee *and* the owner of the lands to which the registration is appurtenant, as identified in the report of ownership and lien information, then either of the following must be provided:
 - A) Notarized statements consenting to the modification by all persons, other than the applicant, who are named on the ground water registration or identified as landowners in the report of ownership and lien information or who are authorized representatives of an entity to whom the interest in the water right has been conveyed as identified in a water right conveyance agreement; or
 - B) Documentation demonstrating that the applicant is authorized to pursue the modification in the absence of consent of the persons named on the ground water registration or the assignee and the owner of the lands to which the registration is appurtenant.

I (we) affirm that the applicant is a municipality, as defined in ORS 540.510(3)(b), and that the right is in the name of the municipality or a predecessor. Therefore, pursuant to OAR 690-382-0400(16)(b), the applicant is NOT required to provide the above described report of ownership and lien information.

I (we) affirm that the applicant is an entity with the authority to condemn property and is acquiring the property to which the ground water registration proposed for modification is appurtenant by condemnation. Documentation is provided with this application supporting this statement. Therefore, pursuant to OAR 690-382-0400(16)(c), the applicant is NOT required to provide the above described report of ownership and lien information. (NOTE: Such an entity may only apply for recognition of a modification under this subsection if it has filed a condemnation action to acquire the property and deposited the funds with the court as required by ORS 35.265.)

For both Permit Amendment and Ground Water Registration Modification Applications, I (we) affirm that the information contained in this application is true and accurate.

 applicant signature	Charles. H. Rabe name (print)	5/1/07 date
 applicant signature	Penny K. Rabe name (print)	5/1/07 date

WORK COPY

Registration Statement

REGISTRATION NO. GR 877
DATE NO. GR 877

L. Jamini 110
8-14-07

OF CLAIMANT OF RIGHT TO APPROPRIATE GROUND WATER

(Under Chapter 708, Oregon Laws 1955.)

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WATER RESOURCES DEPT
SALEM, OREGON

TO THE STATE ENGINEER OF OREGON:

I, August E. Haba Rt. 2, Box 195a
of Woodburn, Oregon County of Clackamas

State of Oregon, do hereby make application for a certificate of registration as evidence of a right to appropriate ground water.

1. Source from which water is withdrawn is Pump well
(Flowing well, pump well, infiltration trench, or tunnel)

2. Location is: 1 mile East and 1 mile North of Monitor, Ore.
(Approximate distance and direction from nearest city or town)

and is more particularly described as follows:
OR- 726 feet S. & 1,188 feet E (1 chain = 66ft)

(a) Approx. 11 Ch. S & 18 Ch. E from N 1/4 Corner of Sec 30
(Give distance and bearing to corner of section or other legal subdivision)

being within 1/4 of Sec. 30, Twp. 5 S, Rge. 1 E
(Smallest legal subdivision) (N. or S.) (E. or W.)

or (b) within limits of recorded platted property, town or city:

in Lot _____, Block _____ of _____
(Name of plat or addition)

County of _____
(If within city or town, give name)

3. Construction Work was begun on Jan 2, 1955; was completed on March 1, 1955
(Date) (Date)

and the ground water claimed was first used for the purposes set out below on July, 1955
(Date)

since which time the water has been used Continuously
(Continuously or Intermittently)

from July, 1955 to Present
(Date) (Date)

4. Quantity of water claimed and used is 75 gallons per minute: _____ acre
feet per year.

5. Purpose or Purposes for which water is used Irrigation
(Domestic, irrigation, municipal, manufacturing, industrial, etc.)

6. Description of Well: Depth _____ feet. Type Drilled
(Dug or drilled)

diameter 6 inches. Elevation of ground at well site 225 feet, mean sea level.
(As near as known)

Depth to water table 45-52 feet.

7. Capacity of Well: 110 g.p.m. with 41 feet drawdown.

_____ g.p.m. with _____ feet drawdown.

Date of test March 14, 1955

If Flowing Well: Measured discharge _____ g.p.m. on _____
(Date)

Shut-in pressure at ground surface _____ lbs. per sq. in. on _____
(Date)

Water is controlled by _____
(Cap. valve, etc.)

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8. Casing: (Give diameter, commercial specifications and depth below ground surface of each casing size.)

6 inch diameter Standard Steel from to 53'4" feet
 inch diameter from to feet
 inch diameter from to feet
 inch diameter from to feet

Describe and show depth of shoe, plug, adapter, liner or other details:

Shoe Depth 53'4"

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9. Perforated Casings or Screens:

No Perforation

(Number per foot and size of perforations, or describe screen)

from to
 from to
 from to
 from to

WATER RESOURCES DEPT
 to SALEM, OREGON

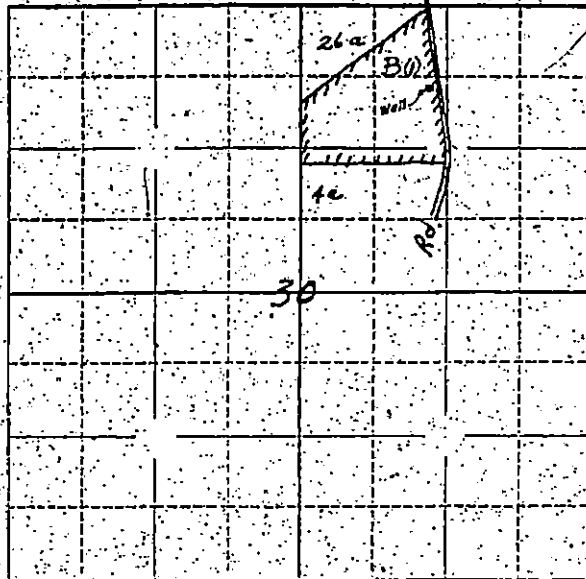
10. Log of Well: (Describe each stratum or formation clearly, indicate if water bearing, and give thickness and depth as indicated.)

MATERIAL	Thickness (Feet)	Depth to Bottom (Feet)
Clay	20 ft.	0 to 20
Clay and sand	5 ft	20 to 25
Sand and fine gravel (water)	7 ft	25 to 32
Clay (soft) and sand	6 ft	32 to 38
Clay	5 ft	38 to 43
Sand (Water 6 gpm)	2 ft	43 to 45
Fine sand	3 ft	45 to 48
Gravel	3 ft	48 to 51
Clay	10 ft	51 to 61
Start of sand in clay	1 ft	61 to 62
Sand (Boiled 30 gpm Drawdown to 2 ft)	5 ft	62 to 67
Sand	4 ft	67 to 71

GR-375A

10386

Township 5 S Range 1 E W.M.
North



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SALEM, OREGON

Locate well and acreage of irrigated land on plat.
Scale: $\frac{1}{4}$ inch = 1 Mile

STATE OF OREGON

County of Marion

} ss.

I, August E. Rahn being first duly sworn, do hereby certify that I have read the foregoing Registration Statement and that all of the items therein contained are true to the best of my knowledge and belief.

August E. Rahn
(Signature of Registrant)

Subscribed and sworn to before me this 17th day of December, 1957.

My commission expires Sept 19, 1960

Chris J. ...
(Notary Public)

(SEAL)

CERTIFICATE OF REGISTRATION

STATE OF OREGON

County of Marion

} ss.

This is to certify that the foregoing Registration Statement was received in the office of the State Engineer on the 27 day of January, 1958, at 5:00 o'clock A.M. and has been duly recorded in said office in Book No. 5 of Registration Statements on page 874.

~~Construction of this dam completed by X-X-X-X-X-X-X-X-X-X-X-X and the water right hereby applied to beneficial use by X-X-X-X-X-X-X-X-X-X-X-X~~

Witness my hand this 24 day of April, 1958.

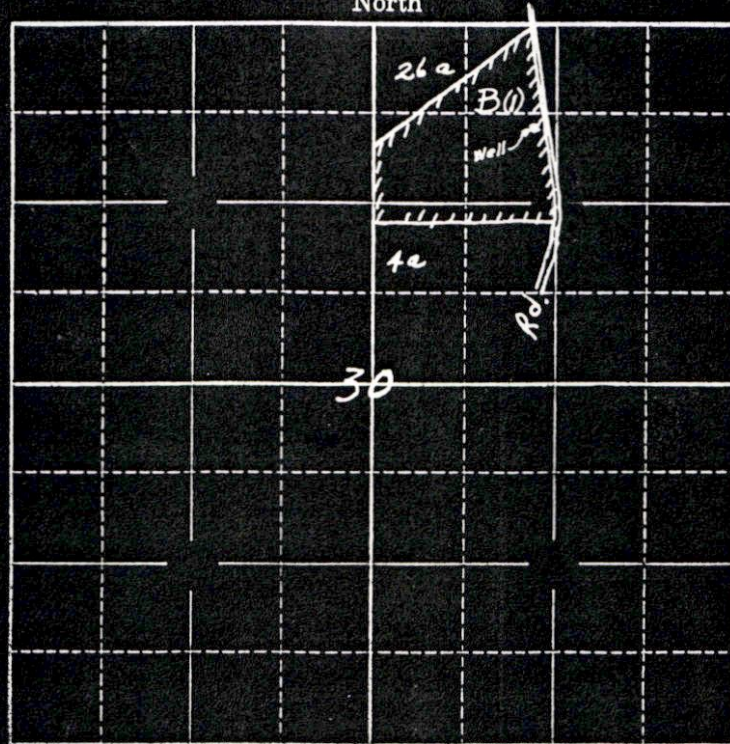
Willie A. ...
(State Engineer)

10386

By _____
(Deputy)

GR-872 C

Township 55 Range 1E, W.M.
North



Locate well and acreage of irrigated land on plat.

Scale: $\frac{1}{4}$ " = 1 Mile

STATE OF OREGON

County of Marion } ss.

I, August E. Rabe, being first duly sworn, do hereby certify that I have read the foregoing Registration Statement and that all of the items therein contained are true to the best of my knowledge and belief.

August E Rabe

WORK COPY
L. Jaramillo 8-14-07

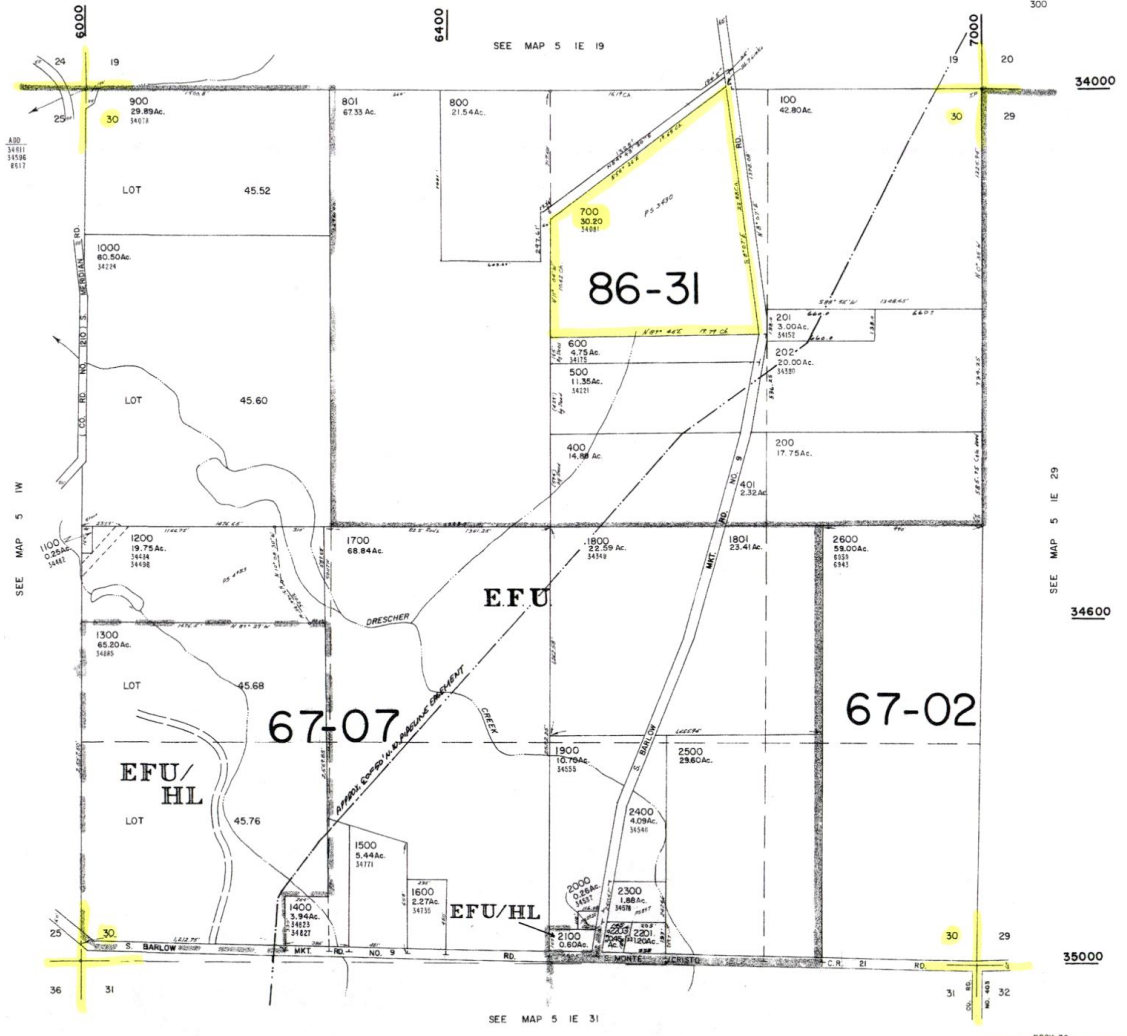
T. 5S, R. 1E - Sec. 30
Tax Lot 700

CLACKAMAS COUNTY

1" = 400'

CANCELLED
2490
300

SEE MAP 5 IE 19



SEE MAP 5 IE 29

SEE MAP 5 IE 31

BOOK 39
5 IE 30

T-10386

T-10386
L. Jaramilla
8-14-07

T. 5s, R. 1E, Sec 30

North



T-10386 Page 1 of 1
 L. Jaramillo
 8-14-07

Water Rights Platcard Report

Meridian: WILLAMETTE Township: 5 South Range: 1 East Section: 30 Records per Page: 7 Search

Handwritten: NCR ✓

Water Right	Changing xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40): NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Unkown
Select Claim:GR 899 *	T10386	1/2/1955	IRRIGATION				26	4															
Additional Info: AUGUST RABE Claim: GR899		<i>Subject GR</i>																					
Select Claim:GR 995 *		9/30/1950	IRRIGATION				10	2		13				5									
Additional Info: GEORGE E BOND Claim: GR995		<i>located on otherside (East) of Road.</i>																					
Select Cert:29293 OR CN		11/18/1957	IRRIGATION CN														6						
Additional Info: WM J DAHLSEID App: G805 Permit: G709 Cert: 29293																							
Select Cert:29313 OR *		9/10/1956	IRRIGATION									18.5	26.3										
Additional Info: JOHN DRESCHER App: S31104 Permit: S24514 Cert: 29313																							
Select Cert:29319 OR CN		7/9/1956	IRRIGATION CN														6						
Additional Info: JAMES Y COLVIN App: S30914 Permit: S24880 Cert: 29319																							
Select Cert:35419 OR *		4/3/1962	IRRIGATION							25.6				15									
Additional Info: GEORGE BOND App: G2282 Permit: G2108 Cert: 35419																							
Select Cert:38321 OR *		12/27/1965	IRRIGATION											18.8									
Additional Info: GEORGE E BOND App: G3330 Permit: G3111 Cert: 38321																							

1 2 3 4 5
 Acreage Legend: 12.25 Regular acreage ~~12.25~~ Acreage is on a canceled right (12.25) Acreage is part of a transfer and has not been proven up on yet (inchoate) [12.25] Acreage has been suspended * Acreage is not specified

Water Rights Platcard Report

Meridian: WILLAMETTE Township: 5 South Range: 1 East Section: 30 Records per Page: 7

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40)	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Unkown		
Q(160)	NE	NE	NE	NE	NE	NE	NE	NE	NE	NE	NE	NE	NE	NE	NE	NE	NE	NE	NE	NE	NE	NE	NE	QQ		
Select Cert:51123 OR CN		7/23/1975	IRRIGATION	CN		4																	24.9			
Additional Info: ED DRESCHER App: S53458 Permit: S39773 Cert: 51123																										
Select Cert:52346 OR *		2/24/1977	IRRIGATION						0.7	39																
Additional Info: C.J. VANDECOEVERING App: G7823 Permit: G7223 Cert: 52346		- located on other side (East) of Road																								
Select Cert:62406 OR *		2/5/1982	IRRIGATION																			12				
Additional Info: EDWARD DRESCHER App: S63243 Permit: S46497 Cert: 62406																										
Select Cert:64871 OR *		5/13/1980	IRRIGATION			1																	0.1			
Additional Info: HAROLD KRAEMER App: G9731 Permit: G8954 Cert: 64871																										
Select Cert:65628 OR CN			IRRIGATION	CN			40	3-2																		
Additional Info: HESSEL BIERMA App: G11342 Permit: G10475 Cert: 65628																										
Select Cert:72372 CF *			IRRIGATION				40	3.2																		
Additional Info: MARGARET LANDSEN App: G11202 Permit: G10294 Cert: 72372		→ T-6534																								
Select App:S 86349 *		6/24/2005	NURSERY USES				40	2.8																		
Additional Info: HAMMELMAN FARMS INC. App: S86349		- located on other side (East) of Road.																								

✓ NCR

✓ NCR

✓ NCR

1 2 3 4 5

Acreage Legend: 12.25 Regular acreage ±2.25 Acreage is on a canceled right (12.25) Acreage is part of a transfer and has not been proven up on yet (inchoate) [12.25] Acreage has been suspended * Acreage is not specified

T6534

Water Rights Platcard Report

Meridian: WILLAMETTE Township: 5 South Range: 1 East Section: 30 Records per Page: 7 Search

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40): NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Unkown
Select Cert:29312 OR * Additional Info: JOHN DRESCHER App: R31103 Permit: R1943 Cert: 29312		9/10/1956	STORAGE										*		*	*							
Select Cert:29318 OR CN Additional Info: JAMES Y COLVIN App: R31205 Permit: R2015 Cert: 29318		11/13/1956	STORAGE	CN													*						
Select Cert:30871 CR CN Additional Info: JAMES Y COLVIN App: R31205 Permit: R2015 Cert: 30871		11/13/1956	STORAGE	CN													*						
Select Permit:G 10631 * Additional Info: DONALD G RABE App: G11543 Permit: G10631		6/20/1986	SUPPLEMENTAL IRRIGATION (Suppl'mtl)				26	4															
Select Permit:G 13100 * Additional Info: ILARION EFIMOFF App: G12831 Permit: G13100			SUPPLEMENTAL IRRIGATION (Suppl'mtl)												19	24.3							
Select Permit:S 53839 * Additional Info: BILL ROSE App: S85010 Permit: S53839		1/23/2002	SUPPLEMENTAL IRRIGATION (Suppl'mtl)				40	3.2															
Select Cert:35419 OR * Additional Info: GEORGE BOND App: G2282 Permit: G2108 Cert: 35419		4/3/1962	SUPPLEMENTAL IRRIGATION (Suppl'mtl)				8.4			13			5										

NCR ✓ - Located on the other side (East) of Road

NCR ✓ Located on other lands to the North West of Subject lands.

Acreege Legend: 12.25 Regular acreege ~~12.25~~ Acreege is on a canceled right (12.25) Acreege is part of a transfer and has not been proven up on yet (inchoate) [12.25] Acreege has been suspended * Acreege is not specified

Water Rights Platcard Report

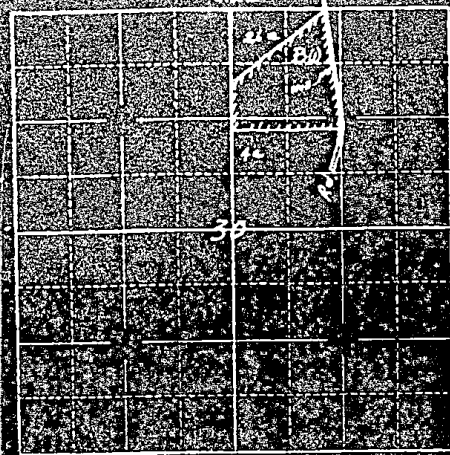
Meridian: WILLAMETTE Township: 5 South Range: 1 East Section: 30 Records per Page: 7

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	Qq(40): NE	Qq(40): NW	Qq(40): SW	Qq(40): SE	Qq(160): NE	Qq(160): NW	Qq(160): SW	Qq(160): SE	Qq(160): NE	Qq(160): NW	Qq(160): SW	Qq(160): SE	Qq(160): NE	Qq(160): NW	Qq(160): SW	Qq(160): SE	Qq(160): NE	Qq(160): NW	Qq(160): SW	Qq(160): SE	Qq(160): NE	Qq(160): NW	Qq(160): SW	Qq(160): SE	Unkown QQ	
Select Permit: S 53860 *		7/13/2001	AGRICULTURE USES																													
Additional Info: DANIEL EKENBARGER App: 584800 Permit: 553860																																
Select Cert: 29312 OR *		9/10/1956	FISH CULTURE						*	*	*																					
Additional Info: JOHN DRESCHER App: R31103 Permit: R1943 Cert: 29312																																
Select Cert: 29313 OR *		9/10/1956	FISH CULTURE						*	*	*																					
Additional Info: JOHN DRESCHER App: 531104 Permit: 524514 Cert: 29313																																
Select Inchoate: T 3285 CF (REG) *		2/3/1969	IRRIGATION																													
Additional Info: WILLIAM J DAHLSEID App: G4778 Permit: G4501																																
Select Permit: G 10631 *		6/20/1986	IRRIGATION						15																							
Additional Info: DONALD G RABE App: G11543 Permit: G10631																																
Select Permit: G 13079 CN			IRRIGATION CN																													
Additional Info: ILARION EFIMOFF App: G12831 Permit: G13079																																
Select Claim: GR 74 *		6/30/1948	IRRIGATION																													
Additional Info: R L OR MARIE SIMMONS Claim: GR74																																

1 2 3 4 5

Acreege Legend: 12.25 Regular acreege ~~12.25~~ Acreege is on a canceled right (12.25) Acreege is part of a transfer and has not been proven up on yet (inchoate) [12.25] Acreege has been suspended * Acreege is not specified

Township 5 S Range 1 E W.M.
North



Locate well and acreage of irrigated land on plat
Scale: $\frac{1}{2}$ 1 Mile

STATE OF OREGON
County of Marian

I, August E. Rolfe, being first duly sworn, do hereby certify that I have read the foregoing Registration Statement and that all of the items therein contained are true to the best of my knowledge and belief.

August E. Rolfe
Register

Subscribed and sworn to before me this 12th day of December, 1957

My commission expires Sept 11/60
Clayton
Notary Public

(SEAL)

CERTIFICATE OF REGISTRATION

GW-Rev.

Lisa

State of Oregon

Water Resources Department

Interoffice Memorandum

July 1, 2008

To: Water Rights
From: Josh Hackett
Subject: Ground Water Review of Ground Water Registration Modification T-10386

Findings

The additional POA (proposed well) will produce from the same aquifer as the authorized point of appropriation.

The transfer is unlikely to result in injury to existing rights.

Discussion

This application proposes an addition of a point of appropriation (POA), on Ground Water Registration GR-899.

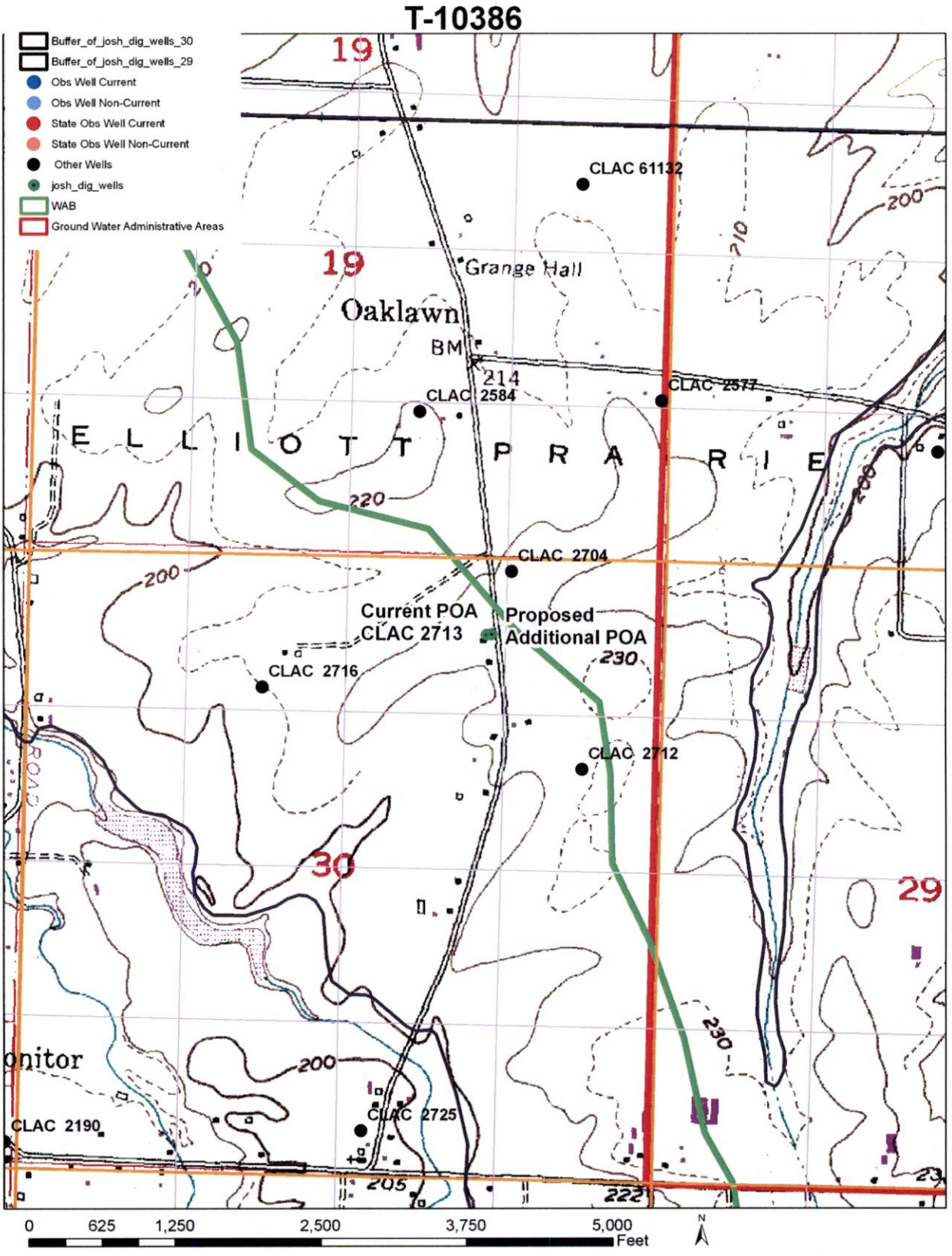
Well CLAC 2713 is the authorized point of appropriation on GR-899. The applicant is requesting an addition of one POA (proposed well) to the Ground Water Registration. The current POA (CLAC 2713) is 69 feet deep and produces from alluvial sands and gravels.

No construction was proposed for the additional POA, but approximately 600 feet of alluvial sediments is found in the area of the proposed POA, so it is likely that the applicant intends to drill an alluvial well. The proposed location of the additional POA is less than 100 feet from the existing POA. Wells located this close together are likely to cause mutual interference if they are pumped at the same time.

Because the proposed additional POA will be in close proximity to, and will produce from the same aquifer as, the current POA, this transfer is not likely to result in injury to existing water rights.

W-10386

Well Location Map





Oregon

Theodore R. Kulongoski, Governor

GR-MOD

Water Resources Department

725 Summer Street NE, Suite A

Salem, OR 97301-1271

503-986-0900

FAX 503-986-0904

INTEROFFICE MEMO

FORWARD TO:

☐ Lisa Jaramillo
FIELD PROCESSOR WORKING ON THIS TRANSFER

DATE: 5-22-07

FROM:

 WATERMASTER, DISTRICT #
X GROUNDWATER SECTION

(SIGNATURE) *[Signature]* date signed 7/1/08
signed by injury reviewer

SUBJECT: **WATER RIGHT TRANSFER #** 10386

A change in: **POU** **POD** **POA** **USE** of water.

In the name(s) of Charles & Penny Rabe

In my opinion (assuming the right is valid), the proposed change

MAY BE MADE WITHOUT INJURY WOULD RESULT IN INJURY* to an existing water right.

*The approval of this transfer application would result in injury to other water rights because

The existing right may not be valid because _____

Headgate notices HAVE HAVE NOT Been issued for diversion from the source(s) which serve(s) this right.

If for change in point of diversion, is there any intervening point(s) for diversion between the authorized and proposed points of diversion? (Yes or No) _____

In my opinion, the order approving the subject transfer application should include the following in regard to the appropriator installing suitable measuring devices in the diversion works:

_____ (1) PRIOR to the diverting of water at the new point of diversion . . .

_____ (2) WHEN IN the judgement of the watermaster it becomes necessary . . .

The enclosed copy of the transfer application and map(s) is for your records.



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

May 18, 2007

CHARLES H RABE
34081 S BARLOW RD
WOODBURN OR 97071

Reference: Groundwater Modification Transfer 10386

On May 15, 2007 we received your water right transfer application requesting an additional point of appropriation for use of water from WELL 1, tributary to DRESCHER CREEK. The application was accompanied by \$500.00. Our receipt 87586 is enclosed.

By copy of this letter, we are asking the Watermaster for his report regarding the potential for injury to existing water rights which may be caused by the change.

Your application will be examined to determine if additional information is needed. You will be contacted following this examination.

Except as provided under ORS 540.510(3) for municipalities, you may not use water for the new use, in the new place of use or from the new point of diversion until the transfer application has been approved. In order to avoid any possible forfeiture of the water right, you should continue to use the water as described by your existing water right. If the land is sold before the transfer is approved, the buyer's consent to the transfer will be required unless a recorded deed or other legal document clearly established that the water right was not conveyed in the sale.

We will notify you if additional information or corrections to the application or map are required.

If you have any questions, please call the Transfer Section, (503)986-0883.

cc: Watermaster #16

Groundwater

Clackamas County Planning Department (9101 SE Sunnybrook Blvd, Clackamas, OR 97015)

enclosure



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

725 Summer Street NE, Suite A

Salem, OR 97301-1271

503-986-0900

FAX 503-986-0904

Notice of Application for Water Right Transfer, Temporary Transfer, or Permit Amendment 05/22/07

The Department seeks comment on the recently-filed application listed below. Any person may comment on the application. Comments must be received by the Department within 30 days of the date of this notice. The Director may presume that the transfer would be allowed by, and compatible with comprehensive plans unless an affected local government informs the Director otherwise within 30 days of this notice.

County: CLACKAMAS
Transfer: 10386
Water Right: GR-899
Priority Date: 1955
Name: CHARLES & PENNY RABE
Address: 34081 S BARLOW RD; WOODBURN OR 97071
Change: APOA
Source: WELL
Authorized APOA: T5S R1E 30
Proposed APOA: T5S R1E 30

The holder of a water right may apply to permanently change an existing water use subject to transfer. A transfer application may involve any of the following changes: Point of diversion or appropriation (POD; POA); Additional point of diversion or appropriation (APOD; APOA); Historic POD (HIST); Place of use (POU); Character of use (USE); Instream (ISWR); Substitution (SUB); or Exchange (EXCH).

The holder of a water right subject to transfer may request to temporarily change the place of use of the water for up to 5 years and, if necessary to convey the water, to temporarily change the point of diversion or appropriation.

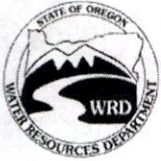
The holder of a water right permit may apply to change a point of diversion (POD) or appropriation (POA) or to change the place of use (POU).

Any person who provides comments within the comment period will receive a copy of the Department's preliminary determination of whether the application should be approved or rejected after the Department has completed a review of the application and will be provided an opportunity to protest the application and preliminary determination at that time. Comments should be sent to the Transfers Section at the Department's Salem office.

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MAY 15 2007

WATER RESOURCES DEPT
SALEM, OREGON



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

Application for Permit Amendment or Ground Water Registration Modification

Please type or print legibly in dark ink. If your application is incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "N/A" to indicate Not Applicable. As you complete this form, please refer to notes and guidance included on the application. A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/OWRD/PUBS/forms.shtml.

1. TYPE OF APPLICATION

Please check **one** of the following:

Permit Amendment

Ground Water Registration Modification

2. APPLICANT INFORMATION

Name: Charles H. & Penny K. Rabe
First Last

Address: 34081 S. Barlow Rd.

Woodburn OR 97071
City State Zip

Phone: 503-634-2585 503-634-2581
Home Work Other

Fax: 503-634-2110 E-Mail address: rabeauto@monitorcoop.com

3. AGENT INFORMATION

(The agent listed is authorized to represent the applicant in all matters relating to this application.)

Name: NONE
First Last

Address: _____

City State Zip

Phone: _____
Home Work Other

Fax: _____ E-Mail address: _____

▪ If an agent is listed above, please check **one** of the following:

- Please send all correspondence to Agent. Send *copies* of correspondence to Applicant; or
- Please send all correspondence to Applicant. Send *copies* of correspondence to Agent.

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SALEM, OREGON

Permit Amendments

- If you propose to amend multiple permits under this application, a separate set of pages 3 through 7 must be provided for each permit. (**NOTE:** Concurrent changes to a water right must be filed separately on a transfer application.)

Ground Water Registration Modifications

- You may propose modification of only one ground water registration per application, unless in accordance with OAR 690-382-0300(2), the ground water registrations to be modified are layered. (**NOTE:** Concurrent changes to a water right must be filed separately on a transfer application.)

4. TYPE OF AMENDMENT OR MODIFICATION PROPOSED

Please check all of the following that apply:

Point of Diversion or Appropriation	Place of Use	Character of Use
<input type="checkbox"/> Change (The old point of diversion or appropriation will <u>not</u> be used for the portion of the water right affected by the amendment or modification.) <input checked="" type="checkbox"/> Additional (Both the old <u>and</u> new points of diversion or appropriation will be used for the portion of the water right affected by the amendment or modification.) <p style="text-align: center;"><i>Not Available for <u>Ground Water Registrations</u></i></p> <input type="checkbox"/> Surface Water to Ground Water (A new point of appropriation will be used <u>instead</u> of the old point of diversion. The old point of diversion will <u>not</u> be used.)	<input type="checkbox"/> All of the Permit or Registration will be exercised at a different location than currently authorized (Use of water at the current authorized location will be discontinued.) <input type="checkbox"/> Only a portion of the Permit or Registration will be exercised at a different location than currently authorized (Use of water at a <u>portion</u> of the current authorized location will be discontinued.)	<p style="text-align: center;"><i>Not Available for <u>Permit Amendments</u></i></p> <p>Change existing authorized use to the following proposed <u>new</u> use:</p> <input type="checkbox"/> Irrigation <input type="checkbox"/> Municipal <input type="checkbox"/> Quasi-municipal <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Domestic (indicate number of households): _____ <input type="checkbox"/> Other _____

- Reason(s) for amendment/modification(s): The original well does not yield as much as it did in the past.

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5. CURRENT PERMIT OR REGISTRATION INFORMATION

Permit or Registration to be Amended/Modified (check and complete one of the following):

<input type="checkbox"/> Permit to be Amended:	_____	_____
	Permit Number	Current Completion Date of Permit
<input checked="" type="checkbox"/> Ground Water Registration to be Modified:	<u>GR 899</u>	
	Ground Water Registration Number	

NOTE: Concurrent changes to a water right must be filed separately on a transfer application.

- Name on Permit or Registration: August E. Rabe
- County: Clackamas
- Authorized Use(s) to be affected by this Amendment/Modification: irrigation

- Priority Date(s): 1-21-1955

If there are multiple Priority Dates identified on the Permit or Registration, any information provided on pages 4 through 7 must identify which priority date is associated with each of the authorized and proposed points of diversion or appropriation and places of use.

- All Source(s) of Water to be affected by this Amendment/Modification: Well

Tributary to: Bu He Cr.

If there are multiple Sources listed on the Permit or Registration, any information provided on pages 4 through 7 must identify which source is associated with each of the authorized and proposed points of diversion or appropriation and places of use.

For an application proposing a Change in Place of Use or Character of Use:

- Are there any other "Layered" Water Rights, Permits, or Ground Water Registrations issued for Irrigation purposes that are appurtenant to the same place of use as the Permit or Registration being Amended/Modified? Yes No N/A - No Change in Use or Place of Use

If "Yes", pursuant to ORS 540.510, OAR 690-380-2240 and OAR 690-382-0200, the other "layered" water uses subject to transfer must either change concurrently or be cancelled, except as provided in OAR 690-380-2240(5).

- Remarks: The Pou for this GR has a suppl. right (G-10631). No changes are proposed for the suppl. right.

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- The following information must be provided only for those points of diversion or appropriation that are involved in the permit amendment or ground water registration modification (i.e., list only the portion of the permit/registration you propose to amend/modify). Attach additional pages as necessary.

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing permit or ground water registration.

Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:

(i.e., the allowed point(s) of diversion/appropriation that will be affected by the proposed amendment/modification, the "FROM" point(s) of diversion/appropriation)

If Ground Water, OWRD Well Log ID No. (or Well ID, Tag No. L)	Source and Priority Date	Township	Range	Mer.	Sec.	1/4 1/2	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
Clac 2713	Sand gravel 1-21-55	5 S	1 E	WM	30	NW, NE	TL 700	C ppr 11 chains S + 18 chains of N 1/4 corner Sec 30

- Does the permit/registration being amended/modified involve a ground water source(s)?
 - Yes
 - No (Surface water source only.)

If "Yes", for each authorized point of appropriation (well) involved, you must either:

- A. Supply a copy of the well log(s) for each point of appropriation that is clearly labeled and associated with the corresponding well in the table above and on the accompanying application map.

(NOTE: You may search for well logs on the Department's website at: www.wrd.state.or.us)

or

- B. If a well log is not available, you must describe the construction of the authorized point of appropriation by completing the table below. Attach additional copies as necessary.

Construction of Existing Authorized Point(s) of Appropriation – (Only needed if no well log is available.)

Wells in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

OWRD Well No. as identified in table above	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
Clac 2713									

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- The following information must be provided only for those places of use that are involved in the permit amendment or ground water registration modification (i.e., list only the portion of the permit/registration you propose to amend/modify.) Attach additional pages as necessary.

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing permit or ground water registration.

Location of Existing Authorized Place of Use to be Affected:
 (i.e., the allowed lands that will be affected by the proposed amendment/modification, the "FROM" lands)

Source and Priority Date	Township	Range	Mer	Sec	Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
Proposed POA affects the entire POU under GR-899.							

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6. PROPOSED PERMIT AMENDMENT OR REGISTRATION MODIFICATION

- Describe proposed changes to the permit or registration involving point(s) of diversion and/or appropriation. Survey coordinates described below should accurately correspond to the points shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Point(s) of Diversion or Appropriation: (i.e., the "TO" point(s) of diversion/appropriation)

(NOTE: Complete this table only if a Change in Point of Diversion or Appropriation is being proposed.)

Source	Township	Range	Mer	Sec	1/4 1/4 Section	Tax Lot DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
Sand/gravel	5 S	1 E	WM	30	NW, NE	TL 700	appr. 11 chains S. + 18 chains E. N 1/4 corner Sec. 30
							1 rod west of existing POA

- If there are proposed point(s) of appropriation (wells) listed in the table above; are the well(s) already constructed? Yes No N/A - No proposed well(s) listed above.

If "Yes", attach and clearly label the corresponding well log(s) for each proposed well, or if well log(s) are not available, describe the construction of the well(s) using the table below.

(NOTE: You may search for well logs on the Department's website at: www.wrd.state.or.us)

If "No", describe the anticipated construction for the proposed well(s) in the following table:

Construction of Proposed Point(s) of Appropriation or Well(s):

Well numbers in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L-...)	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
NO	—									

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- Describe proposed changes to the permit or registration involving place of use. Information described below should accurately correspond to the proposed place of use shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Place of Use: (i.e., the "TO" lands)

(NOTE: Complete this table only if a Change in Place of Use is being proposed.)

Source	Township	Range	Mer	Sec	1/4 1/4 Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)

Remarks: NO changes in POU are being requested.

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7. AFFECTED DISTRICTS AND LOCAL GOVERNMENTS

- Are any of the Permit(s) or Registration(s) proposed for amendment/modification located within or served by an irrigation or other water district? Yes No
- Will any of the Permit(s) or Registration(s) be located within or served by an irrigation or other water district after the proposed amendment/modification? Yes No
- Is water for any of the Permit(s) or Registration(s) supplied under a water service agreement or other contract for stored water with a federal agency? Yes No

If "Yes", for any of the above, list the name and mailing address of the district and/or agency:

N/A

- List the name and mailing address of all affected local governments (e.g., county, city, municipal corporation, and tribal governments within whose jurisdiction the right(s) are located).

Clackamas County Planning Dept.
9101 S.E. Sunnybrook Blvd.
Clackamas, OR. 97015

8. PERMIT HOLDER OF RECORD

This section is to be completed only for Permit Amendment applications.

N/A – This is a Ground Water Registration Modification application.

- Is the applicant the permit holder of record? Yes No

If "No", the applicant must either:

A. Be assigned as a permit holder of record by submitting a completed Request for Assignment form and the required statutory fee for an assignment;

or

B. Submit an Affidavit of Consent from the permit holder of record that gives permission for the applicant to amend the permit.

9. LAND OWNERSHIP

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SALEM, OREGON

If for a Permit Amendment proposing a Change in Place of Use:

- Does the permit holder of record own or control the land **TO** which the place of use is being moved? Yes No

If "No", the owner of the land **TO** which the place of use is being moved must be assigned to the permit as a permit holder of record by submitting a completed Request for Assignment form and the required statutory fee for an assignment.

- Check one of the following:
 - The permit holder of record will be responsible for completion of the proposed changes after the final order is issued. All notices and correspondence should be sent to the permit holder of record.
 - The applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to the applicant and applicant's agent.

If for a Ground Water Registration Modification:

- Does the applicant own the lands **FROM** which the registration is being moved? Yes No

If "No", provide the following information:

Names of Current Landowner(s): _____
First Last

Address: _____

City State Zip

- Does the applicant own the lands **TO** which the registration is being moved? Yes No

If "No", provide the following information:

Names of Receiving Landowner(s): _____
First Last

Address: _____

City State Zip

- Check one of the following:
 - The receiving landowner will be responsible for completion of the proposed changes after the final order is issued. All notices and correspondence should be sent to this landowner.
 - The applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to the applicant and applicant's agent.

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WATER RESOURCES DEPT
SALEM, OREGON

10. ATTACHMENTS

Check each of the following attachments included with this application.
The application will be returned if all required attachments are not included.

<p>Map:</p> <p><input type="checkbox"/> A map meeting the requirements of OAR 690-380-3100 must be included but need not be prepared by a Certified Water Right Examiner.</p> <p>Land Use Information Form:</p> <p><input type="checkbox"/> Enclosed; <i>or</i></p> <p><input type="checkbox"/> Not required if all of the following are met:</p> <ul style="list-style-type: none">❶ In EFU zone or irrigation district;❷ Change in place of use only;❸ No structural changes needed, including diversion works, delivery facilities, other structures; <i>and</i>❹ Irrigation only. <p>Water Well Reports/Well Logs:</p> <p><input type="checkbox"/> The application involves a change in point of appropriation or change from surface water to ground water and copies of all water well reports are attached.</p> <p><input checked="" type="checkbox"/> Water well reports are not available and a description of construction details including well depth, static water level, and information necessary to establish the ground water body developed or proposed to be developed is attached.</p> <p><input type="checkbox"/> N/A. The application does not involve a change in point of appropriation or a change from surface water to ground water, so water well reports are not required.</p>	<p>Fees:</p> <p><input type="checkbox"/> Amount enclosed: \$ _____ See the Department's Fee Schedule at www.wrd.state.or.us/OWRD/PUBS/forms.shtml or call (503) 986-0900.</p> <p><u>For Permit Amendments Only...</u></p> <p>Request for Assignment:</p> <p><input type="checkbox"/> Enclosed. The applicant is NOT the permit holder of record and needs to be assigned to the permit; OR the landowner of the proposed place of use is NOT the permit holder of record and needs to be assigned to the permit. <i>The Request for Assignment form is available online at: www.wrd.state.or.us/OWRD/PUBS/forms.shtml ; <i>or</i></i></p> <p><input type="checkbox"/> N/A. The applicant is the permit holder of record and owns or controls the proposed place of use; OR the applicant is not the permit holder of record but is supplying an Affidavit of Consent from the permit holder.</p> <p>Affidavit of Consent:</p> <p><input type="checkbox"/> Enclosed. Because the applicant is NOT the permit holder of record, an Affidavit of Consent is being supplied that gives permission for the applicant to amend the permit; <i>or</i></p> <p><input type="checkbox"/> N/A. Not required because the applicant is the permit holder of record.</p>
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Before submitting your application to the Department, be sure you have:

- Answered each question completely.
- Included all the required attachments.
- Provided original signatures for **all** named deed holders, or other parties, with an interest in the water
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.

11. SIGNATURES

For Ground Water Registration Modification Applications only, check the appropriate one and sign the application in the signature box below:

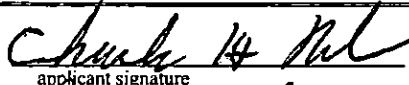
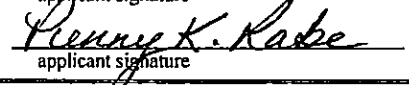
In accordance with OAR 690-382-0400(16)(a), I (we) understand that prior to Department approval of a permanent modification and upon my receipt of a draft Preliminary Determination for the proposed modification, I (we) will be required [pursuant to OAR 690-382-0700(5)] to provide the following landownership information and evidence demonstrating that I (we) are authorized to pursue the modification:

- (a) A report of ownership and lien information that has been prepared by a title company *within the last three months*;
- (b) A copy of written notification of the proposed modification provided by the applicant to all lien holders on the subject lands unless the report of ownership and lien information shows that a water right conveyance agreement has been recorded for the subject lands. *If a water right conveyance agreement has been recorded for the subject lands, a copy of the recorded agreement and a listing of the owner(s) of the lands at the time the agreement was recorded must be submitted; and*
- (c) If the applicant is not both the person named on the ground water registration or the assignee *and* the owner of the lands to which the registration is appurtenant, as identified in the report of ownership and lien information, then either of the following must be provided:
 - A) Notarized statements consenting to the modification by all persons, other than the applicant, who are named on the ground water registration or identified as landowners in the report of ownership and lien information or who are authorized representatives of an entity to whom the interest in the water right has been conveyed as identified in a water right conveyance agreement; or
 - B) Documentation demonstrating that the applicant is authorized to pursue the modification in the absence of consent of the persons named on the ground water registration or the assignee and the owner of the lands to which the registration is appurtenant.

I (we) affirm that the applicant is a municipality, as defined in ORS 540.510(3)(b), and that the right is in the name of the municipality or a predecessor. Therefore, pursuant to OAR 690-382-0400(16)(b), the applicant is NOT required to provide the above described report of ownership and lien information.

I (we) affirm that the applicant is an entity with the authority to condemn property and is acquiring the property to which the ground water registration proposed for modification is appurtenant by condemnation. Documentation is provided with this application supporting this statement. Therefore, pursuant to OAR 690-382-0400(16)(c), the applicant is NOT required to provide the above described report of ownership and lien information. (NOTE: Such an entity may only apply for recognition of a modification under this subsection if it has filed a condemnation action to acquire the property and deposited the funds with the court as required by ORS 35.265.)

For both Permit Amendment and Ground Water Registration Modification Applications, I (we) affirm that the information contained in this application is true and accurate.

	Charles H. Rabe	5/1/07
applicant signature	name (print)	date
	Penny K. Rabe	5/1/07
applicant signature	name (print)	date

Registration Statement

OF CLAIMANT OF RIGHT TO APPROPRIATE GROUND WATER
(Under Chapter 708, Oregon Laws 1955.)

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TO THE STATE ENGINEER OF OREGON:

I, Alvin E. Saba Rt. 2, Box 195a
of Woodburn, Oregon County of Clackamas

State of Oregon, do hereby make application for a certificate of registration as evidence of a right to appropriate ground water.

1. Source from which water is withdrawn is Pump well
(Flowing well, pump well, infiltration trench, or tunnel)

2. Location is: 1 mile East and 1 mile North of Monitor, Ore.
(Approximate distance and direction from nearest city or town)

and is more particularly described as follows:

(a) Approx. 1/4 Ch. S of 18 Ch. E from NW Corner of Sec. 30
(Give distance and bearing to corner of section or other legal subdivision)

being within 1/4 of Sec. 30, Twp. 5S, Rge. 1E
(Smallest legal subdivision) (N. or S.) (E. or W.)

or (b) within limits of recorded platted property, town or city:

in Lot _____ Block _____ of _____
(Name of plat or addition)

County of _____
(If within city or town, give name)

3. Construction Work was begun on Jan 2, 1955; was completed on March 1, 1955
(Date) (Date)

and the ground water claimed was first used for the purposes set out below on July, 1955
(Date)

since which time the water has been used Continuously
(Continuously or Intermittently)

from July, 1955 to Present
(Date) (Date)

4. Quantity of water claimed and used is 75 gallons per minute; _____ acre feet per year.

5. Purpose or Purposes for which water is used: Irrigation
(Domestic, irrigation, municipal, manufacturing, industrial, etc.)

6. Description of Well: Depth: _____ feet Type Drilled
(Dug or drilled)

diameter 6 inches. Elevation of ground at well site 225 feet, mean sea level.
(As near as known)

Depth to water table 52-32 feet.

7. Capacity of Well: 110 g.p.m. with 41 feet drawdown.

_____ g.p.m. with _____ feet drawdown.

Date of test March 14, 1955

If Flowing Well: Measured discharge _____ g.p.m. on _____
(Date)

Shut-in pressure at ground surface _____ lbs. per sq. in. on _____
(Date)

Water is controlled by _____
(Cap, valve, etc.)

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8. Casing: (Give diameter, commercial specifications and depth below ground surface of each casing size.)

6 inch diameter Standard Steel from to 53'4" feet
 inch diameter from to feet
 inch diameter from to feet
 inch diameter from to feet

Describe and show depth of shoe, plug, adapter, liner or other details:

Shoe Depth 53'4"

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9. Perforated Casings or Screens:

No Perforation

(Number per foot and size of perforations, or describe screen)

from to

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from to

from to

from to

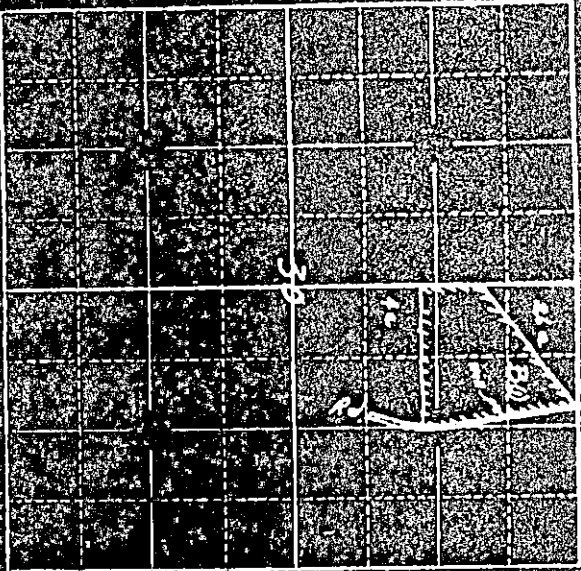
10. Log of Well: (Describe each stratum or formation clearly, indicate if water bearing, and give thickness and depth as indicated.)

MATERIAL	Thickness (Feet)	Depth to Bottom (Feet)
Clay	20 ft.	0 to 20
Clay and sand	5 ft	20 to 25
Sand and fine gravel (water)	7 ft.	25 to 32
Clay (soft) and sand	6 ft.	32 to 38
Clay	5 ft.	38 to 43
Sand (Water 6 gpm)	2 ft.	43 to 45
Fine sand	3 ft.	45 to 48
Gravel	3 ft.	48 to 51
Clay	10 ft.	51 to 61
Start of sand in clay	1 ft.	61 to 62
Sand (Yielded 40 gpm drawdown to 50ft)	3 ft.	62 to 65
Sand	1 ft.	65 to 66

GR-37-A

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Township 53S Range 15W
Miles



Locate well and acreage of irrigated land on plat.

Scale: 1 Mile

STATE OF OREGON

County of Wheeler

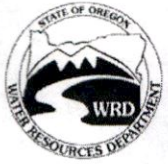
I, Reginald E. Rabe being first duly sworn, do hereby certify that I have read the foregoing Requisition Statement and that all of the items therein contained are true to the best of my knowledge and belief.

Subscribed and sworn to before me this 11 day of December 1957

My commission expires October 1, 1958

(SZA)

CERTIFICATE OF REGISTRATION



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem Oregon 97301-1266
 (503) 986-0900
 www.wrd.state.or.us

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Application for Permit Amendment or Ground Water Registration Modification

Please type or print legibly in dark ink. If your application is incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "N/A" to indicate Not Applicable. As you complete this form, please refer to notes and guidance included on the application. A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/OWRD/PUBS/forms.shtml.

1. TYPE OF APPLICATION

Please check **one** of the following:

Permit Amendment

Ground Water Registration Modification

2. APPLICANT INFORMATION

Name: Charles H. & Penny K. Rabe
First Last

Address: 34081 S. Barlow Rd.

Woodburn OR 97091
City State Zip

Phone: 503-634-2585 503-634-2581
Home Work Other

Fax: 503-634-2110 E-Mail address: rabeauto@monitorcoop.com

3. AGENT INFORMATION

(The agent listed is authorized to represent the applicant in all matters relating to this application.)

Name: NONE
First Last

Address: _____

City State Zip

Phone: _____
Home Work Other

Fax: _____ E-Mail address: _____

▪ If an agent is listed above, please check **one** of the following:

Please send all correspondence to Agent. Send *copies* of correspondence to Applicant; or

Please send all correspondence to Applicant. Send *copies* of correspondence to Agent.

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Permit Amendments

- If you propose to amend multiple permits under this application, a separate set of pages 3 through 7 must be provided for each permit. (**NOTE:** Concurrent changes to a water right must be filed separately on a transfer application.)

Ground Water Registration Modifications

- You may propose modification of only one ground water registration per application, unless in accordance with OAR 690-382-0300(2), the ground water registrations to be modified are layered. (**NOTE:** Concurrent changes to a water right must be filed separately on a transfer application.)

4. TYPE OF AMENDMENT OR MODIFICATION PROPOSED

Please check **all** of the following that apply:

Point of Diversion or Appropriation	Place of Use	Character of Use
<input type="checkbox"/> Change (The old point of diversion or appropriation will not be used for the portion of the water right affected by the amendment or modification.) <input checked="" type="checkbox"/> Additional (Both the old <u>and</u> new points of diversion or appropriation will be used for the portion of the water right affected by the amendment or modification.) <p style="text-align: center;"><i>Not Available for Ground Water Registrations</i></p> <input type="checkbox"/> Surface Water to Ground Water (A new point of appropriation will be used instead of the old point of diversion. The old point of diversion will not be used.)	<input type="checkbox"/> All of the Permit or Registration will be exercised at a different location than currently authorized (Use of water at the current authorized location will be discontinued.) <input type="checkbox"/> Only a portion of the Permit or Registration will be exercised at a different location than currently authorized (Use of water at a <u>portion</u> of the current authorized location will be discontinued.)	<p style="text-align: center;"><i>Not Available for Permit Amendments</i></p> <p>Change existing authorized use to the following proposed <u>new</u> use:</p> <input type="checkbox"/> Irrigation <input type="checkbox"/> Municipal <input type="checkbox"/> Quasi-municipal <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Domestic (indicate number of households): _____ <input type="checkbox"/> Other _____

- Reason(s) for amendment/modification(s): The original well does not yield as much as it did in the past.

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5. CURRENT PERMIT OR REGISTRATION INFORMATION

Permit or Registration to be Amended/Modified (check and complete one of the following):

Permit to be Amended:

Permit Number

Current Completion Date of Permit

Ground Water Registration to be Modified:

GR 899

Ground Water Registration Number

NOTE: Concurrent changes to a water right must be filed separately on a transfer application.

Name on Permit or Registration: August E. Rabe

County: Clackamas

Authorized Use(s) to be affected by this Amendment/Modification: irrigation

Priority Date(s): 1-21-1955

If there are **multiple Priority Dates** identified on the Permit or Registration, any information provided on **pages 4 through 7 must identify which priority date** is associated with each of the authorized and proposed points of diversion or appropriation and places of use.

All Source(s) of Water to be affected by this Amendment/Modification: Well

Tributary to: Bu He Cr.

If there are **multiple Sources** listed on the Permit or Registration, any information provided on **pages 4 through 7 must identify which source** is associated with each of the authorized and proposed points of diversion or appropriation and places of use.

For an application proposing a Change in Place of Use or Character of Use:

Are there any other "**Layered**" Water Rights, Permits, or Ground Water Registrations issued for **Irrigation** purposes that are appurtenant to the same place of use as the Permit or Registration being Amended/Modified? Yes No N/A -No Change in Use or Place of Use

If "**Yes**", pursuant to ORS 540.510, OAR 690-380-2240 and OAR 690-382-0200, the other "**layered**" water uses subject to transfer **must either change concurrently or be cancelled**, except as provided in OAR 690-380-2240(5).

Remarks: The Pou for this GR has a suppl. right (G-10631). No changes are proposed for the suppl. right.

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- The following information **must be provided** only for those points of diversion or appropriation that **are involved in the permit amendment or ground water registration modification** (i.e., list only the portion of the permit/registration you propose to amend/modify). Attach additional pages as necessary.

Government lot and donation land claim numbers must be included in the tables below **only** if the information is reflected on the existing permit or ground water registration.

Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:

(i.e., the allowed point(s) of diversion/appropriation that will be affected by the proposed amendment/modification, the "FROM" point(s) of diversion/appropriation)

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-___)	Source and Priority Date	Township	Range	Mer	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
Clac 2713	Sand gravel 1-21-55	5 S	1 E	WM	30	NW, NE	TL 700	C ppr 11 chains S + 18 chains of N ¼ corner Sec 30

- Does the permit/registration being amended/modified involve a ground water source(s)?
 - Yes
 - No (Surface water source only.)

If "Yes", for each authorized point of appropriation (well) involved, you must either:

- A. Supply a copy of the well log(s) for each point of appropriation that is **clearly labeled** and associated with the corresponding well in the table above and on the accompanying application map.

(NOTE: You may search for well logs on the Department's website at: www.wrd.state.or.us)

or

- B. If a well log is **not** available, you must describe the construction of the authorized point of appropriation by completing the table below. Attach additional copies as necessary.

Construction of Existing Authorized Point(s) of Appropriation – (Only needed if no well log is available.)

Wells in this listing must be **clearly tied** to corresponding well location(s) described in the table above and shown on the accompanying application map.

OWRD Well No. as identified in table above	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
Clac 2713									

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Permit Amendment or GW Modification/4

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6. PROPOSED PERMIT AMENDMENT OR REGISTRATION MODIFICATION

- Describe proposed changes to the permit or registration involving point(s) of diversion and/or appropriation. Survey coordinates described below should accurately correspond to the points shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Point(s) of Diversion or Appropriation: (i.e., the "TO" point(s) of diversion/appropriation)

(NOTE: Complete this table **only** if a Change in Point of Diversion or Appropriation is being proposed.)

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
sand/gravel	5 S	1 E	WM	30	NW, NE	TL 700	appr. 11 chains S. + 18 chains E. N¼ corner Sec. 30
							1 rod west of existing POA

Penny —
Please make a note in this table to refer to the driller's proposal (attached) for proposed well construction specifications.

Thanks,
Lisa

- If there are proposed point(s) of appropriation already constructed? Yes No
- If "Yes", attach and clearly label the copies of well log(s) are **not** available, describe them.
- (NOTE: You may search for well logs on the internet.)
- If "No", describe the anticipated construction.

Construction of Proposed Point(s) of Appropriation

Well numbers in this listing must be clearly tied to the well shown on the accompanying application map.

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L-_____)	Diameter	Type and size of casing	No. of feet of casing	intervals casing is perforated (in feet)	Seal depth	Est. depth to water	depth to water bearing stratum	Type of access port or measuring device	Total well depth
NO	—									
Please refer to drillers proposal attached for proposed well construction										



DRILLING ESTIMATE

CCB# 87582

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36728 S. Kropf Rd., Molalla, OR 97038 • Phone: (503) 829-2526 FAX (503) 829-7514

DATE	OWNER/BUSINESS NAME	MAILING ADDRESS	CITY/STATE/ZIP
5/21/2007	Chester & Penny Rabe	34081 S. Barlow Rd.	Woodburn, OR 97071

CONTACT NAME	HOME PHONE	WORK PHONE	CELL PHONE	FAX NO.
	503-634-2585	503-634-2581		

WELL ADDRESS	COUNTY	TOWNSHIP	RANGE	SECTION	1/4	1/4	TAX LOT
Same	Clackamas	5S	1E	30			700

DESCRIPTION OF WORK	Drill & complete new 6"/8" water well.			
DESCRIPTION	QTY EST	UNIT	UNIT PRICE	AMOUNT
1) Drill 12" diameter borehole including installation of 12" temporary well casing.	80	ft.	67.00	5,360.00
2) Furnish 6" stainless steel sand screen.	15	ft.	78.00	1,170.00
3) Furnish 6" stainless steel weld rings.	4	ea.	35.00	140.00
4) Furnish Colorado Silica sand for filter pack material.	80	sack	17.00	1,360.00
5) Furnish 6" well casing.	66	ft.	14.00	924.00
6) Furnish 1.5" filler tube for filter pack.	42	ft.	2.75	115.50
7) Labor to install screen assembly, filter pack well, remove all 12" casing & install grout seal.	1	l/s	2,100.00	2,100.00
8) Labor to develop well.	1	l/s	950.00	950.00
9) Furnish & install test pump and perform 4 hour pump test & recovery test.	1	l/s	850.00	850.00
10) Furnish cement grout for casing seal.	45	sack	18.00	810.00
11) Furnish bentonite for casing seal.	15	sack	10.00	150.00
12) Oregon Water Resources Dept. start card/well log fee.	1	ea.	200.00	200.00
TOTAL ESTIMATED COST FOR 80' WELL AS DESIGNED.				\$14,129.50

ESTIMATE REMAINS VALID FOR 60 DAYS/THANK YOU!

ACTUAL DEPTH & COST WILL VARY

DUE TO UNKNOWN OR UNANTICIPATED CONDITIONS, IT MAY BE NECESSARY TO ALTER THE WELL CONSTRUCTION DESIGN IN ORDER TO PROPERLY COMPLETE THIS WELL OR TO COMPLY WITH STATE STANDARDS & CODES FOR WELL CONSTRUCTION. THESE CONDITIONS MAY INCLUDE BUT NOT BE LIMITED TO BOULDERS, SEVERE SAND CONDITIONS, CAVE-INS, ARTESIAN WATER & SEALING & ISOLATING DIFFERENT WATER BEARING ZONES. ANY EXTRA LABOR AND/OR MATERIALS THAT RESULT IN AN EXTRA COST, WILL ONLY BE USED AFTER DISCUSSION WITH AND APPROVAL OF OWNER.

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7. AFFECTED DISTRICTS AND LOCAL GOVERNMENTS

- Are any of the Permit(s) or Registration(s) proposed for amendment/modification located within or served by an irrigation or other water district? Yes No
- Will any of the Permit(s) or Registration(s) be located within or served by an irrigation or other water district after the proposed amendment/modification? Yes No
- Is water for any of the Permit(s) or Registration(s) supplied under a water service agreement or other contract for stored water with a federal agency? Yes No

If "Yes", for any of the above, list the name and mailing address of the district and/or agency:

N/A

- List the name and mailing address of all affected local governments (e.g., county, city, municipal corporation, and tribal governments within whose jurisdiction the right(s) are located).

Clackamas County Planning Dept.
9101 S.E. Sunnybrook Blvd.
Clackamas, OR. 97015

8. PERMIT HOLDER OF RECORD

This section is to be completed only for Permit Amendment applications.

- N/A – This is a Ground Water Registration Modification application.

- Is the applicant the permit holder of record? Yes No

If "No", the applicant must either:

A. Be assigned as a permit holder of record by submitting a completed **Request for Assignment** form and the required statutory fee for an assignment;

or

B. Submit an **Affidavit of Consent** from the permit holder of record that gives permission for the applicant to amend the permit.

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9. LAND OWNERSHIP

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If for a Permit Amendment proposing a Change in Place of Use:

- Does the permit holder of record own or control the land **TO** which the place of use is being moved? Yes No

If "No", the owner of the land **TO** which the place of use is being moved must be assigned to the permit as a permit holder of record by submitting a completed Request for Assignment form and the required statutory fee for an assignment.

- Check one of the following:
 - The permit holder of record will be responsible for completion of the proposed changes after the final order is issued. All notices and correspondence should be sent to the permit holder of record.
 - The applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to the applicant and applicant's agent.

If for a Ground Water Registration Modification:

- Does the applicant own the lands **FROM** which the registration is being moved? Yes No

If "No", provide the following information:

Names of Current Landowner(s): _____

First

Last

Address: _____

City

State

Zip

- Does the applicant own the lands **TO** which the registration is being moved? Yes No

If "No", provide the following information:

Names of Receiving Landowner(s): _____

First

Last

Address: _____

City

State

Zip

- Check one of the following:
 - The receiving landowner will be responsible for completion of the proposed changes after the final order is issued. All notices and correspondence should be sent to this landowner.
 - The applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to the applicant and applicant's agent.

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10. ATTACHMENTS

Check each of the following attachments included with this application.
The application will be returned if all required attachments are not included.

<p>Map:</p> <p><input type="checkbox"/> A map meeting the requirements of OAR 690-380-3100 must be included but need not be prepared by a Certified Water Right Examiner.</p> <p>Land Use Information Form:</p> <p><input type="checkbox"/> Enclosed; <i>or</i></p> <p><input type="checkbox"/> Not required if all of the following are met:</p> <ul style="list-style-type: none"> ❶ In EFU zone or irrigation district; ❷ Change in place of use only; ❸ No structural changes needed, including diversion works, delivery facilities, other structures; <i>and</i> ❹ Irrigation only. <p>Water Well Reports/Well Logs:</p> <p><input type="checkbox"/> The application involves a change in point of appropriation or change from surface water to ground water and copies of all water well reports are attached.</p> <p><input checked="" type="checkbox"/> Water well reports are not available and a description of construction details including well depth, static water level, and information necessary to establish the ground water body developed or proposed to be developed is attached.</p> <p><input type="checkbox"/> N/A. The application does not involve a change in point of appropriation or a change from surface water to ground water, so water well reports are not required.</p>	<p>Fees:</p> <p><input type="checkbox"/> Amount enclosed: \$ _____ See the Department's Fee Schedule at www.wrd.state.or.us/OWRD/PUBS/forms.shtml or call (503) 986-0900.</p> <p><u>For Permit Amendments Only...</u></p> <p>Request for Assignment:</p> <p><input type="checkbox"/> Enclosed. The applicant is NOT the permit holder of record and needs to be assigned to the permit; OR the landowner of the proposed place of use is NOT the permit holder of record and needs to be assigned to the permit. <i>The Request for Assignment form is available online at: www.wrd.state.or.us/OWRD/PUBS/forms.shtml ; or</i></p> <p><input type="checkbox"/> N/A. The applicant is the permit holder of record and owns or controls the proposed place of use; OR the applicant is not the permit holder of record but is supplying an Affidavit of Consent from the permit holder.</p> <p>Affidavit of Consent:</p> <p><input type="checkbox"/> Enclosed. Because the applicant is NOT the permit holder of record, an Affidavit of Consent is being supplied that gives permission for the applicant to amend the permit; or</p> <p><input type="checkbox"/> N/A. Not required because the applicant is the permit holder of record.</p>
--	---

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Before submitting your application to the Department, be sure you have:

- Answered each question completely.
- Included all the required attachments.
- Provided original signatures for **all** named deed holders, or other parties, with an interest in the water
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.

11. SIGNATURES

For Ground Water Registration Modification Applications only, check the appropriate one and sign the application in the signature box below:

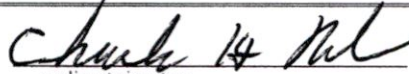
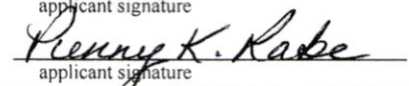
In accordance with OAR 690-382-0400(16)(a), I (we) understand that prior to Department approval of a permanent modification and upon my receipt of a draft Preliminary Determination for the proposed modification, I (we) will be required [pursuant to OAR 690-382-0700(5)] to provide the following landownership information and evidence demonstrating that I (we) are authorized to pursue the modification:

- (a) A report of ownership and lien information that has been prepared by a title company *within the last three months*;
- (b) A copy of written notification of the proposed modification provided by the applicant to **all** lien holders on the subject lands unless the report of ownership and lien information shows that a water right conveyance agreement has been recorded for the subject lands. *If a water right conveyance agreement has been recorded for the subject lands, a copy of the recorded agreement and a listing of the owner(s) of the lands at the time the agreement was recorded must be submitted; and*
- (c) If the applicant is **not both** the person named on the ground water registration or the assignee **and** the owner of the lands to which the registration is appurtenant, as identified in the report of ownership and lien information, then **either** of the following must be provided:
 - A) Notarized statements consenting to the modification by all persons, other than the applicant, who are named on the ground water registration or identified as landowners in the report of ownership and lien information or who are authorized representatives of an entity to whom the interest in the water right has been conveyed as identified in a water right conveyance agreement; **or**
 - B) Documentation demonstrating that the applicant is authorized to pursue the modification in the absence of consent of the persons named on the ground water registration or the assignee **and** the owner of the lands to which the registration is appurtenant.

I (we) affirm that the applicant is a municipality, as defined in ORS 540.510(3)(b), and that the right is in the name of the municipality or a predecessor. Therefore, pursuant to OAR 690-382-0400(16)(b), the applicant is **NOT** required to provide the above described report of ownership and lien information.

I (we) affirm that the applicant is an entity with the authority to condemn property and is acquiring the property to which the ground water registration proposed for modification is appurtenant by condemnation. Documentation is provided with this application supporting this statement. Therefore, pursuant to OAR 690-382-0400(16)(c), the applicant is **NOT** required to provide the above described report of ownership and lien information. (NOTE: Such an entity may only apply for recognition of a modification under this subsection if it has filed a condemnation action to acquire the property and deposited the funds with the court as required by ORS 35.265.)

For both Permit Amendment and Ground Water Registration Modification Applications, I (we) affirm that the information contained in this application is true and accurate.

	Charles H. Rabe	5/1/07
applicant signature	name (print)	date
	Penny K. Rabe	5/1/07
applicant signature	name (print)	date

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Mailed request for clarification & add'l well info to applicants on 8-14-07.

- Proposed Well Constr. Info
- Is Proposed Well East or West of Orig Well?

PERMIT OR REGISTRATION MODIFICATION

The permit or registration involving point(s) of diversion and/or uses described below should accurately correspond to the points on the application map. Attach additional pages as necessary.

Point of Diversion or Appropriation: (i.e., the "TO" point(s) of diversion/appropriation) (If a change in Point of Diversion or Appropriation is being proposed.)

Sec	1/4 Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
Sand/gravel	5 S 1 E	WM 30 NW, NE	TL 700
			appr. 11 chains S. + 18 Chains E. N 1/4 corner Sec. 30
			1 rod west of existing POA

- If there are proposed point(s) of appropriation (wells) listed in the table above, are the well(s) already constructed? Yes No N/A - No proposed well(s) listed above.

If "Yes", attach and clearly label the corresponding well log(s) for each proposed well, or if well log(s) are **not** available, describe the construction of the well(s) using the table below.

(NOTE: You may search for well logs on the Department's website at: www.wrd.state.or.us)

If "No", describe the anticipated construction for the proposed well(s) in the following table:

Construction of Proposed Point(s) of Appropriation or Well(s):

Well numbers in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L-)	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
NO	—									

Penny — Please make a note in this table to refer to the driller's proposal (attached) for proposed well construction specifications.

Thanks,
Lisa



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1271
(503) 986-0900
www.wrd.state.or.us

Watermaster Review Form: Water Right Transfer

Transfer Application: T-10386

Review Due Date: 6/20/07

Applicant Name: Charles and Penny Rabe

Proposed Changes: POU POD POA USE OTHER

Reviewer(s): M McCord

Date of Review: May 22, 2007

1. Do you have information suggesting that the water rights may be subject to forfeiture?
 Yes No If "Yes", describe the information and indicate if you intend to file a cancellation affidavit or if you need additional time to determine if a cancellation affidavit should be filed: _____
2. Is there a history of regulation on the source that serves the right proposed for transfer that has involved the right and downstream water rights? Yes No Generally characterize the frequency of any regulation or explain why regulation has not occurred:

3. Check here if it appears that downstream water rights benefit from return flows resulting from the current use of the right? If you check the box, generally characterize the locations where the return flows likely occur and list the water rights that benefit most:

4. Are there upstream water rights that would be affected by the proposed change?
 Yes No If "Yes", describe how the rights would be affected and list the rights most affected: _____
5. For POD changes and instream transfers, check here if there are channel losses between the old and new PODs or within the proposed instream reach? If you check the box, describe and, if possible, estimate the losses: _____
6. Would distribution of water for the right after the proposed change result in regulation of other water rights that would not have occurred if use of the existing right was maximized?
 Yes No If "Yes", explain: _____
7. For POU changes, would the original place of use continue to receive water from the same source? Yes No N/A If "Yes", explain: _____
8. For POU or USE changes, would use of the existing right at "full face value," result in the diversion of more water than can be used beneficially and without waste? Yes No If "Yes", explain: _____
9. Are there other issues not identified through the above questions? Yes No If "Yes", explain: _____
10. What alternatives may be available for addressing any issues identified above: _____

11. Have headgate notices been issued for the source that serves the right? Yes No
12. What water control and measurement conditions should be included in the transfer:

Measurement Devices	<input type="checkbox"/> Present and should be maintained.	<input type="checkbox"/> Should be required prior to diverting water.	<input checked="" type="checkbox"/> May be required in the future.
Headgates	<input type="checkbox"/> Present and should be maintained.	<input type="checkbox"/> Should be required prior to diverting water.	<input type="checkbox"/> May be required in the future.



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

725 Summer Street NE, Suite A

Salem, OR 97301-1271

503-986-0900

FAX 503-986-0904

Notice of Application for Water Right Transfer, Temporary Transfer, or Permit Amendment 05/22/07

The Department seeks comment on the recently-filed application listed below. Any person may comment on the application. Comments must be received by the Department within 30 days of the date of this notice. The Director may presume that the transfer would be allowed by, and compatible with comprehensive plans unless an affected local government informs the Director otherwise within 30 days of this notice.

County: CLACKAMAS
Transfer: 10386
Water Right: GR-899
Priority Date: 1955
Name: CHARLES & PENNY RABE
Address: 34081 S BARLOW RD; WOODBURN OR 97071
Change: APOA
Source: WELL
Authorized APOA: T5S R1E 30
Proposed APOA: T5S R1E 30

The holder of a water right may apply to permanently change an existing water use subject to transfer. A transfer application may involve any of the following changes: Point of diversion or appropriation (POD; POA); Additional point of diversion or appropriation (APOD; APOA); Historic POD (HIST); Place of use (POU); Character of use (USE); Instream (ISWR); Substitution (SUB); or Exchange (EXCH).

The holder of a water right subject to transfer may request to temporarily change the place of use of the water for up to 5 years and, if necessary to convey the water, to temporarily change the point of diversion or appropriation.

The holder of a water right permit may apply to change a point of diversion (POD) or appropriation (POA) or to change the place of use (POU).

Any person who provides comments within the comment period will receive a copy of the Department's preliminary determination of whether the application should be approved or rejected after the Department has completed a review of the application and will be provided an opportunity to protest the application and preliminary determination at that time. Comments should be sent to the Transfers Section at the Department's Salem office.



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

May 18, 2007

CHARLES H RABE
34081 S BARLOW RD
WOODBURN OR 97071

Reference: Groundwater Modification Transfer 10386

On May 15, 2007 we received your water right transfer application requesting an additional point of appropriation for use of water from WELL 1, tributary to DRESCHER CREEK. The application was accompanied by \$500.00. Our receipt 87586 is enclosed.

By copy of this letter, we are asking the Watermaster for his report regarding the potential for injury to existing water rights which may be caused by the change.

Your application will be examined to determine if additional information is needed. You will be contacted following this examination.

Except as provided under ORS 540.510(3) for municipalities, you may not use water for the new use, in the new place of use or from the new point of diversion until the transfer application has been approved. In order to avoid any possible forfeiture of the water right, you should continue to use the water as described by your existing water right. If the land is sold before the transfer is approved, the buyer's consent to the transfer will be required unless a recorded deed or other legal document clearly established that the water right was not conveyed in the sale.

We will notify you if additional information or corrections to the application or map are required.

If you have any questions, please call the Transfer Section, (503)986-0883.

cc: Watermaster #16
Groundwater
Clackamas County Planning Department (9101 SE Sunnybrook Blvd, Clackamas, OR 97015)

enclosure

ORIGINALS

Transfer Application and Map

Amendments/Revisions to Appl & Map

Receipt

Deed or Lot Book Report

Notarized Consent

Evidence of Use Affidavit

Land Use Information Form

Lien Holder Notification *(if applicable)*

Report of Ownership and Lien Info *(if applicable)*

&

Other Supporting Documentation

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Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

Application for Permit Amendment or Ground Water Registration Modification

Please type or print legibly in dark ink. If your application is incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "N/A" to indicate Not Applicable. As you complete this form, please refer to notes and guidance included on the application. A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/OWRD/PUBS/forms.shtml.

1. TYPE OF APPLICATION

Please check **one** of the following:

Permit Amendment

Ground Water Registration Modification

2. APPLICANT INFORMATION

Name: Charles H. & Penny K. Rabe
First Last

Address: 34081 S. Barlow Rd.

Woodburn OR 97091
City State Zip

Phone: 503-634-2585 503-634-2581
Home Work Other

Fax: 503-634-2110 E-Mail address: rabeauto@monitorcoop.com

3. AGENT INFORMATION

(The agent listed is authorized to represent the applicant in all matters relating to this application.)

Name: NONE
First Last

Address: _____

City State Zip

Phone: _____
Home Work Other

Fax: _____ E-Mail address: _____

▪ If an agent is listed above, please check **one** of the following:

- Please send all correspondence to Agent. Send *copies* of correspondence to Applicant; or
- Please send all correspondence to Applicant. Send *copies* of correspondence to Agent.

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Permit Amendments

- If you propose to amend multiple permits under this application, a separate set of pages 3 through 7 must be provided for each permit. (**NOTE: Concurrent changes to a water right must be filed separately on a transfer application.**)

Ground Water Registration Modifications

- You may propose modification of only one ground water registration per application, unless in accordance with OAR 690-382-0300(2), the ground water registrations to be modified are layered. (**NOTE: Concurrent changes to a water right must be filed separately on a transfer application.**)

4. TYPE OF AMENDMENT OR MODIFICATION PROPOSED

Please check **all** of the following that apply:

Point of Diversion or Appropriation	Place of Use	Character of Use
<input type="checkbox"/> Change (The old point of diversion or appropriation will not be used for the portion of the water right affected by the amendment or modification.) <input checked="" type="checkbox"/> Additional (Both the old <u>and</u> new points of diversion or appropriation will be used for the portion of the water right affected by the amendment or modification.) <p style="text-align: center;"><i>Not Available for <u>Ground Water Registrations</u></i></p> <input type="checkbox"/> Surface Water to Ground Water (A new point of appropriation will be used instead of the old point of diversion. The old point of diversion will not be used.)	<input type="checkbox"/> All of the Permit or Registration will be exercised at a different location than currently authorized (Use of water at the current authorized location will be discontinued.) <input type="checkbox"/> Only a portion of the Permit or Registration will be exercised at a different location than currently authorized (Use of water at a <u>portion</u> of the current authorized location will be discontinued.)	<p style="text-align: center;"><i>Not Available for <u>Permit Amendments</u></i></p> <p>Change existing authorized use to the following proposed <u>new</u> use:</p> <input type="checkbox"/> Irrigation <input type="checkbox"/> Municipal <input type="checkbox"/> Quasi-municipal <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Domestic (indicate number of households): _____ <input type="checkbox"/> Other _____

- Reason(s) for amendment/modification(s): The original well does not yield as much as it did in the past.

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5. CURRENT PERMIT OR REGISTRATION INFORMATION

Permit or Registration to be Amended/Modified (check and complete one of the following):

Permit to be Amended:

Permit Number

Current Completion Date of Permit

Ground Water Registration to be Modified:

GR 899

Ground Water Registration Number

NOTE: Concurrent changes to a water right must be filed separately on a transfer application.

Name on Permit or Registration: August E. Rabe

County: Clackamas

Authorized Use(s) to be affected by this Amendment/Modification: irrigation

Priority Date(s): 1-21-1955

If there are **multiple Priority Dates** identified on the Permit or Registration, any information provided on pages 4 through 7 must identify which priority date is associated with each of the authorized and proposed points of diversion or appropriation and places of use.

All Source(s) of Water to be affected by this Amendment/Modification: Well

Tributary to: Bu He Cr.

If there are **multiple Sources** listed on the Permit or Registration, any information provided on pages 4 through 7 must identify which source is associated with each of the authorized and proposed points of diversion or appropriation and places of use.

For an application proposing a Change in Place of Use or Character of Use:

Are there any other "**Layered**" Water Rights, Permits, or Ground Water Registrations issued for **Irrigation** purposes that are appurtenant to the same place of use as the Permit or Registration being Amended/Modified? Yes No N/A - No Change in Use or Place of Use

If "**Yes**", pursuant to ORS 540.510, OAR 690-380-2240 and OAR 690-382-0200, the other "**layered**" water uses subject to transfer **must either change concurrently or be cancelled**, except as provided in OAR 690-380-2240(5).

Remarks: The Pou for this GR has a suppl. right (G-10631). No changes are proposed for the suppl. right.

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- The following information **must be provided** only for those points of diversion or appropriation that **are involved in the permit amendment or ground water registration modification** (i.e., list only the portion of the permit/registration you propose to amend/modify). Attach additional pages as necessary.

Government lot and donation land claim numbers must be included in the tables below **only** if the information is reflected on the existing permit or ground water registration.

Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:

(i.e., the allowed point(s) of diversion/appropriation that will be affected by the proposed amendment/modification, the "FROM" point(s) of diversion/appropriation)

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-_____)	Source and Priority Date	Township	Range	Mer	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
Clac 2713	Sand gravel 1-21-55	5 S	1 E	WM	30	NW, NE	TL 700	C ppr 11 chains S + 18 chains of N ¼ corner ^{Sec} 30

- Does the permit/registration being amended/modified involve a ground water source(s)?
 Yes No (Surface water source only.)

If "Yes", for each authorized point of appropriation (well) involved, you must either:

- A. Supply a copy of the well log(s) for each point of appropriation that is **clearly labeled** and associated with the corresponding well in the table above and on the accompanying application map.

(NOTE: You may search for well logs on the Department's website at: www.wrd.state.or.us)

or

- B. If a well log is **not** available, you must describe the construction of the authorized point of appropriation by completing the table below. Attach additional copies as necessary.

Construction of Existing Authorized Point(s) of Appropriation – (Only needed if no well log is available.)

Wells in this listing must be **clearly tied** to corresponding well location(s) described in the table above and shown on the accompanying application map.

OWRD Well No. as identified in table above	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
Clac 2713									

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- The following information **must be provided** only for those places of use that **are involved in the permit amendment or ground water registration modification** (i.e., list only the portion of the permit/registration you propose to amend/modify.) Attach additional pages as necessary.

Government lot and donation land claim numbers must be included in the tables below **only** if the information is reflected on the existing permit or ground water registration.

Location of Existing Authorized Place of Use to be Affected:

(i.e., the allowed lands that will be affected by the proposed amendment/modification, the "FROM" lands)

Source and Priority Date	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
Proposed POA affects the entire POU under GR-899.							

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6. PROPOSED PERMIT AMENDMENT OR REGISTRATION MODIFICATION

- Describe proposed changes to the permit or registration involving point(s) of diversion and/or appropriation. Survey coordinates described below should accurately correspond to the points shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Point(s) of Diversion or Appropriation: (i.e., the "TO" point(s) of diversion/appropriation)

(NOTE: Complete this table **only** if a Change in Point of Diversion or Appropriation is being proposed.)

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
Sand/gravel	5 S	1 E	WM	30	NW, NE	TL 700	appr. 11 chains S. + 18 chains E. N¼ corner Sec. 30
							1 rod west of existing POA

- If there are proposed point(s) of appropriation (wells) listed in the table above, are the well(s) already constructed? Yes No N/A - No proposed well(s) listed above.

If "Yes", attach and clearly label the corresponding well log(s) for each proposed well, or if well log(s) are **not** available, describe the construction of the well(s) using the table below.

(NOTE: You may search for well logs on the Department's website at: www.wrd.state.or.us)

If "No", describe the anticipated construction for the proposed well(s) in the following table:

Construction of Proposed Point(s) of Appropriation or Well(s):

Well numbers in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L-)	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
NO	—									

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- Describe proposed changes to the permit or registration involving place of use. Information described below should accurately correspond to the proposed place of use shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Place of Use: (i.e., the "TO" lands)

(NOTE: Complete this table **only** if a Change in Place of Use is being proposed.)

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)

Remarks: NO changes in POU are being requested.

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7. AFFECTED DISTRICTS AND LOCAL GOVERNMENTS

- Are any of the Permit(s) or Registration(s) proposed for amendment/modification located within or served by an irrigation or other water district? Yes No
- Will any of the Permit(s) or Registration(s) be located within or served by an irrigation or other water district after the proposed amendment/modification? Yes No
- Is water for any of the Permit(s) or Registration(s) supplied under a water service agreement or other contract for stored water with a federal agency? Yes No

If "Yes", for any of the above, list the name and mailing address of the district and/or agency:

N/A

- List the name and mailing address of all affected local governments (e.g., county, city, municipal corporation, and tribal governments within whose jurisdiction the right(s) are located).

Clackamas County Planning Dept.
9101 S.E. Sunnybrook Blvd.
Clackamas, OR. 97015

8. PERMIT HOLDER OF RECORD

This section is to be completed only for Permit Amendment applications.

N/A – This is a Ground Water Registration Modification application.

- Is the applicant the permit holder of record? Yes No

If "No", the applicant must either:

A. Be assigned as a permit holder of record by submitting a completed **Request for Assignment** form and the required statutory fee for an assignment;

or

B. Submit an **Affidavit of Consent** from the permit holder of record that gives permission for the applicant to amend the permit.

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9. LAND OWNERSHIP

If for a Permit Amendment proposing a Change in Place of Use:

- Does the permit holder of record own or control the land **TO** which the place of use is being moved? Yes No

*If "No", the owner of the land TO which the place of use is being moved **must be assigned to the permit as a permit holder of record** by submitting a completed **Request for Assignment form** and the required statutory fee for an assignment.*

- Check one of the following:
 - The permit holder of record will be responsible for completion of the proposed changes after the final order is issued. All notices and correspondence should be sent to the permit holder of record.
 - The applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to the applicant and applicant's agent.

If for a Ground Water Registration Modification:

- Does the applicant own the lands **FROM** which the registration is being moved? Yes No

If "No", provide the following information:

Names of Current Landowner(s): _____
First Last

Address: _____

City State Zip

- Does the applicant own the lands **TO** which the registration is being moved? Yes No

If "No", provide the following information:

Names of Receiving Landowner(s): _____
First Last

Address: _____

City State Zip

- Check one of the following:
 - The receiving landowner will be responsible for completion of the proposed changes after the final order is issued. All notices and correspondence should be sent to this landowner.
 - The applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to the applicant and applicant's agent.

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10. ATTACHMENTS

*Check each of the following attachments included with this application.
The application will be returned if all required attachments are not included.*

<p>Map:</p> <p><input type="checkbox"/> A map meeting the requirements of OAR 690-380-3100 must be included but need not be prepared by a Certified Water Right Examiner.</p> <p>Land Use Information Form:</p> <p><input type="checkbox"/> Enclosed; or</p> <p><input type="checkbox"/> Not required if all of the following are met:</p> <ul style="list-style-type: none">❶ In EFU zone or irrigation district;❷ Change in place of use only;❸ No structural changes needed, including diversion works, delivery facilities, other structures; and❹ Irrigation only. <p>Water Well Reports/Well Logs:</p> <p><input type="checkbox"/> The application involves a change in point of appropriation or change from surface water to ground water and copies of all water well reports are attached.</p> <p><input checked="" type="checkbox"/> Water well reports are not available and a description of construction details including well depth, static water level, and information necessary to establish the ground water body developed or proposed to be developed is attached.</p> <p><input type="checkbox"/> N/A. The application does not involve a change in point of appropriation or a change from surface water to ground water, so water well reports are not required.</p>	<p>Fees:</p> <p><input type="checkbox"/> Amount enclosed: \$ _____ See the Department's Fee Schedule at www.wrd.state.or.us/OWRD/PUBS/forms.shtml or call (503) 986-0900.</p> <p><u>For Permit Amendments Only...</u></p> <p>Request for Assignment:</p> <p><input type="checkbox"/> Enclosed. The applicant is NOT the permit holder of record and needs to be assigned to the permit; OR the landowner of the proposed place of use is NOT the permit holder of record and needs to be assigned to the permit. <i>The Request for Assignment form is available online at: www.wrd.state.or.us/OWRD/PUBS/forms.shtml ; or</i></p> <p><input type="checkbox"/> N/A. The applicant is the permit holder of record and owns or controls the proposed place of use; OR the applicant is not the permit holder of record but is supplying an Affidavit of Consent from the permit holder.</p> <p>Affidavit of Consent:</p> <p><input type="checkbox"/> Enclosed. Because the applicant is NOT the permit holder of record, an Affidavit of Consent is being supplied that gives permission for the applicant to amend the permit; or</p> <p><input type="checkbox"/> N/A. Not required because the applicant is the permit holder of record.</p>
---	---

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WATER RESOURCES DEPT
SALEM, OREGON

Before submitting your application to the Department, be sure you have:

- Answered each question completely.
- Included all the required attachments.
- Provided original signatures for all named deed holders, or other parties, with an interest in the water right.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.

11. SIGNATURES

For Ground Water Registration Modification Applications only, check the appropriate one and sign the application in the signature box below:

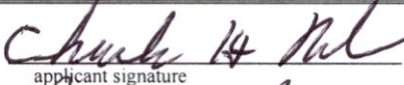

In accordance with OAR 690-382-0400(16)(a), I (we) understand that prior to Department approval of a permanent modification and upon my receipt of a draft Preliminary Determination for the proposed modification, I (we) will be required [pursuant to OAR 690-382-0700(5)] to provide the following landownership information and evidence demonstrating that I (we) are authorized to pursue the modification:

- (a) A report of ownership and lien information that has been prepared by a title company *within the last three months*;
- (b) A copy of written notification of the proposed modification provided by the applicant to all lien holders on the subject lands unless the report of ownership and lien information shows that a water right conveyance agreement has been recorded for the subject lands. *If a water right conveyance agreement has been recorded for the subject lands, a copy of the recorded agreement and a listing of the owner(s) of the lands at the time the agreement was recorded must be submitted; and*
- (c) If the applicant is not both the person named on the ground water registration or the assignee and the owner of the lands to which the registration is appurtenant, as identified in the report of ownership and lien information, then either of the following must be provided:
 - A) Notarized statements consenting to the modification by all persons, other than the applicant, who are named on the ground water registration or identified as landowners in the report of ownership and lien information or who are authorized representatives of an entity to whom the interest in the water right has been conveyed as identified in a water right conveyance agreement; or
 - B) Documentation demonstrating that the applicant is authorized to pursue the modification in the absence of consent of the persons named on the ground water registration or the assignee and the owner of the lands to which the registration is appurtenant.

I (we) affirm that the applicant is a municipality, as defined in ORS 540.510(3)(b), and that the right is in the name of the municipality or a predecessor. Therefore, pursuant to OAR 690-382-0400(16)(b), the applicant is NOT required to provide the above described report of ownership and lien information.

I (we) affirm that the applicant is an entity with the authority to condemn property and is acquiring the property to which the ground water registration proposed for modification is appurtenant by condemnation. Documentation is provided with this application supporting this statement. Therefore, pursuant to OAR 690-382-0400(16)(c), the applicant is NOT required to provide the above described report of ownership and lien information. (NOTE: Such an entity may only apply for recognition of a modification under this subsection if it has filed a condemnation action to acquire the property and deposited the funds with the court as required by ORS 35.265.)

For both Permit Amendment and Ground Water Registration Modification Applications, I (we) affirm that the information contained in this application is true and accurate.

 applicant signature	Charles. H. Rabe name (print)	5/1/07 date
 applicant signature	Penny K. Rabe name (print)	5/1/07 date

Registration Statement

OF CLAIMANT OF RIGHT TO APPROPRIATE GROUND WATER

(Under Chapter 708, Oregon Laws 1955.)

RECEIVED

MAY 15 2007

**WATER RESOURCES DEPT
SALEM, OREGON**

TO THE STATE ENGINEER OF OREGON:

I, August E. Hale Et. 2. Box 195a
of Woodburn, Oregon County of Clatsop

State of Oregon, do hereby make application for a certificate of registration as evidence of a right to appropriate ground water.

1. Source from which water is withdrawn is Flowing well #1
(Flowing well, pump well, infiltration trench, or tunnel)

2. Location is: 1 mile East and 1 mile North of Monitor, Ore.
(Approximate distance and direction from nearest city or town)

and is more particularly described as follows:

(a) Approx 11 Ch. S & 18 Ch. E from NW Corner of Sec 30
(Give distance and bearing to corner of section or other legal subdivision)

being within 1/4 NE 1/4 of Sec. 30, Twp. 5 S, Rge. 14 W
(Smallest legal subdivision) (N. or S.) (E. or W.)

or (b) within limits of recorded platted property, town or city:

in Lot _____, Block _____ of _____
(Name of plat or addition)

_____ County of _____
(If within city or town, give name)

3. Construction Work was begun on Jan 2, 1955; was completed on March 1, 1955
(Date) (Date)

and the ground water claimed was first used for the purposes set out below on July 1955
(Date)

since which time the water has been used Continuously
(Continuously or Intermittently)

from July 1955 to Present
(Date) (Date)

4. Quantity of water claimed and used is 70 gallons per minute: _____ acre feet per year.

5. Purpose or Purposes for which water is used Irrigation

(Domestic, irrigation, municipal, manufacturing, industrial, etc.)

6. Description of Well: Depth _____ feet. Type Drilled
(Dug or drilled)

diameter 6 inches. Elevation of ground at well site 225 feet, mean sea level.
(As near as known)

Depth to water table 25-32 feet.

7. Capacity of Well: 110 g.p.m. with 41 feet drawdown.

_____ g.p.m. with _____ feet drawdown.

Date of test March 14, 1955

If Flowing Well: Measured discharge _____ g.p.m. on _____
(Date)

Shut-in pressure at ground surface _____ lbs. per sq. in. on _____
(Date)

Water is controlled by _____
(Cap, valve, etc.)

I 10386

8. Casing: (Give diameter, commercial specifications and depth below ground surface of each casing size.)

6 inch diameter Standard Steel from to 53'4" feet
 inch diameter from to feet
 inch diameter from to feet
 inch diameter from to feet

Describe and show depth of shoe, plug, adapter, liner or other details:

Shoe Depth 53'4"

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WATER RESOURCES DEPT
 SALEM, OREGON

9. Perforated Casings or Screens:

No Perforation from to
 (Number per foot and size of perforations, or describe screen)
 from to
 from to
 from to

10. Log of Well: (Describe each stratum or formation clearly, indicate if water bearing, and give thickness and depth as indicated.)

MATERIAL	Thickness (Feet)	Depth to Bottom (Feet)
Clay	20 ft.	0 to 20
Clay and sand	5 ft	20 to 25
Sand and fine gravel (water)	7 ft.	25 to 32
Clay (soft) and sand	6 ft.	32 to 38
Clay	5 ft	38 to 43
Sand (Water 6 gpm)	2 ft.	43 to 45
Fine sand	3 ft	45 to 48
Gravel	3 ft	48 to 51
Clay	10 ft	51 to 61
Start of sand in clay	1 ft	61 to 62
Sand (Drilled 100 gpm Drawdown to 50ft)	3 ft	62 to 65
Sand	4 ft	65 to 69

GR-37-A

10386

If log of well is not available, give name and address of driller.

11. Infiltration Trench: Covered or open

Dimensions: Length ft. Minimum depth ft. Maximum depth ft.

Bottom width ft. Discharge g.p.m. Date of test

12. Tunnel: Type of lining

Dimensions: (Length, course, and cross sectional size)

Position of water bearing stratum with reference to portal of tunnel

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SALEM, OREGON

Log of tunnel: (Preceding table for log of well may be used, if desired. Give footage from portal and character of materials, as pertinent.)

13. Pumping Equipment:

(a) Pump Peerless, 6B, Capacity 75 g.p.m.
(Make, type and size)

(b) Motor GE 5 Horse
(Type and horsepower)

14. Location of area irrigated or to be irrigated, or place of use if for purposes other than irrigation.

Township North or South	Range E. or W. of Willamette Meridian	Section	Forty-acre Tract	Number Acres To Be Irrigated	Date of Reclamation
5S	1E	30	NW 1/4 of NE 1/4	14	July 1955
			SW 1/4 of NE 1/4	16	Will be land for sale
				4	1957
				30 Ac	

15. If the ground water supply is supplemental to an existing water supply, identification of any application for a permit, permit, certificate or adjudicated right to appropriate water made or held by the registrant.

T 10386

GR-823 B

2



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1266
 (503) 986-0900
 www.wrd.state.or.us

Request for Assignment

By Proof of Ownership
 (If Permit/Transfer Holder is Not Available)

RECEIVED
 MAY 16 2007
 WATER RESOURCES DEPT
 SALEM, OREGON

If for multiple rights, a separate form and fee for each right will be required.

I, Charles H. & Penny K. Rabe
 (Name of Party Requesting Assignment)
34081 S. Barlow Rd. Woodburn, OR 97071 503-634-2585
 (Mailing Address) (City) (State) (Zip) (Phone #)

- ... hereby request assignment of application/permit/transfer;
 ... hereby request assignment of a portion of application/permit/transfer;
 (You must include a map showing the portion of the application/permit/transfer to be assigned.)

I have attached proof of ownership that may include but not be limited to: a copy of the deed to the land, a copy of a land sales contract, a court order or decree, documentation of survivorship of property held jointly. The Department cannot accept a copy of a tax statement. (Remember to include \$5 for each additional page.)

Application # _____; Permit # _____; Transfer# _____

GR Statement # GR-899; GR Certificate of Registration # GR-874

August E. Rabe
 (Name of Permit/Transfer Holder of Record)

Rt. 2 Box 195-A, Woodburn, OR
 (Mailing Address) (City) (State) (Zip) (Phone #)

Note: You are required to furnish proof acceptable to the Department that notice of the assignment has been given or attempted for each identified property owner not a party to the assignment. ORS 537.220(2) Failure to submit this proof will result in the return of your request. (Proof may include but not be limited to: a copy of returned certified mailing, copy of a Death Certificate, or a court order.)

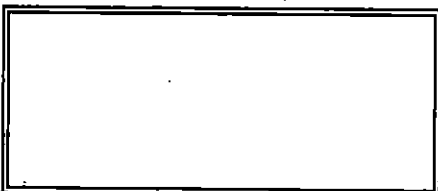
- 1) I certify that I am the current owner of the property described in this application, Permit or Certificate of Registration.
- 2) I have the legal right to request assignment under OAR 690-310-0280 and 690-320-0060.
- 3) I have not been able to contact the owner(s) of record for the above referenced application or water right.
- 4) I further certify that the information provided herein is true and correct to the best of my knowledge.

Witness my hand this 16th day of May, 2007.

Party Requesting Assignment Charles H. Rabe

Party Requesting Assignment Penny K. Rabe

DO NOT WRITE IN THIS BOX



The completed "Request for Assignment form *must* be submitted to the Department along with the appropriate recording fees:

- \$25 for the first page, and
- \$5 for each additional page
 [as required by ORS 536.050(1)(d)]

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # **87588**

725 Summer St. N.E. Ste. A
 SALEM, OR 97301-4172
 (503) 986-0900 / (503) 986-0904 (fax)

INVOICE # _____

RECEIVED FROM: Rabe Automotive Uph.

APPLICATION: GR-899
 PERMIT _____
 TRANSFER _____

BY: _____

CASH: CHECK: # 15169 OTHER: (IDENTIFY)

TOTAL REC'D \$ 35.00

1083. TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$ _____
 OTHER: (IDENTIFY) \$ _____

0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS
 0407 COPY & TAPE FEES \$ _____
 0410 RESEARCH FEES \$ _____
 0408 MISC REVENUE: (IDENTIFY) 0408 Assignment \$ 35.00
 TC162 DEPOSIT LIAB. (IDENTIFY) \$ _____
 0240 EXTENSION OF TIME \$ _____

WATER RIGHTS:
 0201 SURFACE WATER EXAM FEE \$ _____ 0202 RECORD FEE \$ _____
 0203 GROUND WATER \$ _____ 0204 \$ _____
 0205 TRANSFER \$ _____

WELL CONSTRUCTION
 0218 WELL DRILL CONSTRUCTOR EXAM FEE \$ _____ 0219 LICENSE FEE \$ _____
 LANDOWNER'S PERMIT 0220 \$ _____
 OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ _____ CARD# _____
 0210 MONITORING WELLS \$ _____ CARD# _____
 OTHER (IDENTIFY) _____

0607. TREASURY 0467. HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FWWRD) \$ _____
 0231 HYDRO LICENSE FEE (FWWRD) \$ _____
 HYDRO APPLICATION \$ _____

TREASURY OTHER / RDX

FUND _____ TITLE _____
 OBJ. CODE _____ VENDOR # _____
 DESCRIPTION \$ _____

RECEIPT: **87588** DATED: 5/16/2007 BY: N. Chalmers
 Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal

OREGON STATE BOARD OF HEALTH
VITAL STATISTICS SECTION
CERTIFIED COPY OF RECORD OF DEATH

RECEIVED

MAY 16 2007

WATER RESOURCES DEPT
SALEM, OREGON

LOCAL REGISTRAR'S
NUMBER 21

STANDARD CERTIFICATE OF DEATH

STATE OF OREGON
BOARD OF HEALTH - PORTLAND
PUBLIC HEALTH SERVICE

STATE FILE NO.
DATE RECEIVED

1. NAME OF DECEASED (Type or print all entries in black ink) August Emil Rabe			3. USUAL RESIDENCE (If institution, give residence before admission) A. STATE Oregon B. COUNTY Marion C. CITY, TOWN (If outside corporate limits, so specify) OR LOCATION Woodburn D. STREET ADDRESS, RURAL ROUTE, ETC. Rt. 2, Box 195A		
2. PLACE OF DEATH A. COUNTY Marion B. CITY, TOWN (If outside corporate limits, so specify) OR LOCATION Woodburn C. LENGTH OF STAY IN 28 DAYS 28 years		4. DATE OF DEATH Month Day Year January 7, 1968		5. SEX Male	
6. COLOR OR RACE White		7. MARITAL STATUS <input checked="" type="checkbox"/> Married <input type="checkbox"/> Widowed <input type="checkbox"/> Divorced <input type="checkbox"/> Never Married		8. SOCIAL SECURITY NO. 540-20-5411	
9. USUAL OCCUPATION (Kind of work done during most of life) Farm owner		10. KIND OF BUSINESS OR INDUSTRY Farming		11. NAME OF SPOUSE Doris Rabe	
12. DATE OF BIRTH Month Day Year November 26, 1900		13. AGE LAST BIRTHDAY Yrs. 67		14. BIRTHPLACE (State or Foreign Country) North Dakota	
15. WAS DECEASED A CITIZEN OF <input checked="" type="checkbox"/> U. S. <input type="checkbox"/> Foreign Country		16. IF DECEASED WAS A VETERAN, WHAT WAR? None		17. NAME OF FATHER Henry Rabe	
18. MAIDEN NAME OF MOTHER Ulrika Kuetner		19. INFORMANT'S NAME AND RELATIONSHIP TO DECEASED Doris Rabe, wife			
20. CAUSE OF DEATH (ENTER ONLY ONE CAUSE PER LINE IN (A), (B), AND (C). PART I: DEATH WAS CAUSED BY: IMMEDIATE CAUSE (A): Cardiac Arrhythmias minutes Interval Between Onset and Death (Years, days, hours, etc.) DUE TO (B): Coronary Atherosclerosis 4 years DUE TO (C): Arteriosclerotic Vas Dis					
PART II: Other Significant Conditions contributing to Death but not related to the terminal disease or condition given in Part I (A):				21. If deceased was Female, was there a pregnancy in the past 12 months? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
22. Was an Autopsy performed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		23. WAS DEATH RESULT OF <input type="checkbox"/> Accident <input type="checkbox"/> Suicide <input type="checkbox"/> Homicide		24. IF ACCIDENT, DID INJURY OCCUR <input type="checkbox"/> At Work <input type="checkbox"/> Not At Work	
25A. PLACE OF INJURY (Such as Farm, Home, Forest, etc.)		25B. City		25C. County	
26. TIME OF INJURY Hour P. M.		27. DESCRIBE HOW INJURY OCCURRED.			
28. CERTIFICATE: I certify that I (attended) (investigated the death of) the deceased from or on 1-12-68 to 8:00PM (date) and that the death occurred at Miller Cemetery, Silverton, Oregon (Address) on the date stated above. (Date Signed) 1/16/68					

29. RESERVED FOR REGISTRAR'S USE

30A. DECEASED WILL BE <input checked="" type="checkbox"/> Buried <input type="checkbox"/> Cremated <input type="checkbox"/> Removed <input type="checkbox"/> Other		30B. DATE 1-10-1968		30C. NAME OF CREMATORY OR CEMETERY Miller Cemetery		30D. LOCATION (City or Town) Silverton, Oregon	
31. DATE RECEIVED BY LOCAL REGISTRAR 1-12-68		32. REGISTRAR'S SIGNATURE [Signature]		33. FUNERAL DIRECTOR'S SIGNATURE AND ADDRESS Peter J. Batten, M.D., Registrar of Vital Statistics, Kent Funeral Home, Oregon			

STATE OF OREGON
COUNTY OF MARION

This certifies that the foregoing is a correct and complete transcript of a record of death on file with the Marion County Department of Health.

Peter J. Batten, M.D.
Registrar of Vital Statistics

T 10386

By [Signature]
Date 1-22-68

SEAL

Void if Altered

BARGAIN AND SALE DEED — STATUTORY FORM

INDIVIDUAL GRANTOR

RECEIVED

MAY 16 2007

DONALD G. RABE and RUTH O. RABE, husband and wife (retaining a life estate in the property)*

WATER RESOURCES DEPT. SALEM, OREGON, Grantor,

conveys to CHARLES H. RABE and PENNY K. RABE, husband and wife,

County, Oregon, to-wit: Clackamas

Beginning 16.19 chains East of the quarter section corner on the North line of Section 30 in T. 5 S., R. 1 E. of the W.M., in the County of Clackamas and State of Oregon; thence North 54° 26' East 93.7 links to the center of the county road; thence South 8° 7' East 22.88 chains to an iron pipe; thence North 89° 46' West 19.79 chains to the West line of the Northeast quarter of said Section 30; thence North 1° 04' West along the quarter section line 10.62 chains; thence North 54° 26' East along the South line of the Willamette Valley Southern Railroad right of way to the point of beginning.

*Grantors retain the right to occupy and use the property for their lifetimes and the lifetime of the survivor of them, free of any obligation of financial responsibility for payment of taxes, utilities, mortgages, liens, or otherwise on the property described herein, and rent free. (IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

The true consideration for this conveyance is \$ 65,000.00 (Here comply with the requirements of ORS 93.030) However, the actual consideration consists of or includes other value or property given which is part of the consideration.

Dated this 19th day of April, 1997

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

Donald G. Rabe 4/24/97 DONALD G. RABE

Ruth O. Rabe 4/24/97 RUTH O. RABE

STATE OF OREGON, County of Marion) ss.

This instrument was acknowledged before me on April 24, 1997

by Donald G. Rabe and Ruth O. Rabe



Geri Fraijo Notary Public for Oregon My commission expires 4-17-98

BARGAIN AND SALE DEED

Donald G. Rabe and Ruth O. Rabe, husband and wife GRANTOR Charles H. Rabe and Penny K. Rabe, husband and wife GRANTEE

After recording return to: Kevin F. Kerstiens Schwabe, Williamson & Wyatt 1211 SW 5th Ave., Suite 1600 Portland, OR 97204

Until a change is requested, all tax statements shall be sent to the following address: Charles & Penny Rabe 34081 S. Barlow Road Woodburn, OR 97071

STATE OF 97-032318

County of I certify that the within instrument was received for record on the day of 1997

SPACE RESI FOR RECORDER

STATE OF OREGON 97-032318 CLACKAMAS COUNTY

Received and placed in the public records of Clackamas County RECEIPT# AND FEE: 53414 \$25.00 DATE AND TIME: 04/30/97 11:32 AM JOHN KAUFFMAN, COUNTY CLERK

By Deputy

10386



Oregon

Theodore R. Kulongoski, Governor

RECEIVED

MAY 15 2007

**WATER RESOURCES DEPT
SALEM, OREGON**

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdictions where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you.

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan.

Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan.

Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

T 10386



Oregon Water Resources Department Land Use Information Form

THIS FORM IS NOT REQUIRED IF: 1) water is to be diverted, conveyed, and/or used only on federal lands; or 2) the application is for a water-right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and all of the following apply: a) only the place of use is proposed for change, b) there are no structural changes, c) the use of water is for irrigation, and d) the use is located in an irrigation district or exclusive farm-use zone.

Applicant Name: Charles + Penny Rabe
Mailing Address: 34081 S. Barlow Rd.
City: Woodburn State: OR Zip: 97071 Day Phone: 503-634-2585

This application is related to a Measure 37 claim. Yes No

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MAY 15 2007
WATER RESOURCES DEPT
SALEM, OREGON

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot # Acct#	Plan Designation (e.g. Rural Residential/RR-5)	Water to be:			Proposed Land Use:
5 S	1E	30	NWNE	01077916	EFU	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

MAP# 51E30 00700

List all counties and cities where water is proposed to be diverted, conveyed, or used. _____

B. Description of Proposed Use

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

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

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

Estimated quantity of water needed: 75 cubic feet per second gallons per minute acre-feet

Intended use of water: Irrigation Commercial Industrial Domestic for _____ household(s)
 Municipal Quasi-municipal Instream Other _____

Briefly describe: Drilling additional well.

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt below and include it with the application filed with the Water Resources Department.

Receipt for Request for Land Use Information

State of Oregon
Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1266

T 10386

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form.

This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

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MAY 15 2007
WATER RESOURCES DEPT
SALEM, OREGON

Please check the appropriate box below and provide the requested information

Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): 401.01

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

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

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

Name: Linda Preiss Title: Planner
 Signature: [Signature] Phone: 5033534528 Date: 5/2/07
 Government Entity: _____

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

7/1/2006 to 6/30/2007 REAL PROPERTY TAX STATEMENT
 CLACKAMAS COUNTY, OREGON * 168 WARNER MILNE RD. * OREGON CITY, OREGON 97045

PROPERTY DESCRIPTION

34081 S BARLOW RD
 WOODBURN OR 97071

RABE DONALD G & RUTH O L-EST
 CHARLES RABE
 34081 S BARLOW RD
 WOODBURN OR 97071

MAP: 51E30 00700

Code Area: 086-031

Acres: 30.20

ACCOUNT NO: 01077916

2006 - 2007 CURRENT TAX BY DISTRICT:

COM COLL CLACK	163.66
ESD CLACKAMAS	108.21
SCH CANBY	1,366.56
EDUCATION TOTAL:	1,638.43
COUNTY CLACKAMAS	856.47
FD58 MONITOR	159.48
PORT OF PTLD	20.60
URBAN RENEWAL COUNTY	68.12
VECTOR CONTROL	1.94
VECTOR CONTROL LOC OPT	7.47
GENERAL GOVERNMENT TOTAL:	1,114.08
COM COLL CLACK BOND	53.48
FD58 MONITOR BOND	114.04
SCH CANBY BOND	706.28
EXCLUDED FROM LIMIT TOTAL:	873.80
2006-2007 TAX BEFORE DISCOUNT	3,626.31

VALUES:	LAST YEAR	THIS YEAR
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REAL MARKET VALUES (RMV):		
RMV LAND	398,316	473,589
RMV BLDG	331,510	371,260
RMV TOTAL	729,826	844,849
SAV TOTAL	413,615	464,672
ASSESSED VALUE (AV):	290,145	298,602

PROPERTY TAXES: 3,690.47 3,626.31

**Questions about your property value or taxes
 Please call 503-655-8671**

Please Make Payment To: CLACKAMAS COUNTY TAX COLLECTOR
 (Refer to the insert enclosed for more information)

DELINQUENT TAXES: NO DELINQUENT TAXES DUE

See back for explanation of taxes marked with an (*).
 Delinquent tax amount is included in payment options listed below.

TOTAL (after discount): 3,517.52

(See back of statement for instructions)

TAX PAYMENT OPTIONS

Payment Options	Date Due	Discount Allowed	Net Amount Due
FULL PAYMENT	Nov 15, 2006	108.79 3% Discount.....	3,517.52
2/3 PAYMENT	Nov 15, 2006	48.35 2% Discount.....	2,369.19
1/3 PAYMENT	Nov 15, 2006	No Discount.....	1,208.77

RECEIVED
 MAY 15 2007
 WATER RESOURCES DEPT
 SALEM, OREGON



34081 S. Barlow Road Woodburn, Oregon 97071

PORTLAND OR 972

29 AUG 2007 PM 8 L



ATTN: LISA JARAMILLO
Water Resources Department
Field Services Division
725 Summer Street NE Suite A
Salem, OR. 97301-1266

97301+1266



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**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **87586**

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # _____

RECEIVED FROM: <u>Rabe Automotive</u>	APPLICATION
BY: <u>Upholsterer</u>	PERMIT
CASH: <input type="checkbox"/>	TRANSFER <u>T-10386</u>
CHECK:# <input checked="" type="checkbox"/> <u>15163</u>	TOTAL REC'D \$ <u>500.00</u>
OTHER: (IDENTIFY) <input type="checkbox"/>	

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES	\$
OTHER: (IDENTIFY)	\$
0243 I/S Lease	
0244 Muni Water Mgmt. Plan	
0245 Cons. Water	

4270 WRD OPERATING ACCT

MISCELLANEOUS		RECEIVED OVER THE COUNTER	
0407 COPY & TAPE FEES	\$		
0410 RESEARCH FEES	\$		
0408 MISC REVENUE: (IDENTIFY)	\$		
TC162 DEPOSIT LIAB. (IDENTIFY)	\$		
0240 EXTENSION OF TIME	\$		
WATER RIGHTS:			RECORD FEE
0201 SURFACE WATER	\$	0202	\$
0203 GROUND WATER	\$	0204	\$
0205 TRANSFER	\$ <u>500.00</u>		
WELL CONSTRUCTION			LICENSE FEE
0218 WELL DRILL CONSTRUCTOR	\$	0219	\$
LANDOWNER'S PERMIT		0220	\$
OTHER (IDENTIFY)			

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE	\$	CARD #
0210 MONITORING WELLS	\$	CARD #
OTHER (IDENTIFY)		

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)		\$
0231 HYDRO LICENSE FEE (FW/WRD)		\$
HYDRO APPLICATION		\$

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ \$ _____

RECEIPT: **87586** DATED: 5/15/07 BY: L. Paralle