

T-10400

T-10400

Name GB Enterprises LLC
 By Paula Bond
 Address 21 C. Orinda Way #308
Orinda, CA 94563
510-318-1547

Change in POU/POA

Date filed 6-4-07

Date of hearing _____

Place of hearing _____

Date of order 7-27-10 Vol. 81, page 535

Date for application of water _____

Proof mailed _____

Proof received DOB 6/13/2011

Certificate issued July 19, 2013 Vol. _____, page 88185

RR 86446

DESCRIPTION OF WATER RIGHT

Name of stream Well

Trib. of Owl Creek County of Linn

Use Irrigation

Quantity of water _____ No. of acres _____

Name of ditch _____

Date of priority 4-12-1960

In name of R.G. Gates

_____ Adjudication, Vol. _____, page _____

App. No. G-1715 Per. No. G-1573 Cert. No. 32460

Certificate cancelled _____

Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>6-4-07</u>	<u>700.00</u>	<u>87951</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

REMARKS

Linn County: 300 SW 4th Ave. PO Box 100. Albany, OR. 97321

CURE: Tyler B. Parsons

Public Notice - 6/12/07

Contractor: Public Works Management

Well 1 LINN 10647 (remaining)
 Well 2 LINN 54762
 Well 3 LINN 10651
 Well 4 LINN 56115

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172

(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **87951**

INVOICE # _____

RECEIVED FROM: GIB Enterprises LLC

BY: _____

CASH: ☐ CHECK: # 4509 OTHER: (IDENTIFY) ☐ _____

APPLICATION _____

PERMIT _____

TRANSFER T-10400

TOTAL REC'D \$ 700.00

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 PCA 46111

0407 COPY & TAPE FEES \$ _____

0410 RESEARCH FEES \$ _____

0408 MISC REVENUE: (IDENTIFY) _____ \$ _____

TC162 DEPOSIT LIAB. (IDENTIFY) _____ \$ _____

0240 EXTENSION OF TIME \$ _____

WATER RIGHTS:

0201 SURFACE WATER

EXAM FEE
\$ _____

 0202 \$ _____

0203 GROUND WATER

EXAM FEE
\$ _____

 0204 \$ _____

0205 TRANSFER

EXAM FEE
\$ <u>700.00</u>

RECORD FEE
\$ _____

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR

EXAM FEE
\$ _____

 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: **87951**

DATED: 6/4/07

BY: DP

STATE OF OREGON
COUNTY OF LINN
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

R. G. GATES
3000 WHITE OAK DRIVE
CORVALLIS, OR 97330

confirms the right to use the waters of WELL NO. 1, within the OWL CREEK BASIN (Willamette River) for IRRIGATION of 11.7 ACRES.

This right was perfected under Permit G-1573. The date of priority is APRIL 12, 1960. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.148 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the well.

The well is located as follows:

Twp	Rng	Mer	Sec	Q - Q	DLC	Measured Distances
12 S	4 W	WM	8	NW SE	53	6.25 CHAINS (412.5 FEET) SOUTH and 6.0 CHAINS (396.0 FEET) EAST FROM NW CORNER of HAMILTON DLC 53

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use to which this right is appurtenant is as follows:

IRRIGATION						
Twp	Rng	Mer	Sec	Q - Q	DLC	Acres
12 S	4 W	WM	8	SE NW	38	0.4
12 S	4 W	WM	8	NE SW	53	4.7
12 S	4 W	WM	8	NW SE	53	6.6

This certificate describes that portion of the water right confirmed by Certificate 32460, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered JUL 27 2010, approving Transfer Application T-10400.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

WITNESS the signature of the Water Resources Director, affixed July 27, 2010.


Phillip C. Ward, Director



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

July 28, 2010

G.B. ENTERPRISES, LLC
PAULA BOND
21 C ORINDA WAY #308
ORINDA CA 94563

REFERENCE: Transfer Application T-10400

Enclosed is a copy of the final order approving your water right transfer application.

The time allowed to complete the transfer is specified in the final order. **YOU SHOULD GIVE PARTICULAR ATTENTION TO THE TIME LIMIT.** The water right for any portion of the authorized change in character of use or change in place of use NOT carried out within the time allowed will be lost.

An extension of the time limit can be allowed only upon a showing that diligent effort has been made to complete the actual change(s) within the time allowed.

You are required to hire a Certified Water Rights Examiner (CWRE) to complete a Claim of Beneficial Use report and map which must be submitted to this Department within one year of the date you complete the change(s) or within one year of the completion date authorized in the transfer final order, whichever occurs first.

If you have any questions related to the approval of this transfer, you may contact me by telephone at (503) 986-0883 or by e-mail at Sarah.A.Henderson@wrд.state.or.us.

Sincerely,

Sarah Henderson
Executive Support
Field Services Division

cc: Watermaster Dist. #16
Tyler Parsons, CWRE
R.G. Gates

Enclosure

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

In the Matter of Transfer Application	)	FINAL ORDER APPROVING A
T-10400, Linn County	)	CHANGE IN PLACE OF USE AND
	)	POINT OF APPROPRIATION, AND
	)	PARTIAL CANCELLATION OF THE
	)	WATER RIGHT

Authority

ORS 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use authorized under an existing water right. OAR Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

ORS 540.621 establishes the process for the owner of land to which a water right is appurtenant to certify under oath that the water right, or a portion thereof, has been abandoned and to voluntarily request that it be cancelled.

Applicant

G. B. ENTERPRISES, LLC
21 C ORINDA WAY, #308
ORINDA, CALIFORNIA 94563

Findings of Fact

Background

1. On June 4, 2007, Paula Bond of G.B. Enterprises, LLC, filed an application to change the place of use and point of appropriation under a portion of Certificate 32460. The Department assigned the application number T-10400.
2. The portion of the right to be transferred is as follows:
 - Certificate:** 32460 in the name of R.G. GATES (perfected under Permit G-1573)
 - Use:** IRRIGATION of 4.5 ACRES
 - Priority Date:** APRIL 12, 1960
 - Rate:** 0.057 CUBIC FEET PER SECOND (cfs)

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, 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.

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: WELL #1 within the OWL CREEK BASIN (Willamette River)

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q - Q	DLC	Measured Distances
12 S	4 W	WM	8	NW SE	53	6.25 CHAINS (412.5 FEET) SOUTH and 6.0 CHAINS (396.0 FEET) EAST FROM NW CORNER of HAMILTON DLC 53

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q - Q	DLC	Acres
12 S	4 W	WM	8	SW NE	38	2.6
12 S	4 W	WM	8	SE NW	38	1.9

3. Transfer Application T-10400 proposes to change the place of use to a different configuration within the same quarter-quarters to:

IRRIGATION Within a Manufactured Home Park						
Twp	Rng	Mer	Sec	Q - Q	DLC	Acres
12 S	4 W	WM	8	SW NE	38	3.4
12 S	4 W	WM	8	SE NW	38	1.1

4. Transfer Application T-10400 also proposes to change the point of appropriation from Well 1 approximately 1975 feet north to Well 2, 1850 feet north to Well 3, and 460 feet northeast to Well 4, located:

Twp	Rng	Mer	Sec	Q - Q	DLC	Measured Distances
12 S	4 W	WM	8	NW NE	38	WELL #2: 1880 FEET NORTH and 580 FEET EAST FROM THE SW CORNER of BOND DLC 38
12 S	4 W	WM	8	NW NE	38	WELL #3: 1650 FEET NORTH and 450 FEET EAST FROM THE SW CORNER of BOND DLC 38
12 S	4 W	WM	8	SW NE	38	WELL #4: 50 FEET NORTH and 700 FEET EAST FROM THE SW CORNER of BOND DLC 38

5. Notice of the application for transfer was published on June 12, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
6. The Department has determined that the proposed points of appropriation Well# 4 (LINN 56115), Well# 2 (LINN 54762) and Well# 3 (LINN 10651) will all develop the same source of water as the authorized existing Well# 1 (LINN 10647 and LINN 10652/deepening).
7. On April 7, 2010, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-10400 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of May 7, 2010, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary

Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

8. On May 13, 2010, the Department issued a Preliminary Determination proposing to approve Transfer Application T-10400 and mailed a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's weekly notice on May 18, 2010, and in the Gazette Times newspaper on June 10, 17, and 24, 2010, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

Transfer Review Criteria (OAR 690-380-4010)

9. Water has been used within the last five years prior to the submittal of Transfer Application T-10400 according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
10. A well, pump, pipeline, and various sprinkler systems sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-10400.
11. The proposed changes would not result in enlargement of the right.
12. The proposed changes would not result in injury to other water rights.

Partial Cancellation of the Water Right

13. On March 18, 2010, Paula Bond, Operations Manager of G.B. Enterprises, LLC, owner of the property appurtenant to the following water right, submitted a voluntary cancellation affidavit meeting the requirements of ORS 540.621.

The portion of the water right to be cancelled is described as follows:

Certificate: 32460 in the name of R.G. GATES (perfected under Permit G-1573)

Use: IRRIGATION of 3.6 ACRES

Priority Date: APRIL 12, 1960

Rate: 0.045 CUBIC FEET PER SECOND (cfs)

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: WELL #1 within the OWL CREEK BASIN (WILLAMETTE RIVER)

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q - Q	DLC	Survey Coordinates
12 S	4 W	WM	8	NW SE	53	6.25 CHAINS (412.5 FEET) SOUTH and 6.0 CHAINS (396.0 FEET) EAST FROM NW CORNER of HAMILTON DLC 53

PLACE OF USE TO BE CANCELLED						
Twp	Rng	Mer	Sec	Q - Q	DLC	Acres
12 S	4 W	WM	8	SW NE	38	2.6
12 S	4 W	WM	8	SE NW	38	1.0

Conclusions of Law


The changes in place of use and point of appropriation proposed in Transfer Application T-10400 are consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000 and the abandoned portion of the right should be cancelled.

Now, therefore, it is ORDERED:

1. The changes in place of use and point of appropriation proposed in application T-10400 are approved. The portion of the right that has been abandoned is cancelled.
2. The right to 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 Certificate 32460 and any related decree.
3. Water right certificate 32460 is cancelled. A new certificate will be issued describing that portion of the right NOT affected by this transfer and partial cancellation.
4. Water from the new proposed wells shall be acquired from the same aquifer (water source) as the original point of appropriation Well #1 (LINN 10647 and LINN 10652/deepening).
5. The quantity of water diverted at the new points of appropriation shall not exceed the quantity of water lawfully available at the original point of appropriation.
6. The Director may require the water user to install a totalizing flow meter or other suitable measuring devices at each new point of appropriation. If the Director notifies the water user to install totalizing flow meters or other measuring devices, the water user shall install such devices specified by the Director within the period allowed in the notice. Once installed, the water user shall maintain the meters or measuring devices in good working order and shall allow the Watermaster access to the meters or measuring devices.
7. The former place of use of the transferred right shall no longer receive water under the right.
8. The approved changes shall be completed and full beneficial use of the water shall be made on or before **October 1, 2011**. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.

9. When satisfactory proof of the completed changes is received, a new certificate confirming the right transferred will be issued.

Dated at Salem, Oregon this 27 day of July 2010.


Phillip C. Ward, Director

Mailing date: JUL 29 2010

STATE OF OREGON
COUNTY OF LINN
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

R. G. GATES
3000 WHITE OAK DRIVE
CORVALLIS, OR 97330

confirms the right to use the waters of WELL NO. 1, within the OWL CREEK BASIN (Willamette River) for IRRIGATION of 11.7 ACRES.

This right was perfected under Permit G-1573. The date of priority is APRIL 12, 1960. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.148 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the well.

The well is located as follows:

Twp	Rng	Mer	Sec	Q - Q	DLC	Measured Distances
12 S	4 W	WM	8	NW SE	53	6.25 CHAINS (412.5 FEET) SOUTH and 6.0 CHAINS (396.0 FEET) EAST FROM NW CORNER of HAMILTON DLC 53

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use to which this right is appurtenant is as follows:


IRRIGATION						
Twp	Rng	Mer	Sec	Q - Q	DLC	Acres
12 S	4 W	WM	8	SE NW	38	0.4
12 S	4 W	WM	8	NE SW	53	4.7
12 S	4 W	WM	8	NW SE	53	6.6

This certificate describes that portion of the water right confirmed by Certificate 32460, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered JUL 27 2010 approving Transfer Application T-10400.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

WITNESS the signature of the Water Resources Director, affixed JUL 27, 2010


Phillip C. Ward, Director

STATE OF OREGON

COUNTY OF LINN

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

GB ENTERPRISES LLC
21 C ORINDA WAY 308
ORINDA CA 94563

confirms the right to use the waters of WELL #2 (LINN 54762), WELL #3 (LINN 10651), AND WELL #4 (LINN 56115) in OWL CREEK BASIN (WILLAMETTE RIVER) for IRRIGATION of 4.5 ACRES.

This right was perfected under Permit G-1573. The date of priority is APRIL 12, 1960. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.057 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the well.

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
12 S	4 W	WM	8	NW NE	38	WELL #2: 1880 FEET NORTH AND 580 FEET EAST FROM NW CORNER, JOSEPH HAMILTON DLC 53
12 S	4 W	WM	8	NW NE	38	WELL #3: 1650 FEET NORTH AND 450 FEET EAST FROM NW CORNER, JOSEPH HAMILTON DLC 53
12 S	4 W	WM	8	SW NE	38	WELL #4: 50 FEET NORTH AND 700 FEET EAST FROM NW CORNER, JOSEPH HAMILTON DLC 53

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
12 S	4 W	WM	8	SW NE	38	3.4
12 S	4 W	WM	8	SE NW	38	1.1

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and 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.

The quantity of water diverted at the new points of appropriation (wells), shall not exceed the quantity of water available from the original point of appropriation described as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
12 S	4 W	WM	8	NW SE	53	WELL #1: 6.25 CHAINS (412.5 FEET) SOUTH AND 6.0 CHAINS (396.0 FEET) EAST FROM NW CORNER, JOSEPH HAMILTON DLC 53

Water shall be acquired from the same aquifer as the original point of appropriation.


The Director may require the water user to install a totalizing flow meter or other suitable measuring devices at each point of appropriation. If the Director notifies the water user to install totalizing flow meters or other measuring devices, the water user shall install such devices specified by the Director within the period allowed in the notice. Once installed, the water user shall maintain the meters or measuring devices in good working order and shall allow the Watermaster access to the meters or measuring devices.

This certificate is issued to confirm a CHANGE IN POINT OF APPROPRIATION AND PLACE OF USE approved by an order of the Water Resources Director entered JULY 27, 2010, at Special Order Volume 81, Page 535, approving Transfer Application 10400, and together with Certificate 86446, supercedes Certificate 32460, State record of Water Right Certificates.

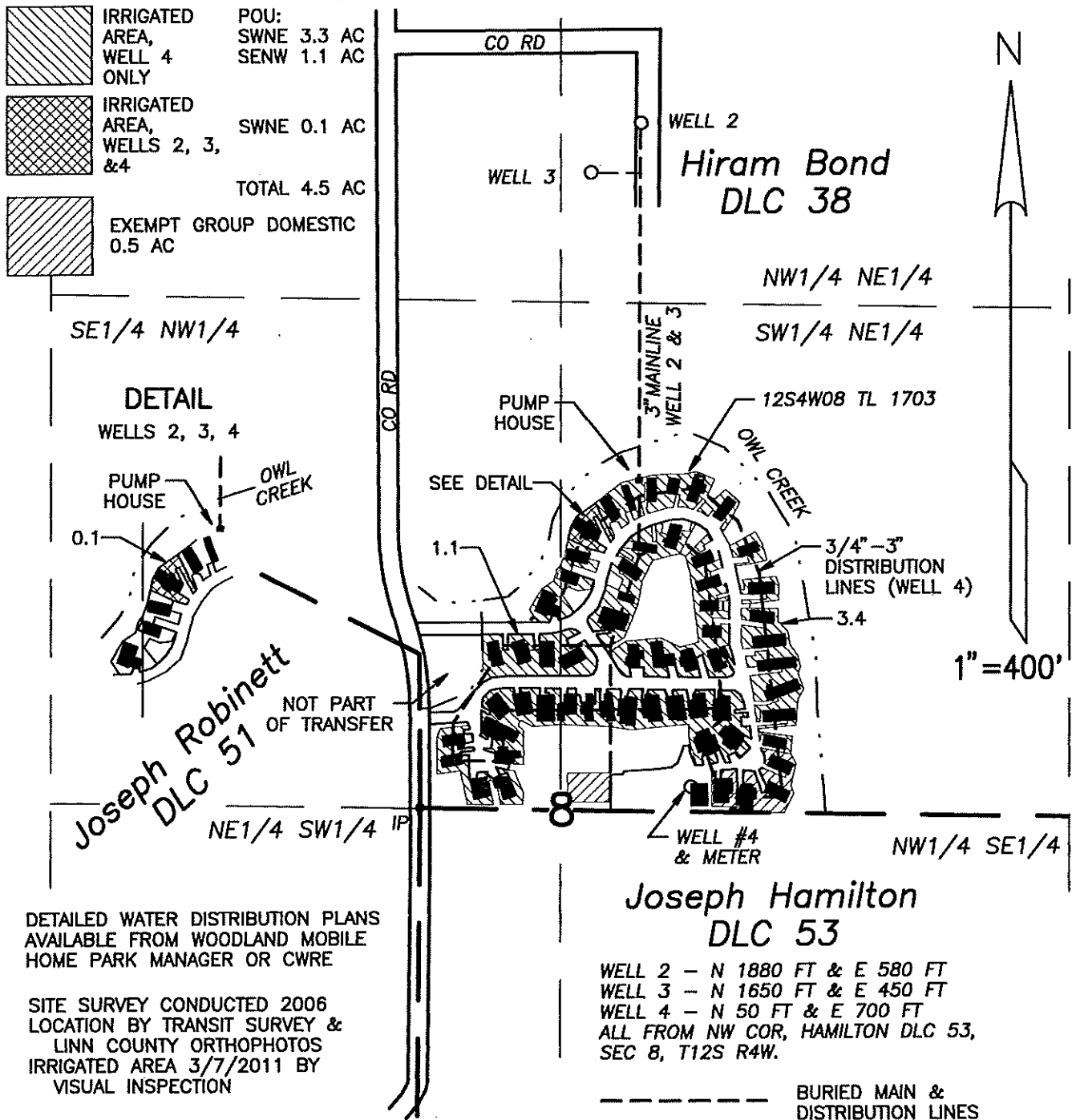
The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

JUL 19 2013

Issued _____


Dwight W. French
Administrator, Water Right Services, for
Phillip C. Ward, Director

T12S, R4W, SEC 8, W.M.



CLAIM OF BENEFICIAL USE MAP

IN THE NAME OF

G B Enterprises LLC
Transfer T-10400

Prepared: 4/7/2011
PARSONS SURVEYING
1915 S.E. Stone St.
Corvallis, OR 97333
541-752-7515
Project No. 1026

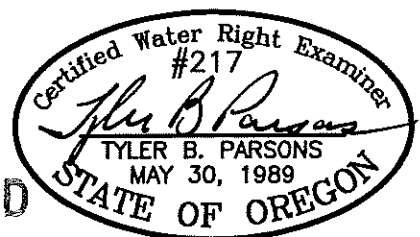
THIS MAP IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES

RECEIVED

JUN 13 2011

EXP: 12/31/2012

WATER RESOURCES DEPT
SALEM, OREGON





Oregon

John A. Kitzhaber, MD, Governor

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

Date Mailed: JUL 19 2013

NOTICE OF CERTIFICATE ISSUANCE

Attached is a certificate that confirms the water rights established under the terms of a transfer order issued by this Department.

This certificate is an order in other than a contested case. This order is subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and 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.

This statement of judicial review rights is required under ORS 536.075; it does not alter or add to existing review rights or create review rights that are not otherwise provided by law.

The water must be controlled and not wasted. To change the location of the point of diversion, the character of use, or the location of use requires the advance approval of the Water Resources Director.

If you have any questions please contact Gerry Clark at 503-986-0811.

Mailing List for Transfer Certificate

Application: T-10400

Certificate: 88185

Certificate/Transfer Holder: (include copy of map)

- ✓ GB ENTERPRISES LLC
21 C ORINDA WAY 308
ORINDA CA 94563

Copies Mailed

By: Dawn
(SUPPORT STAFF)

on: JUL 19 2018
(DATE)

Copies of final Certificate to be sent to:

- ✓ 1. Watermaster #02 (Include map)
- ✓ 2. Data Center
- ✓ 3. Water Availability
- ✓ 4. Vault
- ✓ 5. File

Other Persons to receive copies (proposed and/or final certificate: (Include map)

- ✓ TYLER B. PARSONS, CWRE

Record Marking(s):

- ✓ 1. Original Application# G-1715
- 2. Old Certificate# 32460

2 Cover Letter
6 Certificate (1)
Certificate (2)
4 Map

MEMO

TO: FILE T-10400

FROM: me 4/16/13

DATE: 4.11, 2013

RE: DETERMINATION OF PROOF

I've determined that a PROPOSED FINAL certificate should be prepared and mailed to the permit holder consistent with:

 Permit Transfer

 FPS COBU

As described in the permit/transfer but as clarified by the FPS COBU

As described in the PERMIT/TRANSFER and FPS or COBU but as further specified below:

 Conflict? No Yes: _____

 stamped PROPOSED or assign Cert # 88185

 Draft certificate(s) are available in the transfer directory.

 Water Organization identified using area of interest tool? No Yes, cc: _____

 Check ownership; and if there is a new owner, add them to the mailing list. assessors office ✓

 Prepare a mailing list.

 Record marking: App _____ Cert _____

NOTES:

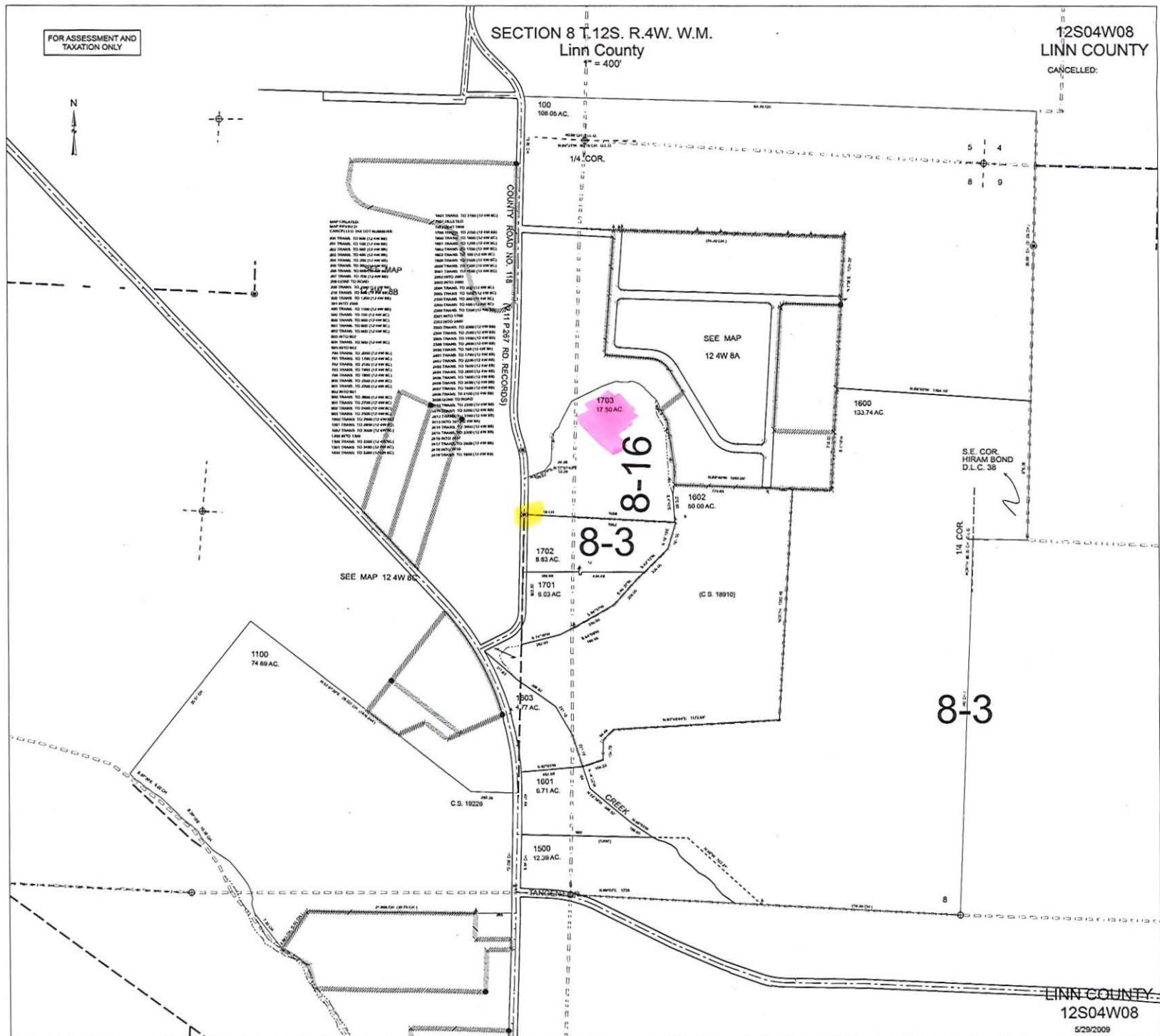
FOR ASSESSMENT AND
TAXATION ONLY

SECTION 8 T. 12S. R. 4W. W.M.
Linn County

1" = 400'

12S04W08
LINN COUNTY

CANCELLED:



THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSES ONLY

SW1/4 SEC.08 T.12S. R.04W. W.M.
LINN COUNTY, OREGON

1" = 200'

SEE MAP 12 4W 8B

12 4W 8C

SEE MAP 12 4W 7

1/4 COR.

Ely N.E. COR.
JOSEPH ROBINETT
D.L.C. 51

Sly S.W. COR.
HIRAM BOND
D.L.C. 38

NW COR.
JOSEPH HAMILTON
D.L.C. 53

SEE MAP 12 4W 8

*Wells were
measured from here*

*also appears to
be SW cor, dk 38*

SEE MAP 12 4W 8

12 4W 8C

12/12/06.17:16:09.Tue

Pump Capacity Calculator

using Department designed formula:

$(hp)(\text{efficiency}) / (\text{lift} + \text{psi head}) = \text{capacity in cfs}$

Efficiency:

Centrifugal = 6.61

Turbine = 7.04

Data Entry (fill in underlined blanks)

HP = 3
Efficiency = 7.04
Lift = 10
PSI = 45

Results Calculated

$(hp)(\text{efficiency}) = 21.12$
Head based on psi = 114.3
Total dynamic head = 124.3
(head + lift)

Pump Capacity = 0.170 cubic feet per second

Pump Capacity Calculator

using Department designed formula:

$(hp)(\text{efficiency}) / (\text{lift} + \text{psi head}) = \text{capacity in cfs}$

Efficiency:

Centrifugal = 6.61

Turbine = 7.04

Data Entry (fill in underlined blanks)

HP = 7.5
Efficiency = 7.04
Lift = 10
PSI = 40

Results Calculated

$(hp)(\text{efficiency}) = 52.8$
Head based on psi = 101.6
Total dynamic head = 111.6
(head + lift)

Pump Capacity = 0.473 cubic feet per second

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

In the Matter of Transfer Application	)	FINAL ORDER APPROVING A
T-10400, Linn County	)	CHANGE IN PLACE OF USE AND
	)	POINT OF APPROPRIATION , AND
	)	PARTIAL CANCELLATION OF THE
	)	WATER RIGHT

Authority

ORS 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use authorized under an existing water right. OAR Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

ORS 540.621 establishes the process for the owner of land to which a water right is appurtenant to certify under oath that the water right, or a portion thereof, has been abandoned and to voluntarily request that it be cancelled.

Applicant

G. B. ENTERPRISES, LLC
21 C ORINDA WAY, #308
ORINDA, CALIFORNIA 94563

Findings of Fact

Background

1. On June 4, 2007, Paula Bond of G.B. Enterprises, LLC, filed an application to change the place of use and point of appropriation under a portion of Certificate 32460. The Department assigned the application number T-10400.
2. The portion of the right to be transferred is as follows:
Certificate: 32460 in the name of R.G. GATES (perfected under Permit G-1573)
Use: IRRIGATION of 4.5 ACRES
Priority Date: APRIL 12, 1960
Rate: 0.057 CUBIC FEET PER SECOND (cfs)

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, 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.

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-**EIGHTIETH** of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed **2.5** acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: WELL #1 within the **OWL CREEK BASIN** (Willamette River)

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q - Q	DLC	Measured Distances
12 S	4 W	WM	8	NW SE	53	6.25 CHAINS (412.5 FEET) SOUTH and 6.0 CHAINS (396.0 FEET) EAST FROM NW CORNER of HAMILTON DLC 53

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q - Q	DLC	Acres
12 S	4 W	WM	8	SW NE	38	2.6
12 S	4 W	WM	8	SE NW	38	1.9

3. Transfer Application T-10400 proposes to **change the place of use** to a different configuration within the same quarter-quarters to:

IRRIGATION Within a Manufactured Home Park						
Twp	Rng	Mer	Sec	Q - Q	DLC	Acres
12 S	4 W	WM	8	SW NE	38	3.4
12 S	4 W	WM	8	SE NW	38	1.1

4. Transfer Application T-10400 also proposes to **change the point of appropriation** from Well 1 approximately 1975 feet north to Well 2, 1850 feet north to Well 3, and 460 feet northeast to Well 4, located:

Twp	Rng	Mer	Sec	Q - Q	DLC	Measured Distances
12 S	4 W	WM	8	NW NE	38	WELL #2: 1880 FEET NORTH and 580 FEET EAST FROM THE SW CORNER of BOND DLC 38
12 S	4 W	WM	8	NW NE	38	WELL #3: 1650 FEET NORTH and 450 FEET EAST FROM THE SW CORNER of BOND DLC 38
12 S	4 W	WM	8	SW NE	38	WELL #4: 50 FEET NORTH and 700 FEET EAST FROM THE SW CORNER of BOND DLC 38

nw joseph
hamilton
dlc 53

5. Notice of the application for transfer was published on June 12, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
6. The Department has determined that the proposed points of appropriation **Well# 4 (LINN 56115)**, **Well# 2 (LINN 54762)** and **Well# 3 (LINN 10651)** will all develop the same source of water as the authorized existing Well# 1 (LINN 10647 and LINN 10652/deepening).
7. On April 7, 2010, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-10400 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of May 7, 2010, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary

Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

8. On May 13, 2010, the Department issued a Preliminary Determination proposing to approve Transfer Application T-10400 and mailed a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's weekly notice on May 18, 2010, and in the Gazette Times newspaper on June 10, 17, and 24, 2010, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

Transfer Review Criteria (OAR 690-380-4010)

9. Water has been used within the last five years prior to the submittal of Transfer Application T-10400 according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
10. A well, pump, pipeline, and various sprinkler systems sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-10400.
11. The proposed changes would not result in enlargement of the right.
12. The proposed changes would not result in injury to other water rights.

Partial Cancellation of the Water Right

13. On March 18, 2010, Paula Bond, Operations Manager of G.B. Enterprises, LLC, owner of the property appurtenant to the following water right, submitted a voluntary cancellation affidavit meeting the requirements of ORS 540.621.

The portion of the water right to be cancelled is described as follows:

Certificate: 32460 in the name of R.G. GATES (perfected under Permit G-1573)

Use: IRRIGATION of 3.6 ACRES

Priority Date: APRIL 12, 1960

Rate: 0.045 CUBIC FEET PER SECOND (cfs)

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: WELL #1 within the OWL CREEK BASIN (WILLAMETTE RIVER)

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q - Q	DLC	Survey Coordinates
12 S	4 W	WM	8	NW SE	53	6.25 CHAINS (412.5 FEET) SOUTH and 6.0 CHAINS (396.0 FEET) EAST FROM NW CORNER of HAMILTON DLC 53

PLACE OF USE TO BE CANCELLED						
Twp	Rng	Mer	Sec	Q - Q	DLC	Acres
12 S	4 W	WM	8	SW NE	38	2.6
12 S	4 W	WM	8	SE NW	38	1.0

Conclusions of Law

The changes in place of use and point of appropriation proposed in Transfer Application T-10400 are consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000 and the abandoned portion of the right should be cancelled.

Now, therefore, it is ORDERED:

1. The changes in place of use and point of appropriation proposed in application T-10400 are approved. The portion of the right that has been abandoned is cancelled.
2. The right to 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 Certificate 32460 and any related decree.
3. Water right certificate 32460 is cancelled. A new certificate will be issued describing that portion of the right NOT affected by this transfer and partial cancellation.
4. Water from the new proposed wells shall be acquired from the same aquifer (water source) as the original point of appropriation Well #1 (LINN 10647 and LINN 10652/deepening).
- 7 5. The quantity of water diverted at the new points of appropriation shall not exceed the quantity of water lawfully available at the original point of appropriation.
- 20 but appropriation 6. The Director may require the water user to install a totalizing flow meter or other suitable measuring devices at each new point of appropriation. If the Director notifies the water user to install totalizing flow meters or other measuring devices, the water user shall install such devices specified by the Director within the period allowed in the notice. Once installed, the water user shall maintain the meters or measuring devices in good working order and shall allow the Watermaster access to the meters or measuring devices.
7. The former place of use of the transferred right shall no longer receive water under the right.
8. The approved changes shall be completed and full beneficial use of the water shall be made on or before **October 1, 2011**. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.

9. When satisfactory proof of the completed changes is received, a new certificate confirming the right transferred will be issued.

Dated at Salem, Oregon this 27 day of July 2010.


Phillip C. Ward, Director

Mailing date: JUL 29 2010

STATE OF OREGON
COUNTY OF LINN
CERTIFICATE OF WATER RIGHT

This Is to Certify, That R. G. GATES

of 3000 White Oak Drive, Corvallis, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Well No. 1

a tributary of Owl Creek (Willamette River) for the purpose of irrigation of 19.8 acres

under Permit No. G-1573 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from April 12, 1960

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.25 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ as projected within Hamilton DIC 53, Section 8, T. 12 S., R. 4 W., W. M. Well is located 6 $\frac{1}{2}$ chains South and 6 chains East from Northwest corner of Hamilton DIC 53

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2 $\frac{1}{2}$ acre feet per acre for each acre irrigated during the irrigation season of each year;

and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

5.2 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
3.3 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
both as projected within Bond DIC 38
4.7 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
6.6 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
both as projected within Hamilton DIC 53
Section 8
T. 12 S., R. 4 W., W. M.

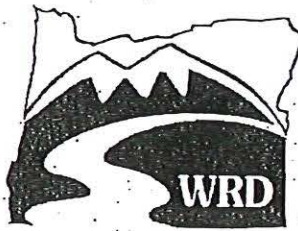
The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed

this date, September 27, 1965

CHRIS L. WHEELER

State Engineer

Date Received 6/13/2011CWRE Name Tyler ParsonsClaim Logged yesFile Marked yes

Oversized Map # _____

Read the file and attach a copy of the permit or transfer final order. _____

Map Review:

- ☒ Map on polyester film (OAR 690-014-0170(1) & 310-0050(1)(b))
- ☒ Application & permit #; or transfer # (OAR 690-014-0100(1))
- ☒ Disclaimer (OAR 690-014-0170(5))
- ☒ North arrow (OAR 690-310-0050(2)(c))
- ☒ CWRE stamp and signature (OAR 690-014 & 310-0050)
- ☒ Appropriate scale (1" = 1320', 1" = 400', or the original full-size scale of the county assessor map) (014 & 310)
- ☒ Township, range, section, and tax lot numbers (OAR 690-310-0050(4))
- ☐ Source illustrated if surface water (OAR 690-014-0170(3))
- ☐ Point(s) of diversion or appropriation (illustrated) (OAR 690-014(4) & 690-310-0050)
- ☐ Point(s) of diversion or appropriation (coordinates) (OAR 690-014(4) & 690-310-0050)
- ☐ Conveyance structures illustrated (pump, pipelines, ditches, etc.) (OAR 690-310-0050)
- ☐ Description of the location, in relation to the point of diversion or appropriation, of any fish screens, by-pass devices, and measuring devices required (OAR 690-014(4))
- ☐ Place of use (1/4 1/4, or projected 1/4 1/4 lines within DLCs, or Gov Lots; if irrigation, # of acres in each subdivision; if for domestic or human consumption, location of dwelling or spigot) (OAR 690-310-0050, 690-014, 690-380-6010)

Report Review:

- ☒ On form or format provided by the Department (OAR 690-014-0100(1))
- ☒ Application & permit #; or transfer # (OAR 690-014)
- ☒ Ownership information (OAR 690-014)
- ☒ Date of survey (OAR 690-014)
- ☒ Person interviewed (OAR 690-014)
- ☒ County (OAR 690-014)
- ☒ Tax lot information (OAR 690-014)
- ☐ Description of conveyances system (from POD to POU) (OAR 690-014-0100)
- ☐ Source(s) of water (OAR 690-014-0100)
- ☐ Point of diversion/appropriation location (OAR 690-014-0100)
- ☐ Use, period of use, and rate for use (OAR 690-014-0100)
- ☐ Place of use location (OAR 690-014-0100)
- ☐ Type of use (OAR 690-014-0100)
- ☐ Extent of use (OAR 690-014-0100)
- ☐ Rate and Duty (OAR 690-014-0100)
- ☐ Diversion rate for each use (OAR 690-014-0100)
- ☐ Diversion works description (pump make, serial model, capacity, and description) (OAR 690-014-0100)
- ☐ System capacity (OAR 690-014-0100)
 - ☐ Calculated capacity of system (required)
 - ☐ Measured amount of use (optional)
- ☐ Permit/Transfer Final Order Conditions (OAR 690-014-0100)
 - ☐ Time limits
 - ☐ Initial water level measurements
 - ☐ Annual static water level measurements
 - ☐ Measurement, recording, and reporting
 - ☐ Meter/measuring device
 - ☐ Water use reporting
 - ☐ Fish screening and/or by-pass
 - ☐ Pump test (ground water)
 - ☐ Other conditions
- ☒ CWRE stamp and signature (OAR 690-014-0100)
- ☒ Signature(s) of permittee or transfer holder (OAR 690-014-0100)

DEF = deficient

N/A = Not Applicable

Certificate Issuance Processing Checklist

_____ Map and COBU reviewed
_____ Conflict check (include copy of plat card printout) Any Conflicts? _____
_____ Check for ownership

Staff Recommendations:

_____ Proof to the Satisfaction has been established to the full extent as described in the permit or transfer order.
_____ Proof to the Satisfaction has been not been established to the full extent as described in the permit or transfer order and the right should be limited as follows: _____
_____ Proof to the Satisfaction has not been established for the following reasons: _____
Proposed Actions:
Send letter requesting the following items/information: _____
Send letter recommending extension to cure deficiencies: _____

Can certificate be processed further?

_____ Yes

If "Yes":

_____ Proposed
_____ Final

Certificate # _____

Mailing list:

Proposed:

Final:

CLAIM OF BENEFICIAL USE for Permits claiming more than 0.1 cfs and All Transfers



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

**A fee of \$150 must accompany this form to be accepted for permits
with a priority date of July 9, 1987, or later. (ORS 536.050(1))**

SECTION 1 GENERAL INFORMATION

1. File Information

APPLICATION # (G, R, S or T) T-10400	PERMIT # (IF APPLICABLE)	PERMIT AMENDMENT # (IF APPLICABLE)
--	--------------------------	------------------------------------

2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME G.B. Enterprises, LLC		PHONE NO. 510-318-1547	ADDITIONAL CONTACT NO. 925-254-3541
ADDRESS 21C Orinda Way, #308			
CITY Orinda	STATE CA	ZIP 94563	E-MAIL jdspmb@gmail.com

If the current property owner is not the permit or transfer holder of record, it is recommended that an assignment be filed with the Department. **The COBU must be signed by the permit or transfer holder of record.**

3. Is the Property Owner the permit or transfer holder of record? **YES**

Are there additional permit or transfer holders of record? **NO**

4. Date of Site Inspection: **December 21, 2010 and March 7, 2011**

5. Person(s) interviewed and description of their association with the project:

NAME	DATE	ASSOCIATION WITH THE PROJECT
Gary Mohler	12/21/2010	Manager, Woodland Mobile Home Park
David Gibbs, M&H Pump	12/21/2010	Well driller, measured well output
Gary Mohler	3/7/2011	Manager, Woodland Mobile Home Park

6. County: **Linn**

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7. If any property described in the place of use of the permit or transfer final order is excluded from this report, identify the owner of record for that property (ORS 537.230(4)):

****Mark "NA" if there are no owners of property not included in this claim**

OWNER OF RECORD NA		
ADDRESS		
CITY	STATE	ZIP

Are there additional Owners of Record?

NO

SECTION 2

SYSTEM DESCRIPTION

A. Points of Diversion/Appropriation

1. Point of diversion/appropriation name or number:

POINT OF DIVERSION/APPROPRIATION (POD/POA) NAME OR NUMBER (CORRESPOND TO MAP)	WELL LOG ID # FOR ALL WORK PERFORMED ON THE WELL (IF APPLICABLE)	WELL TAG # (IF APPLICABLE)
Well #2	LINN 54762	None
Well #3	LINN 10651	None
Well #4	LINN 56115	L-70782

Attach each well log available for the well (include the log for the original well and any subsequent alterations, reconstructions, or deepenings)

2. Point of diversion/appropriation source and, if from surface water, the tributary:

POD/POA NAME OR NUMBER	SOURCE	TRIBUTARY
Well #2	Owl Creek Basin	Willamette River
Well #3	Owl Creek Basin	Willamette River
Well #4	Owl Creek Basin	Willamette River

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3. Developed use(s), period of use, and rate for each use:

POD/POA NAME OR NUMBER	USES	IF IRRIGATION, LIST CROP TYPE	SEASON OR MONTHS WHEN WATER WAS USED	RATE OR VOLUME FOR USE (CFS, GPM, OR AF)
Well #2	Irrigation	Lawn & Garden	April - October	0.007 cfs see notes
Well #3	Irrigation	Lawn & Garden	April - October	0.007 cfs see notes
Well #4	Irrigation & Domestic	Lawn & Garden	April - October	0.057 cfs
Total Quantity of Water Used				0.057 cfs

4. Provide a general narrative description of the distribution works. This description must trace the water system from each point of diversion or appropriation to the place of use:

Wells #2 and #3 were originally part of the domestic, lawn, and garden water supply for Woodland Mobile Home Park serving 57 mobile home spaces and a common laundry room. For health reasons, the Park developed an additional source, Well #4, to serve the Park using the same water

distribution system as served by Wells #2 and #3. Wells #2 and #3 have been disconnected from the main system but are still operational and are being used in addition to Well #4 for irrigation. The Water Resources Department determined that Wells #2, #3, and #4 all appropriate water from the same source. The Park is using Wells #2 and #3 as an alternate source of water to Well #4 but for irrigation of 0.1 acres only.

The Well #2 and #3 system consists of 2 wells with 2 each 7.5 HP submersible pumps (per the Park manager) located approximately 900 feet north of the park. A 3" PVC buried water main connects the wells together and conveys water to a small utility building containing a filter and three 250 gallon storage and pressure tanks on the north edge of the park. Power to the two wells can be controlled from the utility building. Water is used from the utility building by means of a 100 foot 1-1/2" diameter fire hose and 50 foot sections of 3/4" garden hose.

Well #4 is the main source of water for domestic use and irrigation throughout the park. The system consists of a 3 HP submersible pump connected to 3 iron filters, 2 water softeners, 3 pressure tanks, and 3 each 6,200 gallon plastic storage tanks in a large utility building next to the well. Two 3 HP booster pumps provide pressure to the system. Distribution of water throughout the Park is by 3", 2", 1-1/2" and 3/4" buried PVC mainline with 3/4" galvanized pipe risers to the mobile homes for inside use. (The two sheets of plans for Phase 1 and Phase 2 of the park utility systems disagree somewhat on the exact size, location and length of the 2" to 3/4" piping.) The mobile homes generally have outside spigots for lawn and garden irrigation and there are a number of 3/4" irrigation headers and spigots in landscaped areas throughout the Park. Well #4 serves 0.5 acres of included lawn and garden irrigation under the Group Domestic exemption serving the common garden area to the west of Well #4 and four mobile homes units to the east of Well #4 (Lots 36, 38, 39 & 40). Well #4 is also used as the main POA for the remaining 4.5 acres of irrigation only covered by this Transfer Claim of Beneficial Use.

The Transfer Order makes no differentiation of the areas to be covered by each POA and there is no mention of supplemental irrigation.

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SECTION 2

SYSTEM DESCRIPTION (B through H)

Are there multiple PODs or POAs?

YES

If "YES" you will need to copy and complete Sections 2B through 2H for each POD/POA.

POD/POA Name or Number this section describes (only needed if there is more than one):

Well #4: LINN 56115, L-70782

B. Place of Use

1. Is the right for municipal use?

NO

If "YES" the table below may be deleted.

TWP	RNG	MER	SEC	Q-Q	GLot	DLC	USE	IF IRRIGATION, # PRIMARY ACRES	IF IRRIGATION, # SUPPLEMENTAL ACRES
T12S	R4W	WM	8	SW-NE		38	Irrigation	3.4	
T12S	R4W	WM	8	SE-NW		38	Irrigation	1.1	
Total Acres Irrigated								4.5	

C. Diversion and Delivery System Information

Provide the following information concerning the diversion and delivery system. Information provided must describe the equipment used to transport and apply the water from the point of diversion/appropriation to the place of use.

1. Is a pump used?

YES

If "NO" items 2 through item 6 may be deleted.

2. Pump Information

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
Gould	40GS30412	Unknown	Submersible	NA	Unk

3. Motor Information

MANUFACTURER	HORSEPOWER
Gould	3 HP

4. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *If a well, the water level DURING PUMPING	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
3 HP	45	-10 ft	0	0.17cfs

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5. Provide pump calculations:

Theoretical: See Pump Capacity Calculation Sheet, Well #4

Bucket: 18" dia x 27" deep = 29.7gal

Time observed: 30 sec

Total pump output: 29.7gal/0.5min = 59.5gpm = 0.13cfs

6. Measured Pump Capacity (using meter if meter was present and system was operating)

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)

Reminder: For pump calculations use the reference information at the end of this document.

7. Is the distribution system piped?

YES

If "NO" items 8 through item 11 may be deleted.

8. Mainline Information

MAINLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
3"	1800	PVC	Buried
2"	2400	PVC	Buried

9. Lateral or Handline Information

LATERAL OR HANDLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
1.5"	750	PVC	Buried
1.25"	200	PVC	Buried
1"	50	PVC	Buried
3/4"	250	PVC	Buried

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10. Sprinkler Information

SIZE	OPERATING PSI	SPRINKLER OUTPUT (GPM)	TOTAL NUMBER OF SPRINKLERS	MAXIMUM NUMBER USED	TOTAL SPRINKLER OUTPUT (CFS)
Vary	45psi			8	36.48gpm = 0.081cfs
See attachment "Irrigation Equipment List" and "Sprinkler Rate Test" for Well #4.					

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Reminder: For sprinkler output determination use the reference information at the end of this document.

11. Pivot Information

MANUFACTURER	MAXIMUM WETTED RADIUS	OPERATING PSI	TOTAL PIVOT OUTPUT (GPM)	TOTAL PIVOT OUTPUT (CFS)
None				

12. Additional notes or comments related to the system:

8 consumer grade garden sprinklers belonging to residents were used to determine the flow rate. 3 Gilmore Turbin Rotor sprinklers, 1 Gilmore oscillating sprinkler, 2 Gilmore Rainbird type sprinklers, 1 Nelson oscillating sprinkler, 1 MSE oscillating sprinkler. Units were tested using 400 feet 3/4" garden hose from hose bibs on the mobile homes or separate irrigation risers. Each sprinkler was directed into a calibrated bucket filled to 4 gallons and the time measured. Flow rate from each sprinkler was measured and totaled for the output in Item C.10 above.

The meter for Well #4 is located in the utility building next to the well.

Mobile home park residents have their own sprinklers and are responsible for irrigating the area around their individual homes. For an approximate inventory of resident equipment, see the attached "Irrigation Equipment List".

D. Groundwater Source Information (Well and Sump)

1. Is the appropriation from ground water (well or sump)? **YES**

If "NO", items 2 through 8 relating to this section may be deleted.

2. Describe the access port (type and location) or other means to measure the water level in the well:

3/4" threaded port in the top of the wellhead for use with an electro-tape.

3. If well logs are not available, provide as much of the following information as possible:

CASING DIAMETER	CASING DEPTH	TOTAL DEPTH	COMPLETION DATE OF ORIGINAL WELL	COMPLETION DATES OF ALTERATIONS	WHO THE WELL WAS DRILLED FOR	WELL DRILLED BY

4. In addition to the information requested in item "3" above, provide any other information which may help the Department locate any well logs associated with this appropriation.

LINN 56115, L-70782

5. Is the appropriation from a dug well (sump)? **NO**

E. Storage

1. Does the distribution system include in-system storage (i.e. storage tank, bulge in system / reservoir)

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If "NO", item 2 and 3 relating to this section may be deleted.

If "YES" is it a: Storage Tank

Bulge in System / Reservoir

Complete appropriate table(s) below, unused table may be deleted.

YES

YES

NO

2. Storage Tank:

MATERIAL (CONCRETE, FIBERGLASS, METAL, ETC.)	CAPACITY (IN GALLONS)	ABOVE GROUND OR BURIED
Plastic	6,200 gal x 3 = 18,600 gal	Above Ground

F. Gravity Flow Pipe

(THE DEPARTMENT TYPICALLY USES THE HAZEN-WILLIAM'S FORMULA FOR A GRAVITY FLOW PIPE SYSTEM)

1. Does the system involve a gravity flow pipe? **NO**

G. Gravity Flow Canal or Ditch

(THE DEPARTMENT TYPICALLY USES MANNING'S FORMULA FOR CANALS AND DITCHES)

1. Is a gravity flow canal or ditch used to convey the water as part of the distribution system? **NO**

H. Reservoir

1. Does the claim involve a reservoir modified through a transfer? **NO**

Well #2: LINN 54762

B. Place of Use

1. Is the right for municipal use? **NO**

If "YES" the table below may be deleted.

TWP	RNG	MER	SEC	Q-Q	GLot	DLC	USE	IF IRRIGATION, # PRIMARY ACRES	IF IRRIGATION, # SUPPLEMENTAL ACRES
T12S	R4W	WM	8	SW-NE		38	Irrigation	0.1	
Note: Area also irrigated from Wells #3 and #4. Not an additional area									
Total Acres Irrigated								0.1	

Reminder: The map associated with this claim must identify Donation Land Claims (DLC), Government Lots (Gov Lot), Quarter-Quarters (QQ), and if for irrigation, the number of acres irrigated within each projected DLC, Gov Lot, and QQ.

C. Diversion and Delivery System Information

Provide the following information concerning the diversion and delivery system. Information provided must describe the equipment used to transport and apply the water from the point of diversion/appropriation to the place of use.

1. Is a pump used?

If "NO" items 2 through item 6 may be deleted.

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SALEM, OREGON**

2. Pump Information

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
Unknown	Unknown	Unknown	Submersible	NA	Unk

3. Motor Information

MANUFACTURER	HORSEPOWER
Unknown	7.5 HP (per manager)

4. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *If a well, the water level during pumping	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
7.5 HP	40	-10	0	0.47cfs

5. Provide pump calculations:

See attached sheet, Well #2.

Measured Capacity

Bucket 18" dia. Depth 27.5". Vol = 30.2 gal.

Time = 17.5 sec.

Rate = 103.5 gpm = 0.23 cfs

6. Measured Pump Capacity (using meter if meter was present and system was operating)

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)

Reminder: For pump calculations use the reference information at the end of this document.

7. Is the distribution system piped?

YES

If "NO" items 8 through item 11 may be deleted.

8. Mainline Information

MAINLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
3"	130'	PVC	Buried
Note: connected to the 3" mainline from Well #3 to small utility building. Total length from Well #2 = 900 ft.			

9. Lateral or Handline Information

LATERAL OR HANDLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
1"	100 feet	Old fire hose	Above Ground (temporary)
3/4"	100 feet	Garden hose	Above Ground

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10. Sprinkler Information

SIZE	OPERATING PSI	SPRINKLER OUTPUT (GPM)	TOTAL NUMBER OF SPRINKLERS	MAXIMUM NUMBER USED	TOTAL SPRINKLER OUTPUT (CFS)
Varies	24 psi	21.11 gpm		8	21.11 gpm = 0.047 cfs
Garden type, see Item 12 below					
Rainbird	24 psi	2.96 gpm		1	2.96 gpm = 0.007 cfs

Reminder: For sprinkler output determination use the reference information at the end of this document.

11. Pivot Information

MANUFACTURER	MAXIMUM WETTED RADIUS	OPERATING PSI	TOTAL PIVOT OUTPUT (GPM)	TOTAL PIVOT OUTPUT (CFS)
NA				

12. Additional notes or comments related to the system:

8 consumer grade garden sprinklers were tested, similar to those used by residents of the mobile home park. 3 Gilmore Turbin Rotor sprinklers, 2 Gilmore oscillating sprinklers, 2 Gilmore Rainbird type sprinklers, 1 Melnor oscillating sprinkler. Units were tested all at once with 100 feet of 1.5" firehose and total of 400 feet 3/4" garden hose. Each sprinkler was directed into a calibrated bucket to 4 gallons and the time measured. Flow rate from each sprinkler was measured and totaled for the output in Item C.10 above. For actual irrigation purposes of Lot 9 (0.1 acre), 1 rainbird type sprinkler is assumed, measured at 0.007cfs at 24psi.

There is no meter connected to this system.

D. Groundwater Source Information (Well and Sump)

1. Is the appropriation from ground water (well or sump)?

YES

If "NO", items 2 through 8 relating to this section may be deleted.

2. Describe the access port (type and location) or other means to measure the water level in the well:

3/4" access port in top of wellhead.

3. If well logs are not available, provide as much of the following information as possible:

CASING DIAMETER	CASING DEPTH	TOTAL DEPTH	COMPLETION DATE OF ORIGINAL WELL	COMPLETION DATES OF ALTERATIONS	WHO THE WELL WAS DRILLED FOR	WELL DRILLED BY

4. In addition to the information requested in item "3" above, provide any other information which may help the Department locate any well logs associated with this appropriation.

LINN 54762

5. Is the appropriation from a dug well (sump)?

NO

E. Storage

1. Does the distribution system include in-system storage (i.e. storage tank, bulge in system / reservoir)

YES

If "NO", item 2 and 3 relating to this section may be deleted.

If "YES" is it a: Storage Tank

YES

Bulge in System / Reservoir

NO

Complete appropriate table(s) below, unused table may be deleted.

2. Storage Tank:

MATERIAL (CONCRETE, FIBERGLASS, METAL, ETC.)	CAPACITY (IN GALLONS)	ABOVE GROUND OR BURIED
Steel	525 gal x 3 = 1575 gal	Above Ground

F. Gravity Flow Pipe

(THE DEPARTMENT TYPICALLY USES THE HAZEN-WILLIAM'S FORMULA FOR A GRAVITY FLOW PIPE SYSTEM)

1. Does the system involve a gravity flow pipe?

NO

G. Gravity Flow Canal or Ditch

(THE DEPARTMENT TYPICALLY USES MANNING'S FORMULA FOR CANALS AND DITCHES)

1. Is a gravity flow canal or ditch used to convey the water as part of the distribution system?

NO

If "NO", items 2 through 4 relating to this section may be deleted.

H. Reservoir

1. Does the claim involve a reservoir modified through a transfer?

NO

Reminder: This section should only be completed if the reservoir right has been modified through the transfer process. If the claim is for a permitted reservoir use the Claim of Beneficial Use form for reservoirs.

If "NO", items 2 through 9 relating to this section may be deleted.

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Well #3: LINN 10651

B. Place of Use

1. Is the right for municipal use?

NO

If "YES" the table below may be deleted.

TWP	RNG	MER	SEC	Q-Q	GLot	DLC	USE	IF IRRIGATION, # PRIMARY ACRES	IF IRRIGATION, # SUPPLEMENTAL ACRES
T12S	R4W	WM	8	SW-NE		38	Irrigation	0.1	

Note: Area also irrigated from Wells #2 and #4. Not additional area

TWP	RNG	MER	SEC	Q-Q	GLot	DLC	USE	IF IRRIGATION, # PRIMARY ACRES	IF IRRIGATION, # SUPPLEMENTAL ACRES
Total Acres Irrigated								0.1	

Reminder: The map associated with this claim must identify Donation Land Claims (DLC), Government Lots (Gov Lot), Quarter-Quarters (QQ), and if for irrigation, the number of acres irrigated within each projected DLC, Gov Lot, and QQ.

C. Diversion and Delivery System Information

Provide the following information concerning the diversion and delivery system. Information provided must describe the equipment used to transport and apply the water from the point of diversion/appropriation to the place of use.

1. Is a pump used?

YES

If "NO" items 2 through item 6 may be deleted.

2. Pump Information

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
Unknown	Unknown	Unknown	Submersible	NA	Unk

3. Motor Information

MANUFACTURER	HORSEPOWER
Unknown	7.5 HP per manager

4. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *If a well, the water level DURING PUMPING	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
7.5 HP	40	-10 ft	0	0.47cfs

5. Provide pump calculations:

See attached sheet for Well #3 capacity

Measured capacity:

Bucket: 18" dia x 27.5" = 30.2 gal

Time: 17.8 sec

Output: 102.1gpm = 0.227 cfs

6. Measured Pump Capacity (using meter if meter was present and system was operating)

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)

Reminder: For pump calculations use the reference information at the end of this document.

7. Is the distribution system piped?

YES

If "NO" items 8 through item 11 may be deleted.

8. Mainline Information

MAINLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
3" (same as Well #2)	925'	PVC	Buried

9. Lateral or Handline Information

LATERAL OR HANDLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
Same as Well #2			

10. Sprinkler Information

SIZE	OPERATING PSI	SPRINKLER OUTPUT (GPM)	TOTAL NUMBER OF SPRINKLERS	MAXIMUM NUMBER USED	TOTAL SPRINKLER OUTPUT (CFS)
Same as Well #2					

Reminder: For sprinkler output determination use the reference information at the end of this document.

11. Pivot Information

MANUFACTURER	MAXIMUM WETTED RADIUS	OPERATING PSI	TOTAL PIVOT OUTPUT (GPM)	TOTAL PIVOT OUTPUT (CFS)
NA				

12. Additional notes or comments related to the system:

Well #3 not tested with sprinklers as the well output is similar and use the same horsepower pump. Wells 2 and 3 are connected together into the same system but are not run at the same time. There is no meter connected to this system.

D. Groundwater Source Information (Well and Sump)

1. Is the appropriation from ground water (well or sump)?

YES

If "NO", items 2 through 8 relating to this section may be deleted.

2. Describe the access port (type and location) or other means to measure the water level in the well:

3/4" threaded port in the top of the well casing for use with an electro-tape. Depth to water not measured at this time. This well is at the same elevation as Well #2 and is only 180 feet away.

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3. If well logs are not available, provide as much of the following information as possible:

CASING DIAMETER	CASING DEPTH	TOTAL DEPTH	COMPLETION DATE OF ORIGINAL WELL	COMPLETION DATES OF ALTERATIONS	WHO THE WELL WAS DRILLED FOR	WELL DRILLED BY

4. In addition to the information requested in item "3" above, provide any other information which may help the Department locate any well logs associated with this appropriation.

LINN 10651

5. Is the appropriation from a dug well (sump)?

NO

E. Storage

1. Does the distribution system include in-system storage (i.e. storage tank, bulge in system / reservoir)

YES

If "NO", item 2 and 3 relating to this section may be deleted.

If "YES" is it a:

Storage Tank

YES

Bulge in System / Reservoir

NO

Complete appropriate table(s) below, unused table may be deleted.

2. Storage Tank:

MATERIAL (CONCRETE, FIBERGLASS, METAL, ETC.)	CAPACITY (IN GALLONS)	ABOVE GROUND OR BURIED
Same tanks as Well 2	525 gal x 3 = 1575 gal	Above Ground

F. Gravity Flow Pipe

(THE DEPARTMENT TYPICALLY USES THE HAZEN-WILLIAM'S FORMULA FOR A GRAVITY FLOW PIPE SYSTEM)

1. Does the system involve a gravity flow pipe?

NO

If "NO", items 2 through 4 relating to this section may be deleted.

G. Gravity Flow Canal or Ditch

(THE DEPARTMENT TYPICALLY USES MANNING'S FORMULA FOR CANALS AND DITCHES)

1. Is a gravity flow canal or ditch used to convey the water as part of the distribution system?

NO

If "NO", items 2 through 4 relating to this section may be deleted.

H. Reservoir

1. Does the claim involve a reservoir modified through a transfer?

NO

Reminder: This section should only be completed if the reservoir right has been modified through the transfer process. If the claim is for a permitted reservoir use the Claim of Beneficial Use form for reservoirs.

If "NO", items 2 through 9 relating to this section may be deleted.

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SECTION 3

CONDITIONS

Please pay special attention to this section. All conditions contained in the permit, permit amendment, transfer final order, or any extension final order shall be addressed. Reports that do not address all performance related conditions will be returned.

1. Time Limits:

Permits, transfer final orders, and any extension final orders contain any or all of the following dates; the date when the actual construction work was to begin, the date when the construction was to be completed, and the date when the complete application of water to the proposed use is to be completed by. These dates may be referred to as ABC dates. Describe how the water user has complied with each of the development timelines established in the permit, extension or transfer final order:

	DATE FROM PERMIT OR TRANSFER	DATE ACCOMPLISHED*	DESCRIPTION OF ACTIONS TAKEN BY WATER USER TO COMPLY WITH THE TIME LIMITS
ISSUANCE DATE	7/27/2010		
BEGIN CONSTRUCTION (A)			
COMPLETE CONSTRUCTION (B)		1960s 1980s 2004	Wells 2 & 3 drilled, MHP Phase 1 constructed. MHP Phase 2 constructed Well 4, filters & tanks installed
COMPLETE APPLICATION OF WATER (C)	10/31/2011	12/21/2010	Complete system as per transfer order operating since 2004.

* MUST BE WITHIN PERIOD BETWEEN PERMIT, TRANSFER FINAL ORDER, OR ANY EXTENSION FINAL ORDER ISSUANCE AND THE DATE TO COMPLETELY APPLY WATER

2. Is there an extension final order(s)? NO

4. Initial Water Level Measurements:

a. Was the water user required to submit an initial static water level measurement? NO

5. Annual Static Water Level Measurements:

a. Was the water user required to submit annual static water level measurements? NO

6. Pump Test (Required for most ground water permits prior to issuance of a certificate)

a. Did the permit require the submittal of a pump test? NO

7. Measurement Conditions:

a. Does the permit, permit amendment, transfer final order, or any extension final order require the installation of a meter or approved measuring device? NO

If "NO", items 7b through 7f relating to this section may be deleted.

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b. Has a meter been installed?

YES but not required. Well #4 only

c. Meter Information

POD/POA NAME OR #	MANUFACTURER	SERIAL #	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED
Well #4	Sensco M120	29800115	Working	34822400	2004
Note: The meter measures all water flow from Well #4 including irrigation and exempt Group Domestic use.					

8. Recording and reporting conditions

a. Is the water user required to report the water use to the Department? **NO**

9. Fish Screening

a. Are any points of diversion required to be screened to prevent fish from entering the point of diversion? **NO**

10. By-pass Devices

a. Are any points of diversion required to have a by-pass device to prevent fish from entering the point of diversion? **NO**

11. Other conditions required by permit, permit amendment final order, extension final order, or transfer final order

- a. Were there special well construction standards? **NO**
- b. Was submittal of a ground water monitoring plan required? **NO**
- c. Was the water user required to restore the riparian area if it was disturbed? **NO**
- d. Was a fishway required? **NO**
- e. Was submittal of a letter from an engineer required prior to storage of water? **NO**
- f. Was submittal of a water management and conservation plan required? **NO**
- g. Other conditions? **NO**

If "YES" to any of the above, identify the condition and describe the water user's actions to comply with the condition(s):

N/A

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SECTION 4 VARIATIONS

Include a description of variations from the permit, permit amendment final order, extension final order, or transfer final order. (i.e. *"The permit allowed three points of diversion. The water user only developed one of the points."* or *"The permit allowed 40.0 acres of irrigation. The water user only developed 10.0 acres."*)

The permit allows 3 points of diversion. Well #4 is capable of supplying the permitted rate for the entire 4.5 acres and irrigation has taken place on the entire area. Wells #2 & #3 are capable of supplying well in excess of the permitted rate with the total on-hand equipment but are limited in the area of coverage as they cannot be hooked into the existing domestic water system and the user does not desire to install additional underground pipes. The water user has irrigated the entire 4.5 acres from Well #4. Only 0.1 acres has been irrigated from Wells #2 and #3 together, as shown in the COBU map.

SECTION 5 ATTACHMENTS

If you are attaching any documents to this report, provide a list:

ATTACHMENT NAME	DESCRIPTION
Well #4	Well Log, ID 70782, LINN 54762
Well #2	Well Log, LINN 54762
Well #3	Well Log, LINN 10651
Pump Capacity Well #4	Theoretical pump capacity calculation sheet Well #4
Pump Capacity Wells #2 & 3	Theoretical pump capacity calculation sheet, Wells #2 & #3
Sprinkler Rate Test	Measured flow test, Well #4 and Well #2
Irrigation Equipment List	Resident on-hand irrigation equipment

SECTION 6 CLAIM SUMMARY

POD / POA NAME OR #	MAXIMUM RATE AUTHORIZED	CALCULATED THEORETICAL RATE BASED ON SYSTEM	AMOUNT OF WATER MEASURED	USE	# OF ACRES ALLOWED	# OF ACRES DEVELOPED
Well #4	0.0125cfs/acre		0.081cfs	Irrigation	4.5	4.5
Well #2	0.0125cfs/acre		0.007 cfs	Irrigation	4.5	0.1 see notes
Well #3	0.0125cfs/acre		Same as #2	Irrigation	4.5	0.1 see notes

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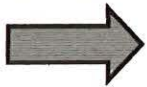
SECTION 7

CLAIM OF BENEFICIAL USE MAP

The Claim of Beneficial Use Map must be submitted with this claim. Claims submitted without the Claim of Beneficial Use map will be returned. The map shall be submitted on poly film at a scale of 1" = 1320 feet, 1" = 400 feet, or the original full-size scale of the county assessor map for the location.

Provide a general description of the survey method used to prepare the map. Examples of possible methods include, but are not limited to, a traverse survey, GPS, or the use of aerial photos. If the basis of the survey is an aerial photo, provide the source, date, series and the aerial photo identification number.

The mobile home park site was surveyed in 2006 by traverse survey using property corners for control and locating the streets and mobile homes, supplemented by Linn County GIS orthophotos to prepare the final application map. The application map was used in conjunction with visual inspection of areas around the individual mobile homes suitable for lawn and garden irrigation.



Map Checklist

Please be sure that the map you submit includes ALL the items listed below.
(Reminder: Incomplete maps and/or claims may be returned.)

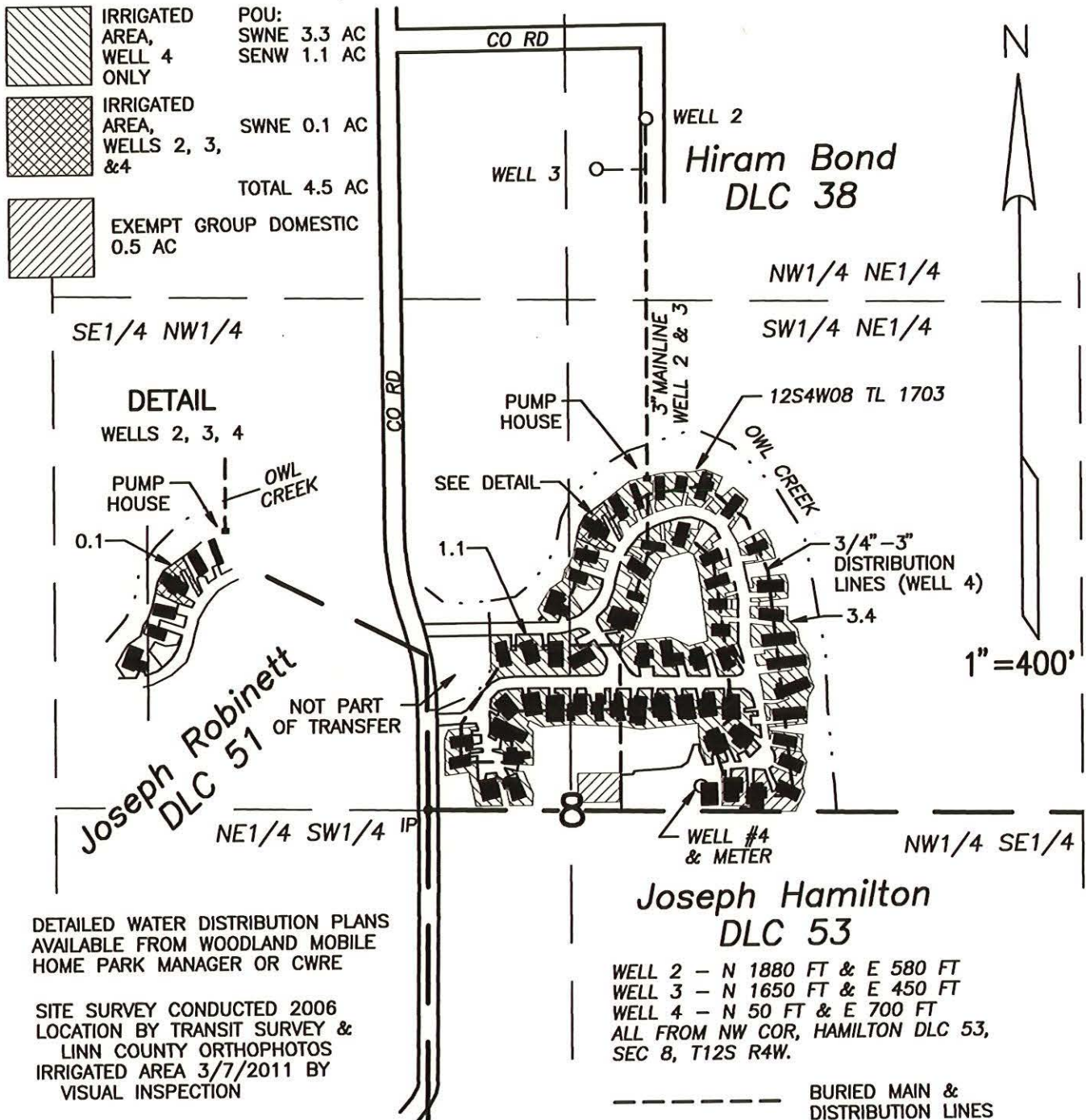
- ☒ Map on polyester film.
- ☒ Appropriate scale (1" = 400 feet, 1" = 1320 feet, or the original full-size scale of the county assessor map)
- ☒ Township, Range, Section, Donation Land Claims, and Government Lots
- ☒ If irrigation, number of acres irrigated within each projected Donation Land Claims, Government Lots, Quarter-Quarters
- ☒ Locations of fish screens, fish by-pass devices, meters and measuring devices in relationship to point of diversion or appropriation.
- ☒ Conveyance structures illustrated (pumps, reservoirs, pipelines, ditches, etc.)
- ☒ Point(s) of diversion or appropriation (illustrated and coordinates)
- ☒ Tax lot boundaries and numbers
- ☒ Source illustrated if surface water
- ☒ Disclaimer ("This map is not intended to provide legal dimensions or locations of property ownership lines")
- ☒ Application and permit number or transfer number
- ☒ North arrow
- ☒ Legend
- ☒ CWRE stamp and signature

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T12S, R4W, SEC 8, W.M.

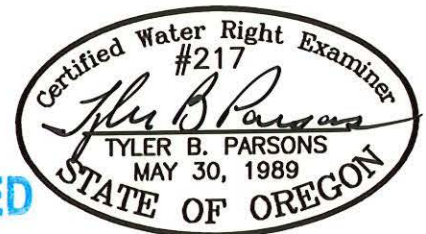


CLAIM OF BENEFICIAL USE MAP

IN THE NAME OF

G B Enterprises LLC
Transfer T-10400

Prepared: 4/7/2011
PARSONS SURVEYING
1915 S.E. Stone St.
Corvallis, OR 97333
541-752-7515
Project No. 1026



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EXP: 12/31/2012

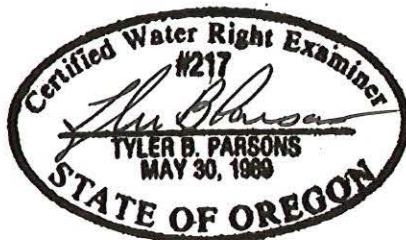
THIS MAP IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS
OR LOCATIONS OF PROPERTY OWNERSHIP LINES

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SALEM, OREGON

SECTION 8 SIGNATURES

CWRE Statement, Seal and Signature

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge.



5/14/2011

Exp: 12/31/2012

Project No. 1026

CWRE NAME Tyler B. Parsons, Parsons Surveying		PHONE NO. 541-752-7515	ADDITIONAL CONTACT NO. 541-740-0261
ADDRESS 1915 SE Stone Street			
CITY Corvallis	STATE OR	ZIP 97333	E-MAIL Tyler@Parsons-Surveying.com

Permit or Transfer Holder's of Record Signature or Acknowledgement

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge. I request that the Department issue a water right certificate.

SIGNATURE	PRINT OR TYPE NAME	DATE
	Paula Bond, Operations Manager, GBE	June 7, 2011

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Sprinkler Rate Test, Woodland Mobile Home Park

03/07/11

Well #2	24psi					
Type sprinkler	Gallons	Time (sec)	Gal/sec	Gal/min	Cfs	
Gilmore Turbine	4	106	0.04	2.26	0.005	
Gilmore Turbine	4	111	0.04	2.16	0.005	
Melnor oscillating	4	83	0.05	2.89	0.006	
Gilmore rainbird	4	81	0.05	2.96	0.007	Used
Gilmore Turbine	4	106	0.04	2.26	0.005	
Gilmore oscillating	4	114	0.04	2.11	0.005	
Gilmore oscillating	4	68	0.06	3.53	0.008	
Gilmore rainbird	4	81	0.05	2.96	0.007	
Total (gpm)				21.14	0.047	
Total (cfs)				0.047		

Well #4	45psi					
Type sprinkler	Gallons	Time (sec)	Gal/sec	Gal/min	Cfs	
Gilmore Turbine	4	72	0.06	3.33	0.007	
Gilmore oscillating	4	45	0.09	5.33	0.012	
Gilmore rainbird	4	57	0.07	4.21	0.009	
Nelson oscillating	4	41	0.1	5.85	0.013	
Gilmore rainbird	4	64	0.06	3.75	0.008	
Gilmore Turbine	4	54	0.07	4.44	0.010	
MSE oscillating	4	38	0.11	6.32	0.014	
Gilmore Turbine	4	74	0.05	3.24	0.007	
Total (gpm)				36.48	0.081	
Total (cfs)				0.081		

PARSONS SURVEYING
1915 SE STONE ST.
CORVALLIS, OR 97333-1832
(541) 752-7515

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Pump Capacity Well #4

using Department designed formula:

$(hp)(\text{efficiency}) / (\text{lift} + \text{psi head}) = \text{capacity in cfs}$

Efficiency:

Centrifugal = 6.61

Turbine = 7.04

Data Entry (fill in underlined blanks)

HP =	<u>3</u>
Efficiency =	<u>7.04</u>
Lift =	<u>10</u>
PSI =	<u>45</u>

Results Calculated

(hp)(efficiency) =	21.12
Head based on psi =	114.3
Total dynamic head =	124.3
(head + lift)	

Pump Capacity = 0.17 cubic feet per second

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Pump Capacity Wells #2 & #3

using Department designed formula:

$(hp)(\text{efficiency}) / (\text{lift} + \text{psi head}) = \text{capacity in cfs}$

Efficiency:

Centrifugal = 6.61

Turbine = 7.04

Data Entry (fill in underlined blanks)

HP =	<u>7.5</u>
Efficiency =	<u>7.04</u>
Lift =	<u>10</u>
PSI =	<u>24</u>

Results Calculated

$(hp)(\text{efficiency}) =$	52.8
Head based on psi =	61.0
Total dynamic head =	71.0
(head + lift)	

Pump Capacity = 0.74 cubic feet per second

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WATER RESOURCES DEPT
SALEM, OREGON

Irrigation Equipment List, Woodland Mobile Home Park

Reported by Gary Mohler, Manager, March 29, 2011

LOT	DELIVERY	SPRINKLERS	NOTES
1	Garden hose	Consumer rainbird type	
2	Garden hose	Consumer rainbird type	
3	Garden hose	Oscillating and consumer rainbird type	
4	Garden hose	Oscillating and consumer rainbird type	
5	Garden hose	Oscillating	
6	Garden hose	Oscillating & hand watering	
7	Garden hose	Oscillating & hand watering	
8	Garden hose	Oscillating & hand watering	
9	Garden hose	Gilmore Turbine Rotor & oscillating	Wells 2 & 3
10	Garden hose	Melnor oscillating	
11	Drip irrigation hoses	Drip irrigation	
12	Garden hose	Oscillating & hand watering	
13	Garden hose	Gardena & Gilmore oscillating	
14	Garden hose	Gardena & hand watering	
15	Garden hose	Consumer rainbird type & oscillating	
16	Garden hose	Oscillating & hand watering	
17	Garden hose	Consumer rainbird type, oscillating & hand watering	
18	Garden hose	Oscillating	
19	Garden hose	Nelson consumer rainbird type & hand	
20	Garden hose	Oscillating & hand watering	
21	Garden hose	Oscillating & hand watering	
22	Garden hose	Oscillating & hand watering	
23	Garden hose & inground	Oscillating & popup	
24	Garden hose	Oscillating & hand watering	
25	Garden hose	Oscillating & soaker hoses	
26	Garden hose	Oscillating & 2 consumer rainbird type	
27	Garden hose	Oscillating & hand watering	
28	Garden hose	Soaker hoses (5 each)	
29	Garden hose	Soaker hoses, drip & hand watering	
30	Garden hose	Soaker hoses & oscillating	
31	Garden hose	Oscillating & hand watering	
32	Garden hose	Oscillating & hand watering	
33	Garden hose	Oscillating & hand watering	
34	Garden hose	Soaker hoses & hand watering	
35	Garden hose	Drip irrigation & hand watering	
36	Garden hose	Soaker hoses, oscillating & hand watering	Group Domestic
37	Garden hose	Oscillating & drip	
38	Garden hose	Gilmore Turbine Rotor & drip irrigation	Group Domestic
39	Garden hose	Soaker hoses, oscillating & hand watering	Group Domestic
40	Garden hose	Drip irrigation & hand watering	Group Domestic
41	Garden hose	In-ground system w/popup sprinklers	
42	Garden hose	Soaker hoses & oscillating	

RECEIVED

JUN 1-8 2011

WATER RESOURCES DEPT
SALEM, OREGON

43	Garden hose	Oscillating & drip irrigation
44	Garden hose	Oscillating, drip, & hand watering
45	Garden hose	Drip irrigaion & hand watering
46	Garden hose	Hand watering
47	Garden hose & inground	Popup sprinklers & hand watering
48	Garden hose	Oscillating & hand watering
49		Drip irrigation & hand watering
50	Garden hose	Oscillating & hand watering
51	Garden hose	Oscillating & hand watering
52	Garden hose & inground	Consumer rainbird type, oscillating, & popup sprinklers
53	Garden hose	Oscillating & hand watering
54	Garden hose	Oscillating & hand watering
55	Garden hose	Oscillating & soaker hoses
56	Garden hose	Oscillating & hand watering
57	Garden hose	Oscillating & hand watering

Lot irrigation is from Well #4 unless noted
Group Domestic indicates part of 0.5ac exemption
Garden hoses are 50' or 100'

PARSONS SURVEYING
1915 SE STONE ST.
CORVALLIS, OR 97333-1832
(541) 752-7515

RECEIVED

JUN 13 2011

WATER RESOURCES DEPT
SALEM, OREGON

WOODLAND MOBILE HOME PARK

AN OVER 55 MOBILE HOME COMMUNITY • A GB ENTERPRISES PROPERTY • 33125 WHITE OAK DRIVE • CORVALLIS, OR 97333

June 7, 2011

Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1266

RECEIVED

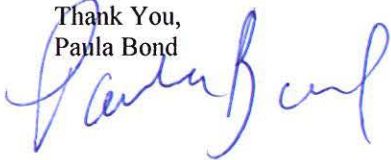
JUN 13 2011
JUN

WATER RESOURCES DEPT
SALEM, OREGON

Dear Sirs,

Enclosed please find our Claim of Beneficial Use for Permits claiming more than 0.1 cfs and All Transfers, the mylar map and \$150.00 fee. If there are any questions or any additional information is required please give Jeff Shapiro at 510 207 4493 *e-call*.

Thank You,
Paula Bond





Oregon

John A. Kitzhaber, MD, Governor

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

June 15, 2011

G. B. Enterprises, LLC
21C Orinda Way, #308
Orinda CA 94563

RE: Application File T-10400

Dear G. B. Enterprises:

Governor Theodore Kulongoski signed SB788 on July 23, 2009, which, in part, raised the fee for many of the Department's water right related processes and created fees for processes not previously requiring fees. The Bill created a fee for the submittal of a Claim of Beneficial Use (Claim).

The Department has determined that the Bill did not contain a requirement for a fee to be submitted for transfer Claims; only for Claims for permits having a priority date of July 9, 1987, or later. Thus, the Department is returning your check for \$150.00.

Please give Gerry Clark (503-986-0811) a call if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Gerry Clark". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Gerry Clark
Water Right Specialist

Cc: file



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

July 28, 2010

G.B. ENTERPRISES, LLC
PAULA BOND
21 C ORINDA WAY #308
ORINDA CA 94563

REFERENCE: Transfer Application T-10400

Enclosed is a copy of the final order approving your water right transfer application.

The time allowed to complete the transfer is specified in the final order. YOU SHOULD GIVE PARTICULAR ATTENTION TO THE TIME LIMIT. The water right for any portion of the authorized change in character of use or change in place of use NOT carried out within the time allowed will be lost.

An extension of the time limit can be allowed only upon a showing that diligent effort has been made to complete the actual change(s) within the time allowed.

You are required to hire a Certified Water Rights Examiner (CWRE) to complete a Claim of Beneficial Use report and map which must be submitted to this Department within one year of the date you complete the change(s) or within one year of the completion date authorized in the transfer final order, whichever occurs first.

If you have any questions related to the approval of this transfer, you may contact me by telephone at (503) 986-0883 or by e-mail at Sarah.A.Henderson@wrdd.state.or.us.

Sincerely,

Sarah Henderson
Executive Support
Field Services Division

cc: Watermaster Dist. #16
Tyler Parsons, CWRE
R.G. Gates

Enclosure

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

In the Matter of Transfer Application	)	FINAL ORDER APPROVING A
T-10400, Linn County	)	CHANGE IN PLACE OF USE AND
	)	POINT OF APPROPRIATION, AND
	)	PARTIAL CANCELLATION OF THE
	)	WATER RIGHT

Authority

ORS 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use authorized under an existing water right. OAR Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

ORS 540.621 establishes the process for the owner of land to which a water right is appurtenant to certify under oath that the water right, or a portion thereof, has been abandoned and to voluntarily request that it be cancelled.

Applicant

G. B. ENTERPRISES, LLC
21 C ORINDA WAY, #308
ORINDA, CALIFORNIA 94563

Findings of Fact

Background

1. On June 4, 2007, Paula Bond of G.B. Enterprises, LLC, filed an application to change the place of use and point of appropriation under a portion of Certificate 32460. The Department assigned the application number T-10400.
2. The portion of the right to be transferred is as follows:
 - Certificate:** 32460 in the name of R.G. GATES (perfected under Permit G-1573)
 - Use:** IRRIGATION of 4.5 ACRES
 - Priority Date:** APRIL 12, 1960
 - Rate:** 0.057 CUBIC FEET PER SECOND (cfs)

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, 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.

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: WELL #1 within the OWL CREEK BASIN (Willamette River)

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q - Q	DLC	Measured Distances
12 S	4 W	WM	8	NW SE	53	6.25 CHAINS (412.5 FEET) SOUTH and 6.0 CHAINS (396.0 FEET) EAST FROM NW CORNER of HAMILTON DLC 53

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q - Q	DLC	Acres
12 S	4 W	WM	8	SW NE	38	2.6
12 S	4 W	WM	8	SE NW	38	1.9

- Transfer Application T-10400 proposes to change the place of use to a different configuration within the same quarter-quarters to:

IRRIGATION Within a Manufactured Home Park						
Twp	Rng	Mer	Sec	Q - Q	DLC	Acres
12 S	4 W	WM	8	SW NE	38	3.4
12 S	4 W	WM	8	SE NW	38	1.1

- Transfer Application T-10400 also proposes to change the point of appropriation from Well 1 approximately 1975 feet north to Well 2, 1850 feet north to Well 3, and 460 feet northeast to Well 4, located:

Twp	Rng	Mer	Sec	Q - Q	DLC	Measured Distances
12 S	4 W	WM	8	NW NE	38	WELL #2: 1880 FEET NORTH and 580 FEET EAST FROM THE SW CORNER of BOND DLC 38
12 S	4 W	WM	8	NW NE	38	WELL #3: 1650 FEET NORTH and 450 FEET EAST FROM THE SW CORNER of BOND DLC 38
12 S	4 W	WM	8	SW NE	38	WELL #4: 50 FEET NORTH and 700 FEET EAST FROM THE SW CORNER of BOND DLC 38

- Notice of the application for transfer was published on June 12, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
- The Department has determined that the proposed points of appropriation Well# 4 (LINN 56115), Well# 2 (LINN 54762) and Well# 3 (LINN 10651) will all develop the same source of water as the authorized existing Well# 1 (LINN 10647 and LINN 10652/deepening).
- On April 7, 2010, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-10400 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of May 7, 2010, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary

Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

8. On May 13, 2010, the Department issued a Preliminary Determination proposing to approve Transfer Application T-10400 and mailed a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's weekly notice on May 18, 2010, and in the Gazette Times newspaper on June 10, 17, and 24, 2010, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

Transfer Review Criteria (OAR 690-380-4010)

9. Water has been used within the last five years prior to the submittal of Transfer Application T-10400 according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
10. A well, pump, pipeline, and various sprinkler systems sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-10400.
11. The proposed changes would not result in enlargement of the right.
12. The proposed changes would not result in injury to other water rights.

Partial Cancellation of the Water Right

13. On March 18, 2010, Paula Bond, Operations Manager of G.B. Enterprises, LLC, owner of the property appurtenant to the following water right, submitted a voluntary cancellation affidavit meeting the requirements of ORS 540.621.

The portion of the water right to be cancelled is described as follows:

Certificate: 32460 in the name of R.G. GATES (perfected under Permit G-1573)

Use: IRRIGATION of 3.6 ACRES

Priority Date: APRIL 12, 1960

Rate: 0.045 CUBIC FEET PER SECOND (cfs)

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: WELL #1 within the OWL CREEK BASIN (WILLAMETTE RIVER)

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q - Q	DLC	Survey Coordinates
12 S	4 W	WM	8	NW SE	53	6.25 CHAINS (412.5 FEET) SOUTH and 6.0 CHAINS (396.0 FEET) EAST FROM NW CORNER of HAMILTON DLC 53

PLACE OF USE TO BE CANCELLED						
Twp	Rng	Mer	Sec	Q - Q	DLC	Acres
12 S	4 W	WM	8	SW NE	38	2.6
12 S	4 W	WM	8	SE NW	38	1.0

Conclusions of Law

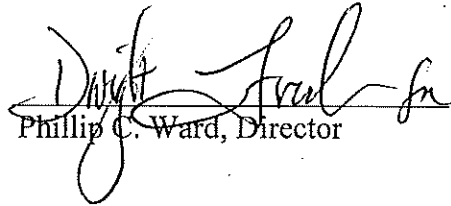
The changes in place of use and point of appropriation proposed in Transfer Application T-10400 are consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000 and the abandoned portion of the right should be cancelled.

Now, therefore, it is ORDERED:

1. The changes in place of use and point of appropriation proposed in application T-10400 are approved. The portion of the right that has been abandoned is cancelled.
2. The right to 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 Certificate 32460 and any related decree.
3. Water right certificate 32460 is cancelled. A new certificate will be issued describing that portion of the right NOT affected by this transfer and partial cancellation.
4. Water from the new proposed wells shall be acquired from the same aquifer (water source) as the original point of appropriation Well #1 (LINN 10647 and LINN 10652/deepening).
5. The quantity of water diverted at the new points of appropriation shall not exceed the quantity of water lawfully available at the original point of appropriation.
6. The Director may require the water user to install a totalizing flow meter or other suitable measuring devices at each new point of appropriation. If the Director notifies the water user to install totalizing flow meters or other measuring devices, the water user shall install such devices specified by the Director within the period allowed in the notice. Once installed, the water user shall maintain the meters or measuring devices in good working order and shall allow the Watermaster access to the meters or measuring devices.
7. The former place of use of the transferred right shall no longer receive water under the right.
8. The approved changes shall be completed and full beneficial use of the water shall be made on or before **October 1, 2011**. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.

9. When satisfactory proof of the completed changes is received, a new certificate confirming the right transferred will be issued.

Dated at Salem, Oregon this 27 day of July 2010.


Phillip C. Ward, Director

Mailing date: JUL 29 2010

STATE OF OREGON
COUNTY OF LINN
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

R. G. GATES
3000 WHITE OAK DRIVE
CORVALLIS, OR 97330

confirms the right to use the waters of WELL NO. 1, within the OWL CREEK BASIN (Willamette River) for IRRIGATION of 11.7 ACRES.

This right was perfected under Permit G-1573. The date of priority is APRIL 12, 1960. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.148 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the well.

The well is located as follows:

Twp	Rng	Mer	Sec	Q - Q	DLC	Measured Distances
12 S	4 W	WM	8	NW SE	53	6.25 CHAINS (412.5 FEET) SOUTH and 6.0 CHAINS (396.0 FEET) EAST FROM NW CORNER of HAMILTON DLC 53

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use to which this right is appurtenant is as follows:

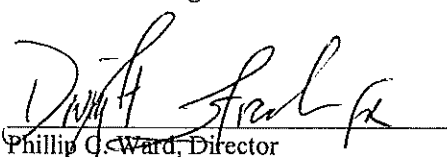
IRRIGATION						
Twp	Rng	Mer	Sec	Q - Q	DLC	Acres
12 S	4 W	WM	8	SE NW	38	0.4
12 S	4 W	WM	8	NE SW	53	4.7
12 S	4 W	WM	8	NW SE	53	6.6

This certificate describes that portion of the water right confirmed by Certificate 32460, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered JUL 27 2010 approving Transfer Application T-10400.

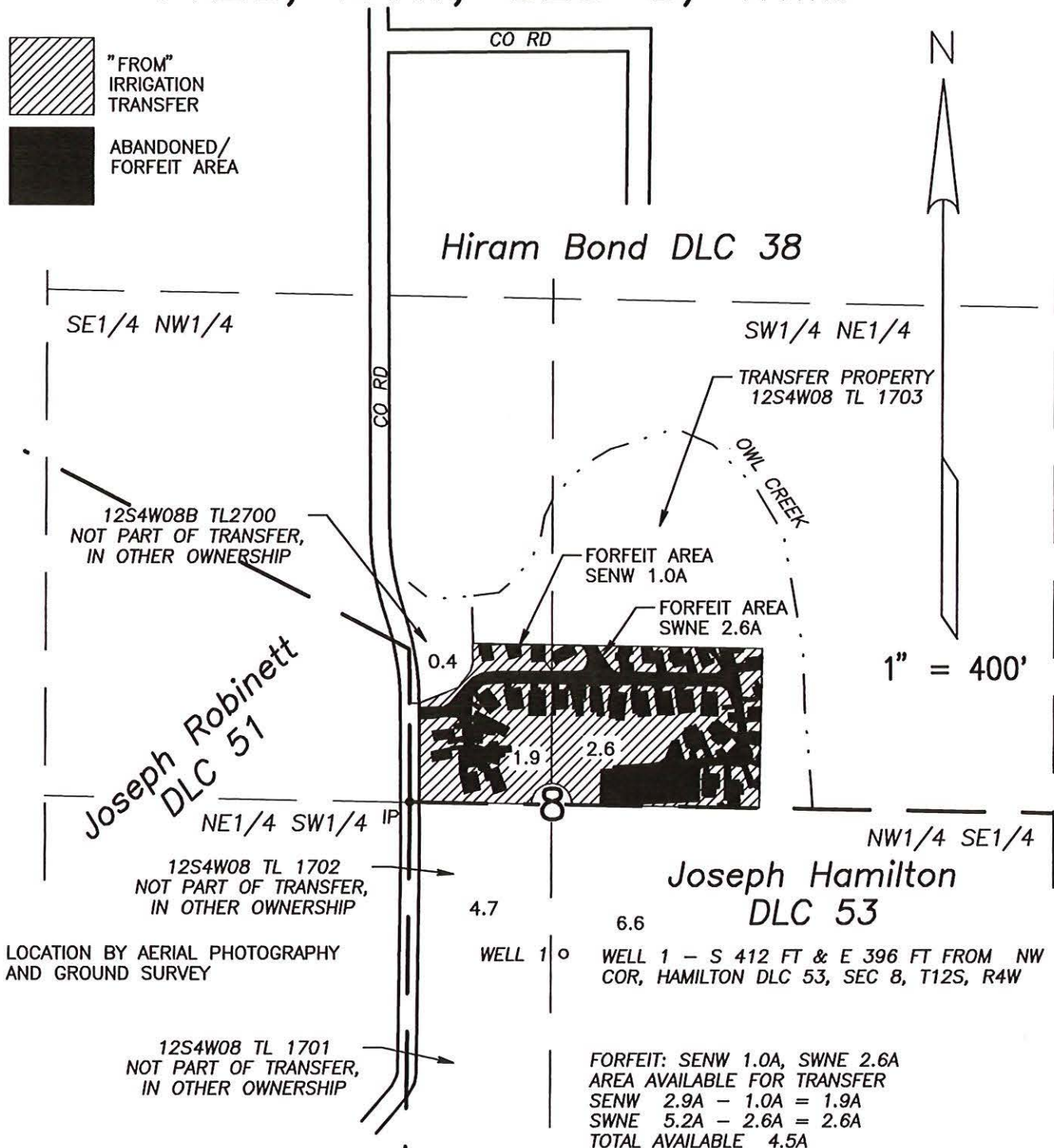
The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

WITNESS the signature of the Water Resources Director, affixed JUL 27, 2010


Phillip C. Ward, Director

T12S, R4W, SEC 8, W.M.

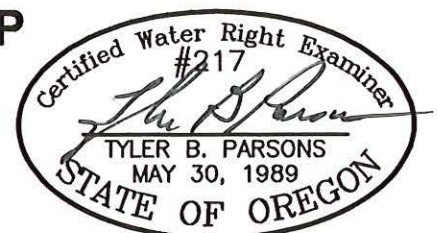


Revised 3/11/2010
 Prepared 1/29/2007
 PARSONS SURVEYING
 1915 S.E. Stone St.
 Corvallis, OR 97333
 541-752-7515
 Project No. 0636

TRANSFER APPLICATION MAP

IN THE NAME OF
 GB Enterprises LLC
 Permit G-1573 Cert. 32460

SHEET 1 OF 2

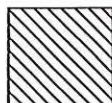


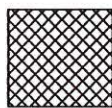
EXP: 12/31/2010

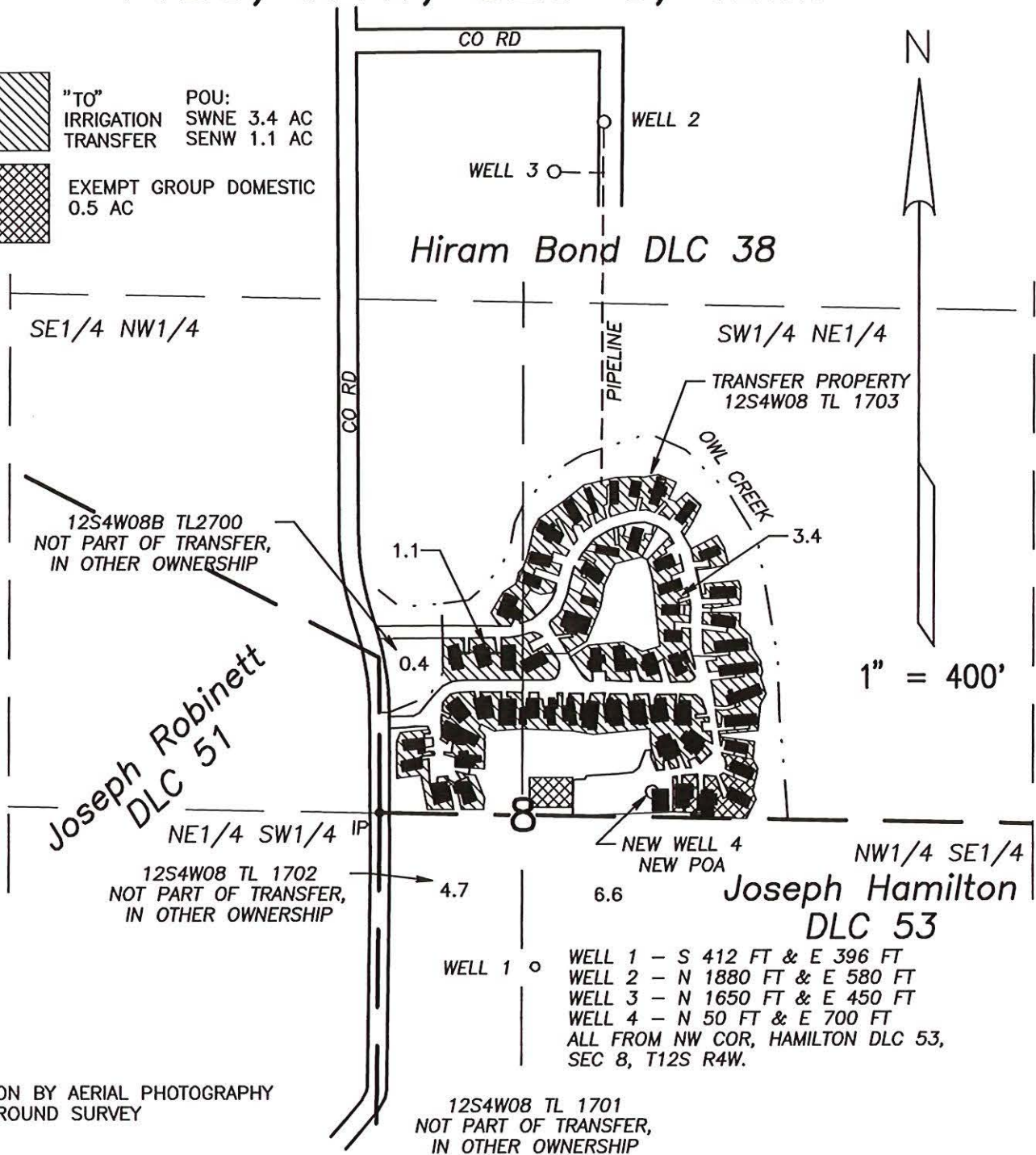
This map is for location of Water Right Application only and does not constitute a boundary survey.

REC'D APR 07 2010

T12S, R4W, SEC 8, W.M.

 "TO" IRRIGATION TRANSFER
 POU: SWNE 3.4 AC
 SENW 1.1 AC

 EXEMPT GROUP DOMESTIC 0.5 AC



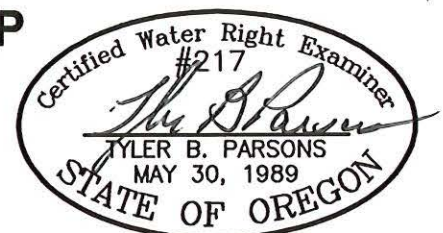
LOCATION BY AERIAL PHOTOGRAPHY
AND GROUND SURVEY

Revised 3/11/2010
 Prepared 1/29/2007
 PARSONS SURVEYING
 1915 S.E. Stone St.
 Corvallis, OR 97333
 541-752-7515
 Project No. 0636

TRANSFER APPLICATION MAP

IN THE NAME OF
 GB Enterprises LLC
 Permit G-1573 Cert. 32460

SHEET 2 OF 2



EXP: 12/31/2010

This map is for location of Water Right Application only and does not constitute a boundary survey.

Water Right Transfer Checklist

Transfer T-10400

Transfer Specialist: Ken Dowden

Transfer Type: Regular

Applicant Name/Address: GB Enterprises LLC, Paula Bond, 21 C Orinda Way #308, Orinda, CA 94563

Agent Name/Address: NONE

CWRE Name/Number: Tyler B. Parsons

Rec Landowner Name/Address: NONE

Irr. District Name/Address: NONE

Affected Gov'ts Name/Address: Linn County, 300 Sw 4th Avenue, PO Box 100, Albany, OR 97321

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"/>	G 1715	G 1573	32460	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	86446
<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>06/04/07</u>	Proposed Action(s): POU POD HST APOD USE OTHER: POU POA	
Fees Pd: <u>700.00</u>	WM District: <u>2</u>	ODFW District: <u>NONE</u>
Initial Notice: <u>06/12/07</u>	WM Review sent: <u>06/13/07</u>	ODFW Review sent: <u>NONE</u>
Acknowledgement Letter Sent <input checked="" type="checkbox"/>		GW Review sent: <u>06/13/07</u>

Processing Dates & Actions

Deficiency Contacts: multiple X's

DPD Mailed: _____

☐ ODFW contact sheet sent with DPD, or ☐ N/A

PD Mailed: 5/13/10

PD Weekly Notice: 5/18/10

Newspaper Pub Affid Due: 7/8/10

☐ not required

Affid of Pub Rec'd: 7/1/10

Last Day Published: 4/24/10

Affidavit Reminder Sent: _____

Reminder Deadline: _____

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: <u>JH</u>	Reviewer: <u>JH</u>
Date: _____	Date: <u>5-11-10</u>	Date: <u>7-22-10</u>
Coordinator: _____	Coordinator: <u>ALP</u>	Coordinator: <u>ALP</u>
Date: _____	Date: <u>5/12/10</u>	Date: <u>7/23/10</u>
Comments/Special Issues:		

Special Order Volume: Vol 81 Pages 535 Final Order Signature Date: 7-27-10

Notice of FO email'd to processors Ken/mike/teri

7-10400

Application

- ☒ The type of change is clearly indicated.
- ☒ The application is appropriately signed.
- ☒ Appropriate fees were paid. ☐ If overpayment, Refund Request to be sent with FO
- ☐ Land use form matches affected tax lots and is signed by proper official. (from ALL affected Govt's)
- ☐ Ditch company, district and/or BOR, sent a copy of the application and map, if appropriate.
- ☒ All required attachments received.

Water right subject to transfer

- ☒ Certificated right or Proof accepted "to the satisfaction...."
- ☐ The right been exercised according to terms & conditions of certificate. *NOT EXACTLY*
- ☒ Delivery system has the capacity to fully divert the rate/duty of the right.
- ☐ No information in record that suggests forfeiture.
- ☒ No conflicts identified on the plat cards and plat card reports printed. ✓
- ☐ Affidavits prepared for rights that need to be canceled or diminished.

Application Map

- ☒ The map has an original CWRE signature. ✓
- ☒ The map size and scale accurate and appropriate per OAR 690-380-3100(1)(b)(c)&(d).
- ☒ All authorized and proposed POD's/POA's and POU's shown and clearly labeled.
- ☒ Metes and bounds for the POD's/POA's are properly described on the map.
- ☒ The POD/POA dimensions & ¼ ¼ on map match the transfer application and certificate descriptions.
- ☒ Map acres match the tabulation on the certificate.
- ☐ Have final proof maps/deed maps for the rights. ☐ Application map matches certificate FPS.
- ☐ Have necessary aerial photos.

*BECAUSE of FORGOTTEN ACRES
RECD VOL. CANCEL AFFIDAVIT
and NEW MAPS*

Determining the "From" and "To" Lands (make working copy of application and certificates to mark on)

- ☒ Only the authorized POD's/POA's and POU's to be transferred are listed.
- ☐ Application & certificate tabulations match. (Mark on appl. and cert. copies and note corrections needed)
- ☒ Marked on certificate the acreage being transferred, cancelled and remaining by ¼ ¼.

Ownership

- ☒ The deed/ROLI matches the "from" lands. (Don't need to check "to" lands.)
- ☒ Have current tax lot map. (If transfer application is several years old, contact assessor's office)
- ☒ The applicant is the owner of the "from" lands. ✓
- ☐ All owners on the deed/ROLI have signed the application.
- ☐ If necessary, there is a notarized, signed statement of consent from landowners other than applicant.
- ☐ If necessary, there is a copy of written notification to each lien holder identified on ROLI.
- ☒ Agent has authorization to make decisions.

Evaluation (materials needed for peer reviewer in bold)

- | | | | | |
|--|---|------------------------------------|---|---|
| <input checked="" type="checkbox"/> application complete | <input checked="" type="checkbox"/> map | <input type="checkbox"/> FPS | <input checked="" type="checkbox"/> evidence of use | <input checked="" type="checkbox"/> land-use form |
| <input type="checkbox"/> deed/ROLI | <input checked="" type="checkbox"/> certificate | <input type="checkbox"/> fees paid | <input checked="" type="checkbox"/> well logs | <input checked="" type="checkbox"/> plat card |
| <input type="checkbox"/> audit | <input checked="" type="checkbox"/> dpd | | | |

Reviews/comments/conditions received? ☒ Watermaster ☐ ODFW ☐ GW

Headgate ☒ When in the judgment ☐ Prior to diverting ☐ Existing and maintain

Measuring Devices ☒ When in the judgment ☐ Prior to diverting ☐ Existing and maintain

Injury: Y N Enlargement: Y N

Conditions to avoid enlargement/injury –

APPLICATION

PR	CW		PR	CW	
	<input checked="" type="checkbox"/>	Appropriately signed		<input checked="" type="checkbox"/>	Appropriate Fees Paid
<input type="checkbox"/>	<input checked="" type="checkbox"/>	All required Attachments Received	<input type="checkbox"/>	<input type="checkbox"/>	Overpayment of Fees, Refund Request with FO
<input type="checkbox"/>	<input type="checkbox"/>	Ditch Company, Irr. Dist. and/or BOR sent copies	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Land Use Form matches Tax Lots, is signed by proper official and is APPROVED

WATER RIGHT SUBJECT TO TRANSFER

PR	CW		PR	CW	
	<input checked="" type="checkbox"/>	The right been exercised according to terms & conditions of certificate.		<input checked="" type="checkbox"/>	Delivery system has the capacity to fully divert the rate/duty of the right.
	<input checked="" type="checkbox"/>	No information in record that suggests forfeiture.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No conflicts identified on conflict report and report is printed.
<input type="checkbox"/>	<input type="checkbox"/>	Affidavits for rights to be canceled /diminished.			

APPLICATION MAP

PR	CW		PR	CW	
	<input checked="" type="checkbox"/>	Original CWRE Signature		<input checked="" type="checkbox"/>	The map size and scale accurate and appropriate per OAR 690-380-3100(1)(b)(c)&(d). <i>1" = 400'</i>
	<input checked="" type="checkbox"/>	All authorized and proposed POD's/POA's and POU's shown and clearly labeled.		<input checked="" type="checkbox"/>	Metes and bounds for the POD's/POA's are properly described on the map.
	<input checked="" type="checkbox"/>	The POD/POA dimensions & 1/4 1/4 on map match the transfer application and certificate descriptions.		<input checked="" type="checkbox"/>	Application map acres match the tabulation on the certificate and FPS and/or Decree map
	<input type="checkbox"/>	Have necessary aerial photos, if applicable			

DETERMINING THE "FROM" AND "TO" LANDS

(Make working copy of application and certificates to mark on)

PR	CW		PR	CW	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Only the authorized POD's/POA's and POUs to be transferred are listed.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Application & certificate tabulations match. (Mark on appl. and cert. copies and note corrections needed)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Marked on certificate the acreage being transferred, cancelled and remaining by 1/4 1/4.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Marked on certificate the quantity of water being transferred, cancelled, and remaining

INJURY REVIEWS/COMMENTS/CONDITIONS

PR	CW	INJURY REVIEWS/COMMENTS/CONDITIONS										
<input type="checkbox"/>	<input type="checkbox"/>	ODFW	<input type="checkbox"/>	Fish Screens	<input type="checkbox"/>	Other:						
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Ground water										
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Watermaster	<input type="checkbox"/>	Headgate	<input type="checkbox"/>	When in the judgment	<input type="checkbox"/>	Prior to diverting	<input type="checkbox"/>	Existing and maintain		
			<input checked="" type="checkbox"/>	Measuring Devices	<input checked="" type="checkbox"/>	When in the judgment	<input type="checkbox"/>	Prior to diverting	<input type="checkbox"/>	Existing and maintain		
<input type="checkbox"/>	<input type="checkbox"/>	Injury	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Enlargement	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
<input type="checkbox"/>	<input type="checkbox"/>	Conditions to Avoid Enlargement/Injury										

OWNERSHIP

PR	CW		PR	CW	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	The deed/ROI matches the "from" lands.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The applicant is the owner of the "from" lands.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	All owners on the deed/ROI have signed the application.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Have current tax lot map.
<input type="checkbox"/>	<input type="checkbox"/>	If necessary, there is a notarized, signed statement of consent from landowners other than applicant.	<input type="checkbox"/>	<input type="checkbox"/>	Agent has authorization to make decisions.

DPD		PD		FO		DETERMINATION / FINAL ORDER
PR	CW	PR	CW	PR	CW	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Format matches current template
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Spell checked?
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Correct address?
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Authorized "from lands" info matches Certificate(s)?
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Authorized POD(s)/POA(s) matches Certificate(s)?
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Proposed POD(s)/POA(s) matches transfer application and map?
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Correct findings and conditions matching Watermaster review?
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Correct findings and conditions matching Ground water review?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Correct findings and conditions matching ODFW recommendations?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Hidden findings unveiled?

DPD		PD		COVER LETTER
PR	CW	PR	CW	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Format matches current template
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Spell checked?
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Correct address?
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Content matches determination?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Special findings/conditions described?

PR	CW	PD PUBLIC NOTICE/NEWSPAPER NOTICE
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Format matches current template
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Content matches PD info?
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Spell checked?
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Correct address?

PR	CW	REMAINING RIGHT CERTIFICATE
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Table Format matches current template
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Content format matches original certificate
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Spell checked?
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Name and address matches originating certificate?

PR	CW	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Determination and remaining acres combined match acres under originating certificate?

COMMENTS



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 13, 2010

*Pd Noticed
5-18-10*

G.B. ENTERPRISES, LLC
Attn: Paula Bond and/or JEFF SHAPIRO
21 C ORINDA WAY, #308
ORINDA, CALIFORNIA 94563

SUBJECT: Water Right Application T-10400

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-10400. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

A public notice is being published in the Department's weekly publication simultaneously with issuance of the Preliminary Determination. The notice initiates a 30-day period in which any person may file either a protest opposing the decision proposed by the Department in the Preliminary Determination or a standing statement supporting the Department's decision.

Because some of the new points of appropriation (wells) are more than ¼ mile from the authorized point of appropriation, the applicant is responsible for giving public notice of the modifications in a local newspaper having a general circulation in the area of the registration. This notice must be published at least once a week for three consecutive weeks. We have prepared the notice for you (enclosed). The deadline for individuals to file protests or standing statements is 30 days after the date of last publication. Please have the newspaper insert the date of last publication in the proper place.

After publication, the Department needs to receive an affidavit specifying the dates the notice was published. Please have the newspaper prepare and mail an original affidavit of publication to me at the address shown in the letterhead, by **July 8, 2010**.

If no protest is filed, the Department will issue a Final Order consistent with the Preliminary Determination. You should receive a copy of the Final Order about 30 days after the close of the protest period.

If a protest is filed, the application may be referred to a contested case proceeding. A contested case provides an opportunity for the proponents and opponents of the decision proposed in the Preliminary Determination to present information and arguments supporting their position in a quasi-judicial proceeding.



Letter to: G.B. Enterprises
Page Two
May 13, 2010

Please do not hesitate to contact me at 503-986-0881 or teri.k.hranac@wrд.state.or.us, if I may be of assistance.

Sincerely,

A handwritten signature in cursive script, appearing to read "Teri Hranac".

Teri Hranac
Transfer Specialist
Field Services Division

Enclosures

cc: T-10400
Mike Mattick, District #2 Watermaster
Tyler B. Parsons, CWRE → address: 1915 S.E. Stone St., Corvallis, OR 97333

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

In the Matter of Transfer Application	)	PRELIMINARY DETERMINATION
T-10400, Linn County	)	PROPOSING APPROVAL OF A
	)	CHANGE IN PLACE OF USE AND
	)	POINT OF APPROPRIATION, AND
	)	PARTIAL CANCELLATION OF THE
	)	WATER RIGHT

Authority

ORS 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use authorized under an existing water right. OAR Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

ORS 540.621 establishes the process for the owner of land to which a water right is appurtenant to certify under oath that the water right, or a portion thereof, has been abandoned and to voluntarily request that it be cancelled.

Applicant

G. B. ENTERPRISES, LLC
21 C ORINDA WAY, #308
ORINDA, CALIFORNIA 94563

Findings of Fact

Background

1. On June 4, 2007, Paula Bond of G.B. Enterprises, LLC, filed an application to change the place of use and point of appropriation under a portion of Certificate 32460. The Department assigned the application number T-10400.
2. The portion of the right to be transferred is as follows:
 - Certificate:** 32460 in the name of R.G. GATES (perfected under Permit G-1573)
 - Use:** IRRIGATION of 4.5 ACRES
 - Priority Date:** APRIL 12, 1960
 - Rate:** 0.057 CUBIC FEET PER SECOND (cfs)
 - Limit/Duty:** The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Pursuant to OAR 690-380-4030, any person may file a protest or standing statement within 30 days after the last date of publication of notice of this preliminary determination.
--

Source: WELL #1 within the OWL CREEK BASIN (Willamette River)

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q - Q	DLC	Measured Distances
12 S	4 W	WM	8	NW SE	53	6.25 CHAINS (412.5 FEET) SOUTH and 6.0 CHAINS (396.0 FEET) EAST FROM NW CORNER of HAMILTON DLC 53

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q - Q	DLC	Acres
12 S	4 W	WM	8	SW NE	38	2.6
12 S	4 W	WM	8	SE NW	38	1.9

3. Transfer Application T-10400 proposes to change the place of use to a different configuration within the same quarter-quarters to:

IRRIGATION Within a Manufactured Home Park						
Twp	Rng	Mer	Sec	Q - Q	DLC	Acres
12 S	4 W	WM	8	SW NE	38	3.4
12 S	4 W	WM	8	SE NW	38	1.1

4. Transfer Application T-10400 also proposes to change the point of appropriation from Well 1 approximately 1975 feet north to Well 2, 1850 feet north to Well 3, and 460 feet northeast to Well 4, located:

Twp	Rng	Mer	Sec	Q - Q	DLC	Measured Distances
12 S	4 W	WM	8	NW NE	38	WELL #2: 1880 FEET NORTH and 580 FEET EAST FROM THE SW CORNER of BOND DLC 38
12 S	4 W	WM	8	NW NE	38	WELL #3: 1650 FEET NORTH and 450 FEET EAST FROM THE SW CORNER of BOND DLC 38
12 S	4 W	WM	8	SW NE	38	WELL #4: 50 FEET NORTH and 700 FEET EAST FROM THE SW CORNER of BOND DLC 38

5. Notice of the application for transfer was published on June 12, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
6. The Department has determined that the proposed points of appropriation Well# 4 (LINN 56115), Well# 2 (LINN 54762) and Well# 3 (LINN 10651) will all develop the same source of water as the authorized existing Well# 1 (LINN 10647 and LINN 10652/deepening).
7. On April 7, 2010, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-10400 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of May 7, 2010, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

Transfer Review Criteria (OAR 690-380-4010)

8. Water has been used within the last five years prior to the submittal of Transfer Application T-10400 according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
9. A well, pump, pipeline, and various sprinkler systems sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-10400.
10. The proposed changes would not result in enlargement of the right.
11. The proposed changes would not result in injury to other water rights.

Partial Cancellation of the Water Right

12. On March 18, 2010, Paula Bond, Operations Manager of G.B. Enterprises, LLC, owner of the property appurtenant to the following water right, has submitted a voluntary cancellation affidavit meeting the requirements of ORS 540.621.

The portion of the water right to be cancelled is described as follows:

Certificate: 32460 in the name of R.G. GATES (perfected under Permit G-1573)

Use: IRRIGATION of 3.6 ACRES

Priority Date: APRIL 12, 1960

Rate: 0.045 CUBIC FEET PER SECOND (cfs)

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: WELL #1 within the OWL CREEK BASIN (WILLAMETTE RIVER)

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q - Q	DLC	Survey Coordinates
12 S	4 W	WM	8	NW SE	53	6.25 CHAINS (412.5 FEET) SOUTH and 6.0 CHAINS (396.0 FEET) EAST FROM NW CORNER of HAMILTON DLC 53

PLACE OF USE TO BE CANCELLED						
Twp	Rng	Mer	Sec	Q - Q	DLC	Acres
12 S	4 W	WM	8	SW NE	38	2.6
12 S	4 W	WM	8	SE NW	38	1.0

Determination and Proposed Action

The changes in place of use and point of appropriation proposed in Transfer Application T-10400 appear to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000 and the abandoned portion of the right should be cancelled. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved and the abandoned portion of the right will be cancelled.

If application T-10400 is approved, the final order will include the following:

- 1. The changes in place of use and point of appropriation proposed in application T-10400 are approved. The portion of the right that has been abandoned is cancelled.*
- 2. The right to 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 Certificate 32460 and any related decree.*
- 3. Water right certificate 32460 is cancelled. A new certificate will be issued describing that portion of the right NOT affected by this transfer.*
- 4. Water from the new proposed wells shall be acquired from the same aquifer (water source) as the original point of appropriation Well #1 (LINN 10647 and LINN 10652/deepening).*
- 5. The quantity of water diverted at the new points of appropriation shall not exceed the quantity of water lawfully available at the original point of appropriation.*
- 6. The Director may require the water user to install a totalizing flow meter or other suitable measuring devices at each new point of appropriation. If the Director notifies the water user to install totalizing flow meters or other measuring devices, the water user shall install such devices specified by the Director within the period allowed in the notice. Once installed, the water user shall maintain the meters or measuring devices in good working order and shall allow the Watermaster access to the meters or measuring devices.*
- 7. The former place of use of the transferred right shall no longer receive water under the right.*
- 8. The approved changes shall be completed and full beneficial use of the water shall be made on or before **October 1, 2011**. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.*
- 9. When satisfactory proof of the completed changes is received, a new certificate confirming the right transferred will be issued.*

Dated at Salem, Oregon this 14 day of May 2010.


Phillip C. Ward, Director

This Preliminary Determination was prepared by Ken Dowden. If you have questions about the information in this document, you may reach me at 541-278-5456 or Ken.D.Dowden@wrdd.state.or.us.

Protests should be addressed to the attention of Field Services Division, Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1266.

**Notice of Preliminary Determination for
Water Right Transfer T-10400**

T-10400 filed by Paula Bond of GB Enterprises, LLC, 21 C Orinda Way, CA, 94563, proposes to change the place of use and point of appropriation under a portion of Certificate 32460. Certificate 32460 allows the use of 0.057 cfs (priority date April 12, 1960) from Well 1 located within the NWSE of DLC 53, Sec. 8, T12S, R4W, W.M., for irrigation in Sec. 8. The applicant proposes to change the point of appropriation to three new wells within DLC 38, being Wells 2 & 3 within the NWNE and Well 4 within the SWNE, Sec. 8, T12S, R4W, W.M. The applicant also proposes to change the place of use to a different configuration within Sec. 8. The Water Resources Department has concluded that the proposed transfer appears to be consistent with the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, with the Department a protest or standing statement within 30 days after the date of final publication of notice in the Department's weekly notice or of this newspaper notice, whichever is later. A protest form and additional information on filing protests may be obtained by calling (503) 986-0881. The last date of newspaper publication is [DATE OF LAST PUBLICATION]. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

AFFIDAVIT OF PUBLICATION

NOTICE OF PRELIMINARY DETERMINATION FOR WATER RIGHT TRANSFER T-10400

T-10400 filed by Paula Bond of GB Enterprises, LLC, 21 C Orinda Way, CA 94563, proposes to change the place of use and point of appropriation under a portion of Certificate 32460. Certificate 32460 allows the use of 0.057 cfs (priority date April 12, 1960) from Well 1 located within the NWSE of DLC 53, Sec. 8, T12S, R4W, W.M., for irrigation in Sec. 8. The applicant proposes to change the point of appropriation to three new wells within DLC 38, being Wells 2 & 3 within the NWNE and Well 4 within the SWNE, Sec. 8, T12S, R4W, W.M. The applicant also proposes to change the place of use to a different configuration within Sec. 8. The Water Resources Department has concluded that the proposed transfer appears to be consistent with the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, with the Department a protest or standing statement within 30 days after the date of final publication of notice in the Department's weekly notice or of this newspaper notice, whichever is later. A protest form and additional information on filing protests may be obtained by calling (503) 986-0881. The last date of newspaper publication is June 24, 2010. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

#3017168

PUBLISH: 06/10, 06/17, 06/24/10

State of Oregon

ss)

County of Benton

I, Pam M. Burright, being first duly sworn depose and say, that I am the Legal Clerk of the Gazette-Times, a newspaper of general circulation, as defined by section 193.010 O.R.S., published at Corvallis, OR, in the aforesaid county and state; that the advertisement number 3017168, for the account number 60019806 described as Notice of Preliminary Determination, a copy is hereto annexed, was published in the entire issue of said newspaper.

Start Date: 06-10-10

Stop Date: 06-24-10

Insertions: 3

Pam Burright

Cyndi R. Sprinkel-Hart

Subscribed and sworn to before me on Thursday, Jun 24, 2010.



RECEIVED

JUL 01 2010

WATER RESOURCES DEPT
SALEM, OREGON



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-10400

Review Due Date: 8-13-2007

Applicant Name: GB enterprises, paula Bond

Proposed Changes: ☒ POU ☒ POD ☐ POA ☐ USE ☐ OTHER

Reviewer(s): Mjm

Date of Review: _____

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 checked="" 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

INTEROFFICE MEMO

FORWARD TO:



Sarah Henderson (and Ray)
FIELD PROCESSOR WORKING ON THIS TRANSFER

DATE:

6-13-07

FROM:

X WATERMASTER, DISTRICT # _____
GROUNDWATER SECTION

(SIGNATURE)

Maura Norton

date signed

8/17/2007

signed by injury reviewer

SUBJECT: WATER RIGHT TRANSFER #

10400

A change in: POU POD POA USE of water.

In the name(s) of

GB Enterprises LLC / Paula Bond

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

All Four wells in same aquifer

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.

wmtrans.frm

WATER RESOURCES DEPARTMENT

MEMO

August 17, 2007

TO: Sarah Henderson, Transfers

FROM: Marc Norton, Ground Water Section

SUBJECT: Transfer T-10400, GB Enterprises.

I reviewed Transfer Application T-10400. The point of appropriation for Certificate 32460, (Permit G-1573) is well #1 (LINN 10647). The well was deepened in 1962 to a depth of 108 feet (LINN 10652). LINN 10647 - 10652 taps an alluvial aquifer (sand and gravel). The transfer application indicates that two different wells have been supplying water. Water well reports for wells #2 and #3 are LINN 54762 and LINN 10651, respectively. Wells #2 and #3 are 61 and 40 deep and tap the same aquifer as well #1. The new POA is water well report LINN 56115 and taps the same aquifer as wells #1, #2, and #3. Pumping water from well #4 to different land should not cause problems with users near the well.

In addition, it appears that there is an error with the maps. The lands that the water is being transfer off that show water being proposed for continued use. To me, it looks like an expansion of the irrigated land.

Water Rights Platcard Report

Meridian: Township: South Range: West Section: Records per Page:

New Platcards Maps!
[Learn about *](#) [Mapped by Type *](#) [Mapped by Use](#)

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	NE	NW	SW	SE	Unknown QQ
Select Claim:GR 2671 *		12/31/1938	IRRIGATION									3.75	1															
Additional Info: IRVINGS & HILDA HARDEN Claim: GR2671																												
Select Claim:GR 3782 *		12/31/1953	IRRIGATION											7.5														
Additional Info: CLAUDE V WOOD Claim: GR3782																												
Select Claim:GR 203 *		9/30/1945	IRRIGATION											7														
Additional Info: WM D HEATHERINGTON Claim: GR203																												
Select Cert:13513 OR *		4/30/1938	IRRIGATION			38						4.8	0.8															
Additional Info: LESTER E STUTZ App: S17308 Permit: S13006 Cert: 13513																												
Select Cert:19825 OR *		2/15/1939	IRRIGATION			51												0.8										
Additional Info: F M LAMB App: S17811 Permit: S13575 Cert: 19825																												
Select Cert:30591 OR *		9/7/1956	IRRIGATION			38							0.8	1.3														
Additional Info: JOHN/FRANCES UHDEN App: G468 Permit: G347 Cert: 30591																												
1 2 3																												

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

No CONFLICTS w/EXISTING RIGHTS

Meridian: Township: Range: Section: **Records per Page:**

New Platcards Maps!
[Learn about](#) * [Mapped by Type](#) * [Mapped by Use](#)

[illegible]

Water Rights Platcard Report

Meridian: Township: South Range: West Section: Records per Page:

New Platcards Maps!
[Learn about](#) * [Mapped by Type](#) * [Mapped by Use](#)

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	NE	NW	SW	SE	Unknown QQ
Select Inchoate: T 6972 (REG) *		9/2/1965	IRRIGATION		51									(0.3)														
Additional Info: PETER DINSDALE App: G3220 Permit: G3031																												
Select Inchoate: T 6972 CF (REG) *		9/2/1965	IRRIGATION		51									(11.6)			(13.4)											
Additional Info: PETER DINSDALE App: G3221 Permit: G3032																												
Select App:P 83319 *		1/17/1997	RECREATION																		*							
Additional Info: DARYL E ANDERSON App: P83319																												
Select Cert:37443 OR *		6/20/1966	SUPPLEMENTAL IRRIGATION (Suppl'mtl)		51									11.6			13.4											
Additional Info: GRACE L BULMAN App: S42369 Permit: S31655 Cert: 37443																												
Select App:P 83319 *		1/17/1997	WILDLIFE																		*							
Additional Info: DARYL E ANDERSON App: P83319																												

1 2 3

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

Ken Dowden

From: Ken Dowden
Sent: Friday, January 22, 2010 2:53 PM
To: 'Tyler Parsons'
Subject: RE: GB Enterprises (T-10400)

Thanks Tyler for getting back to me.

My comments are as follows:

- 1) on Sheet 1 of 2, can you show the forfeited areas to be cancelled on this map? It isn't too important but would be nice to have the map to go with the affidavit. If not, it would simply be Sheet 2 of 2 minus Sheet 1 of 2. Mainly, these are the "FROM" acres and, after the cancellation, someone down the road may want to know just what that looked like.
- 2) on Sheet 2 of 2, please make sure and include a separate legend/key for the hatchuring representing the 1/2 acre exemption as shown in the SW¹/₄ NE¹/₄. (mainly for the Watermaster)
- 3) I would leave off anything having to do with the Wells #2 & 3, or maybe just leave off the coordinates/reference description of them since they are **not** apart of the water right. While at that place on the map [r.side nr. bottom] , @ the POA descriptions, please also use (if you're going to use) the feet equivalent for the description of authorized Well#1 to show 412.5 ft. (= 6¹/₄ chains) South and 396.0 ft. (= 6 chains) East from the NW Corner of Hamilton DLC 53. Please try and stick with the **EXACT** description taken right off the Certificate 32460. It is fine if you want to use the SW Corner of Bond DLC 38 for the description POB for **new** Well #4, since it is technically the same point.
- 4) The forfeited acreages you have come up with appear accurate and consistent with what I roughly calculated.

To that end, please go ahead and get the cancellation affidavit signed by the landowners of the place, along with a copy of the deed for those landowners involved, and, as described in my October 22, 2009 letter, please amend those pages of the application to reflect the new acreage amounts subject to transfer. (can download those pages off the internet)

Thanks for sticking with this. We're almost there!

Ken Dowden

N.C. Region Transfer Specialist

ph# (541) 278-5456

-----Original Message-----

1/22/2010

From: Tyler Parsons [<mailto:Tyler@Parsons-Surveying.com>]

Sent: Friday, January 22, 2010 1:39 PM

To: Ken Dowden

Subject: Re: GB Enterprises (T-10400)

Ken,

Attached are the preliminary maps for the Transfer for GB Enterprises (T-10400). Please check if I have left anything.

I have not talked to Jeff Shapiro recently, but his manager indicated they are not willing to pursue another well at this time and it appears unlikely that they will be able to pick up any additional rights from the property to the immediate south of the mobile home park. The manager indicated that the area has not been irrigated for at least 5 years and the buildings have been there for longer.

I have the partial cancellation document and want to make sure I've calculated the areas correctly. Of the original water right, GB Enterprises has 8.1 acres, 2.9 ac in the SENW and 5.2 in the SWNE. Of this, I calculate that 1.0 ac in the SENW and 2.6 ac in the SWNE are forfeit by being in roadways or mobile home pads for a total of 3.6 ac, leaving $8.1 \text{ ac} - 3.6 \text{ ac} = 4.5 \text{ ac}$ available for transfer. Add to this the 0.5 ac lawn and garden for group domestic use for a total of 5.0 acres, shown as 1.1 in the SENW and 3.9 ac in the SWNE.

I believe the partial cancellation should show 1.0 ac in the SENW and 2.6 ac in the SWNE.

I have pared down the irrigation area on the map to 5.0 acres as shown in the hatched area.

Please let me know if this works and what else we need to do in the way of modifying the application.

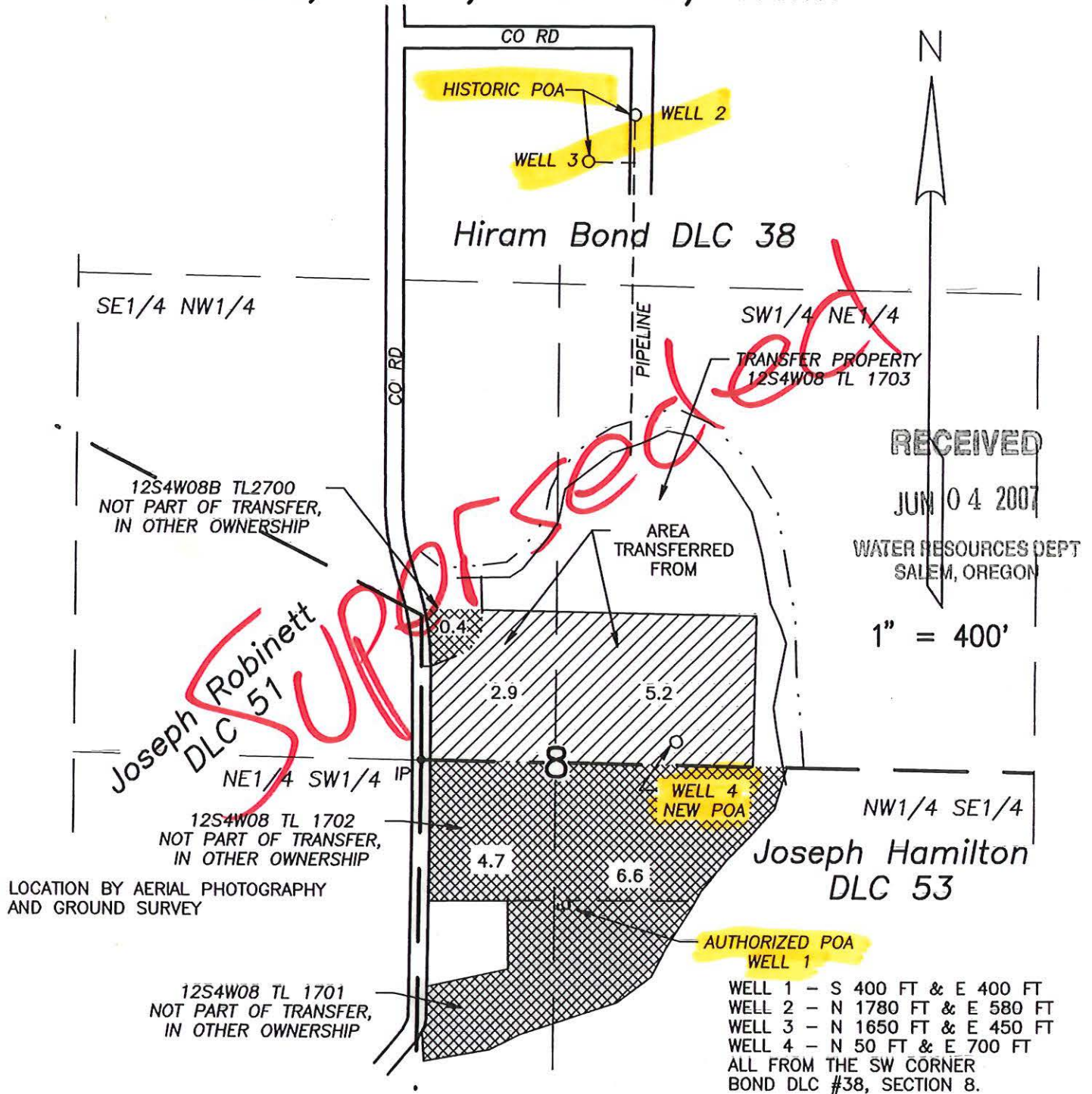
Tyler Parsons
Parsons Surveying
1915 SE Stone Street
Corvallis, OR 97333
541-752-7515 voice & fax
541-740-0261 mobile

Tyler@Parsons-Surveying.com

<http://www.parsons-surveying.com>

1/22/2010

T12S, R4W, SEC 8, W.M.

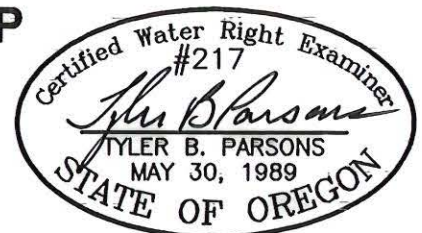


Revised 5/18/2007
Prepared 1/29/2007
PARSONS SURVEYING
1915 S.E. Stone St.
Corvallis, OR 97333
541-752-7515
Project No. 0636

TRANSFER APPLICATION MAP

IN THE NAME OF
GB Enterprises LLC
Permit G-1573 Cert. 32460

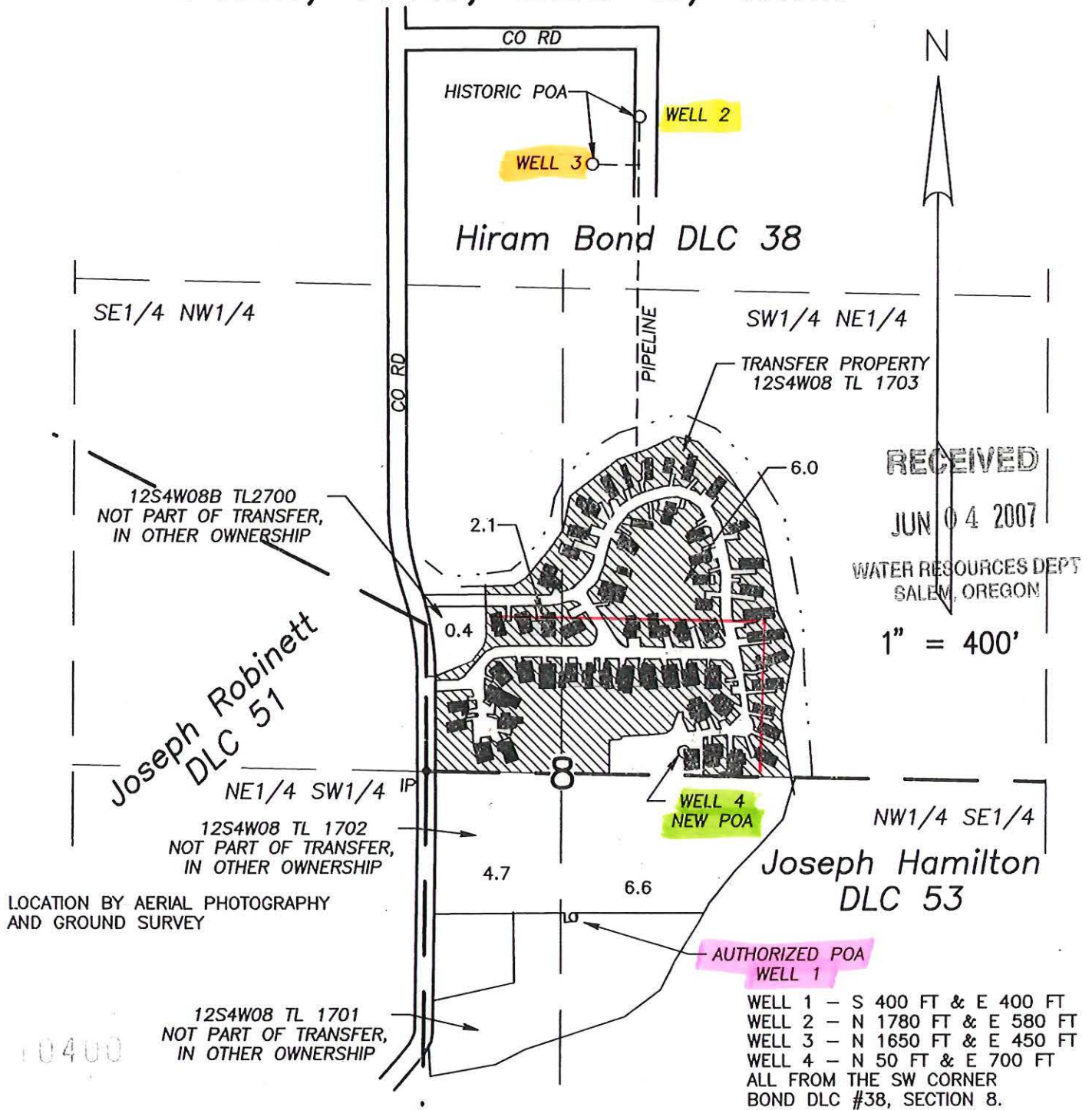
SHEET 1 OF 2



EXP: 12/31/2008

This map is for location of Water Right Application only and does not constitute a boundary survey.

T12S, R4W, SEC 8, W.M.



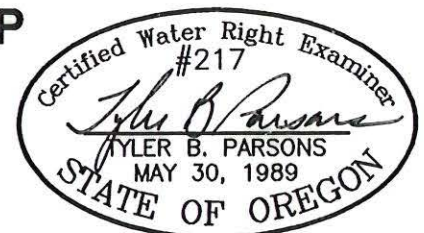
Prepared 1/29/2007,
Rev 5/18/2007
PARSONS SURVEYING
1915 S.E. Stone St.
Corvallis, OR 97333
541-752-7515
Project No. 0636

TRANSFER APPLICATION MAP

IN THE NAME OF
GB Enterprises LLC
Permit G-1573 Cert. 32460

SHEET 2 OF 2

This map is for location of Water Right Application only and does not constitute a boundary survey.



EXP: 12/31/2008



First American

First American Title Insurance Company of Oregon

2405 14th Ave SE, Ste B

Albany, OR 97322

Phn - (541)926-8808

Fax - (866)847-2139

PAR REPORT

Parsons Surveying
1915 SE Stone St.
Corvallis, OR 97333

March 03, 2010

File Number: 7099-1541098

Attn: Tyler Parsons

Re: Mobile Home Park

Fee \$85.00

According to a search of our tract indices for the following described property, First American Title Insurance Company of Oregon (hereinafter referred to as "The Company" certifies as follows):

Legal Description of the property:

The land referred to in this report is described in Exhibit A attached hereto.

and as of February 26, 2010 at 8:00 a.m.

We find that the last deed of record runs to:

G B ENTERPRISES LLC, an Oregon limited liability company

We have also searched our General Index for Judgments and State and Federal Liens against the Grantee(s) named above and find:

-NONE-

Recorded voluntary liens and tax information:

NOTE: Taxes for the year 2009-2010 PAID IN FULL

Tax Amount: \$13,276.18

Map No.: 12S 04W 08 1703

Property ID: 760021

Tax Code No.: 8-16

NOTE: Taxes for the year 2009-2010 PAID IN FULL

Tax Amount: \$4,677.51

Map No.: 12S 04W 08 1703

Property ID: 923593

Tax Code No.: 509-01

NOTE: The address of the property described herein is:

33125 SE White Oak Rd , Corvallis, OR 97333

NOTE: The 2009-2010 tax assessed value for the herein described property is as follows:

Land: \$ 805,700.00

Improvements: \$ 1,793,970.00

Parcel No.: 12S 04W 08
1703

THIS IS NOT a title report since no examination has been made of the title to the above described property. This report does not purport to show all encumbrances and no representation is made as to the sufficiency of the title of the above parties. Liability of the Company for this lien search is limited to the charge made thereof.

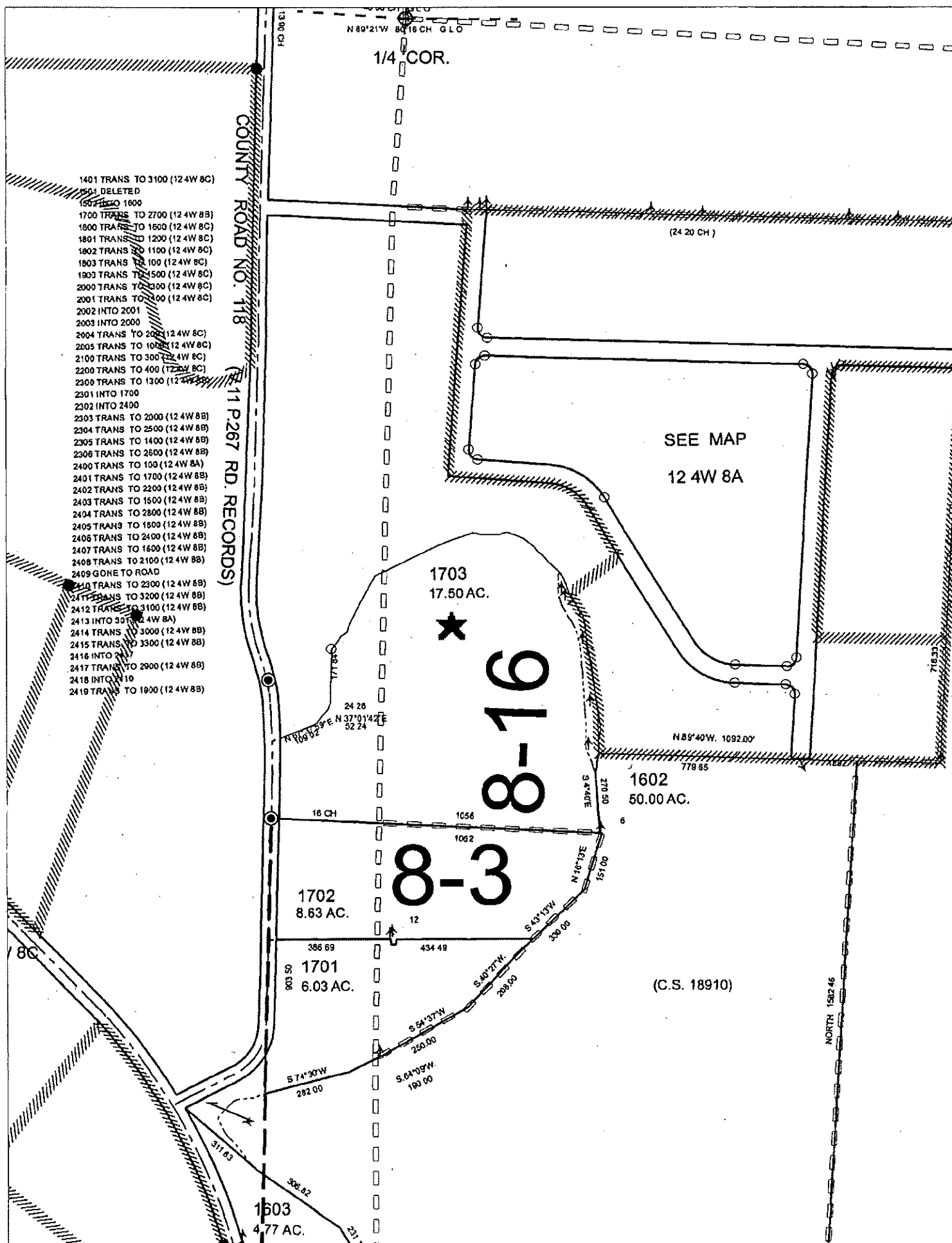
Exhibit "A"

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

BEGINNING AT THE NORTHWEST CORNER OF THE JOSEPH HAMILTON DONATION LAND CLAIM NO. 53 IN TOWNSHIP 12 SOUTH, RANGE 4 WEST OF THE WILLAMETTE MERIDIAN IN LINN COUNTY, OREGON; AND RUNNING THENCE NORTH 0°21'30" WEST 398.0 FEET TO THE MOST EASTERLY NORTHEAST CORNER OF THE JOSEPH ROBINETTE DONATION LAND CLAIM NO. 51; THENCE CONTINUING NORTH 0°20'30" WEST 173 FEET TO THE CENTER OF OWL CREEK; THENCE EASTERLY AND SOUTHERLY UP THE CENTER OF SAID OWL CREEK TO ITS INTERSECTION WITH THE NORTH LINE OF SAID JOSEPH HAMILTON DONATION LAND CLAIM; THENCE WESTERLY ALONG SAID CLAIM LINE 1056 FEET TO THE POINT OF BEGINNING.

SAVE AND EXCEPT: BEGINNING AT THE CENTERLINE STATION P.T. 80+62.70 OF LINN COUNTY MARKET ROAD NO. 118 BEING NORTH 00°20'30" WEST 257.15 FEET FROM THE NORTHWEST CORNER OF THE JOSEPH HAMILTON DONATION LAND CLAIM NO. 53 IN THE NORTH ONE HALF OF SECTION 8, TOWNSHIP 12 SOUTH, RANGE 4 WEST, WILLAMETTE MERIDIAN, LINN COUNTY, OREGON; RUNNING THENCE NORTH 89°39'30" EAST 25 FEET TO A ½ INCH IRON ROD ON THE EASTERLY RIGHT OF WAY LINE OF SAID COUNTY ROAD NO. 118; THENCE NORTH 67°37'59" EAST 109.02 FEET TO A 5/8 INCH IRON ROD; THENCE NORTH 37°01'42" EAST 52.24 FEET TO A 5/8 INCH IRON ROD; THENCE NORTH 17°40'48" EAST 24.28 FEET TO A 5/8 INCH IRON ROD; THENCE NORTH 01°27'23" WEST 128.84 FEET TO A 5/8 INCH IRON ROD, BEING SOUTH 01°27'23" EAST FROM AND IN REFERENCE TO THE CENTERLINE OF THE MAIN CHANNEL OF OWL CREEK; THENCE NORTH 01°27'23" WEST 43.00 FEET TO THE CENTERLINE OF SAID MAIN CHANNEL OF OWL CREEK; THENCE SOUTH 86°39'51" WEST 109.49 FEET ALONG THE CENTER LINE OF SAID MAIN CHANNEL OF OWL CREEK TO A POINT REFERENCED BY A 5/8 INCH IRON ROD SOUTH 23.00 FEET; THENCE CONTINUING ALONG THE CENTERLINE OF SAID MAIN CHANNEL OF OWL CREEK NORTH 51°33'15" WEST 67.45 FEET TO A POINT, SAID POINT ON THE CREEK CENTERLINE BEING NORTH 00°20'30" WEST OF A ½ INCH IRON ROD; THENCE LEAVING SAID CREEK CENTERLINE SOUTH 00°20'30" EAST 43.77 FEET TO SAID ½ INCH IRON ROD; THENCE SOUTH 00°20'30" EAST 131.08 FEET TO THE EASTERLY NORTHEAST CORNER OF DONATION LAND CLAIM NO. 51; THENCE SOUTH 00°20'30" EAST 139.00 FEE TO THE POINT OF BEGINNING.

Tax Parcel Number: 760021 and 923593



STATUTORY WARRANTY DEED

LOUIS E. BOND and GOLDIE M. BOND, husband and wife, Grantors, hereby convey and warrant to G B ENTERPRISES LLC, an Oregon limited liability company, Grantee, the real property located in Linn County, Oregon, which is described on Exhibit "A" attached hereto, free of encumbrances other than encumbrances of record on the date of this conveyance and those matters which would be shown by an accurate survey or inspection of the premises:

The true consideration for this conveyance is \$0.00.

This instrument will not allow use of the property described in this instrument in violation of applicable land use laws and regulations. Before signing or accepting this instrument, the person acquiring fee title to the property should check with the appropriate city or county planning department to verify approved uses and to determine any limits on lawsuits against farming or forest practices as defined in ORS 30.930.

DATED this 30 day March, 1999.

GRANTORS: LOUIS E. BOND and GOLDIE M. BOND

Louis E. Bond
Louis E. Bond

Goldie M. Bond
Goldie M. Bond

STATE OF OREGON)
) ss.
County of Jackson)

The foregoing instrument was acknowledged before me this 30th day of March, 1999, by LOUIS E. BOND, Grantor.

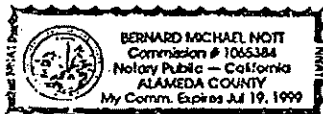


WITNESS my hand and official seal.

Laurie Bradley
Notary Public
My Commission Expires _____

STATE OF California)
) ss.
County of Alameda)

The foregoing instrument was acknowledged before me this 14 day of April, 1999, by GOLDIE M. BOND, Grantor.



WITNESS my hand and official seal.

Bernard Michael Nott
Notary Public
My Commission Expires 7-19-99

✓
After recording, please return to:
Stephen G. Jamison, Esq.
2592 E. Barnett Road
Medford, OR 97504

EXHIBIT "A" TO STATUTORY WARRANTY DEED

Beginning at the Northwest corner of the Joseph Hamilton Donation Land claim No. 53 in Township 12 South, Range 4 West, of the Willamette Meridian in Linn County, Oregon; and running thence North 0°21' ½" West 398.0 feet to the most Easterly Northeast corner of the Joseph Robinette Donation Land Claim No. 51; thence continuing North 0°20' ½" West 173 feet to the center of Owl Creek; thence Easterly and Southerly up the center of said Owl Creek to its intersection with the North line of said Joseph Hamilton Donation Land claim; thence Westerly along said claim line 1056 feet to the point of beginning.

SAVE AND EXCEPT: Beginning at the centerline Station P.T. 80+62.70 of Linn County Market Road No. 118 being North 00°20'30" West 257.15 feet from the Northwest corner of the Joseph Hamilton Donation land Claim No. 53 in the North one half of Section 8, Township 12 South, Range 4 West, Willamette Meridian, Linn County, Oregon; running thence North 89°39'30" East 25 feet to a ½ inch iron rod on the Easterly right of way line of said County Road No. 118; thence North 67°37'59" East 109.02 feet to a 5/8 inch iron rod; thence North 37°01'42" East 52.24 feet to a 5/8 inch iron rod; thence North 17°40'48" East 24.28 feet to a 5/8 inch iron rod; thence North 01°27'23" West 128.84 feet to a 5/8 inch iron rod, being South 01°27'23" East from and in reference to the centerline of the main channel of Owl Creek; thence North 01°27'23" West 43.00 feet to the centerline of said main channel of Owl Creek; thence South 86°39'51" West 109.49 feet along the center line of said main channel of Owl Creek to a point referenced by a 5/8 inch iron rod South 23.00 feet; thence continuing along the centerline of said main channel of Owl Creek North 51°33'15" West 67.45 feet to a point, said point on the creek centerline being North 00°20'30" West of a ½ inch iron rod; thence leaving said creek centerline South 00°20'30" East 43.77 feet to said ½ inch iron rod; thence South 00°20'30" East 131.08 feet to the Easterly Northeast corner of Donation Land Claim No. 51; thence South 00°20'30" East 139.00 feet to the point of beginning.

TOGETHER WITH A permanent easement and right-of-way, 10 feet in width and for the purpose of installing, owing, maintaining, reinstalling and otherwise providing a water system and line, the center line of which easement is described as follows:

Beginning at an existing 10" drain steel cased wall which is said to be South 0°09' West 917.40 feet and south 89°41' East 681.91 feet and South 3°02' West 228 feet from a point 2,947.0 feet North and 3,618.4 feet West from the Southeast corner of Hiram Bond Donation Land Claim No. 38 in Section 8, Township 12 South, Range 4 West, Willamette Meridian, Linn County Oregon; thence West 16.0 feet to a point 5 feet East of the West line of existing roadway along the East side of CS No. 9637; thence South 3°02' West parallel with and 5 feet Easterly from the Westerly line of said existing 20 feet wide roadway 900 feet more or less to the center line of Owl Creek.

ALSO TOGETHER WITH a well and Pipeline Easement: A 10-foot wide easement the center line of which is described as follows: Beginning at a point on the East line of that tract of land described by deed recorded in Book 327, page 566, Tract II, of the Linn County, Oregon, Deed Records; said point being South 03°02' West along the East line of said Tract II 99.51 feet from the Northeast corner of said Tract II; thence North 89°41' West 105.00 feet. ALSO a Power Line Easement: a 10-foot wide easement the center line of which is described as follows: Beginning at a power pole which is located North 34°57' West 26.2 feet from the Northeast corner of that tract of land described by deed recorded in Book 327, Page 566, Tract II of the Linn County, Oregon, Deed Records; thence South 36°54' West 155.00 feet.

VOL 1029 PAGE 49

STATE OF OREGON
County of Linn

I hereby certify that the attached
was received and duly recorded
by me in Linn County records.

STEVE DRUCKENMILLER
Linn County Clerk

By JA Deputy

M
R
S
A
O

6:30 O'clock a.m.

40

APR 23 1999

MF 1029
47

PAGE

331-483

FORM NO. 720—AMENDED APRIL 1962
120

KNOW ALL MEN BY THESE PRESENTS, That **CLARENCE GILMORE and CLARA E. GILMORE, his wife,**

for the consideration hereinafter stated, have hereby granted, bargain, sell and convey unto **R. G. GATES, his wife,**

hereinafter called grantee, and unto grantee's heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of **Linn**, State of Oregon, described as follows, to-wit:

A permanent easement and right of way to Grantees, their heirs, successors, licensees and assigns, ten (10) feet in width and for the purpose of installing, owning, maintaining, reinstalling and otherwise providing a water system and line, the centerline of which easement is described as follows:

Beginning at an existing 10" drain steel cased well which is said to be South 0°09' West 917.40 ft. and South 89°41' East 681.91 ft. and South 3°02' West 228 ft. from a point 2,947.0 ft. north and 3,618.4 ft. west from the Southeast corner of Hiram Bond DLO #38 in Section 8, Township 12 South, Range 4 W, W.M., Linn County, Oregon; thence West 16.0 ft. to a point 5 ft. East of the west line of existing roadway along the East side of OS #9637; thence South 3°02' West parallel with and 5 ft. easterly from the westerly line of said existing 20 ft. wide roadway 900 ft. more or less to centerline of Owl Creek;

Grantees, by the acceptance hereof, covenant and agree that if any improved roadway is damaged in exercising the rights granted hereby, they will repair and replace the same to the condition of repair that the same was in prior to any such damage.

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$-

However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration (indicate which) 0

In construing this deed the singular includes the plural as the circumstances may require.

Witness grantor's hand this 4th day of June, 1968.

Clarence Gilmore Clara E. Gilmore

STATE OF OREGON, County of Benton, ss. June 1, 1968
Personally appeared the above named **CLARENCE GILMORE and CLARA E. GILMORE, his wife,**

and acknowledged the foregoing instrument to be their voluntary act and deed.

(OFFICIAL SEAL)

Before me: Ray A. Martini
Notary Public for Oregon
My commission expires 9-22-69

NOTE—The numbers between the symbols T, if not applicable, should be deleted. See Chapter 652, Oregon Laws 1962, as amended by the 1967 Special Session.

Bargain and Sale Deed

CLARENCE GILMORE et ux

TO

R. G. GATES et ux

AFTER RECORDING RETURN TO
THOMAS & JOHNSON
Attorneys at Law
Corvallis, Oregon

(DON'T USE THIS
SPACE RESERVE
FOR RECORDING
LABEL IN YOUR
FILE WHEN
USED)

STATE OF OREGON,

County of Linn ss.

I certify that the within instrument was received for record on the 18 day of June, 19 68, at 8:30 o'clock A.M., and recorded in book 331 on page 483 Record of Deeds of said County.

Witness my hand and seal of County aforesaid.

Stella E. Hoover

Recorder

Title

By Thomas & Johnson Deputy

In Primrose Drive, east of 1700 on 88

05-29-90

VOL 532 PAGE 413

ORIGINAL

EASEMENT AGREEMENT

AGREEMENT made this 15th day of May, 1990, by and between ARTHUR E. OLSON and C. EILEEN OLSON ("Grantors"), and LORAIN C. SMITH, GARY H. JONES and PAMELA S. JONES ("Grantees").

RECITALS:

A. Grantees are the beneficial owners, as tenants in common, of that certain real property located in Linn County, Oregon (Tax Lot 1703), consisting of approximately 17.5 acres, located at 32115 White Oak Drive, Corvallis, Oregon, commonly known as Woodland Mobile Home Park and more particularly described on the attached Exhibit A (the "mobile home park"). On July 1, 1978, Eugene P. Smith and Loraine C. Smith, husband and wife, acquired the mobile home park from Ella M. Gates ("Gates") pursuant to a land sale contract. On December 27, 1984, the vendee's interest in the contract was assigned to Woodland Park Mobile Homes, an Oregon partnership consisting of Eugene P. Smith and Loraine C. Smith. By various assignments between December 1984 and January 1988, Eugene P. Smith and Loraine C. Smith assigned interests in the partnership totaling 35% to Gary H. Jones, and 35% to Pamela S. Jones. At his death, Eugene P. Smith's partnership interest passed to his surviving spouse, Loraine C. Smith. The partnership was dissolved effective April 1, 1990, and ownership rights to the mobile home park were distributed to the Grantees in proportion to their partnership interests, as tenants in common.

B. Grantors are the owners of that certain tract of real property known as Tax Lot 2405, more particularly described as "Tract II" in Document 275735, Book 327, Page 566 of the Deed Records of Linn County, and on the attached Exhibit B (the "servient property").

C. The mobile home park is serviced by a well water system, established pursuant to a permanent easement, running in a northerly direction and within the boundaries of Primrose Road (the "water line easement"). The water line is bisected by a pipeline running west to east (the "pipeline"), connected to a well located on the servient property (the "well"). The pipeline is used to deliver water from the well and the well pump is serviced by a power line running from a power pole adjacent to Primrose Road and crossing the servient property (the "power line"). The location of the well is described as follows:

A circle with a radius of five feet, the center of which is South 46°48' West 144.38 feet from the northeast corner of that tract of land described by deed recorded in Book 327, Page 566, Tract II, Linn County, Oregon, Deed Records, said well also being 1647.13 feet North and 3286.66 feet West from the southeast corner of the Hiram Bond Donation Land

1 - Easement Agreement

gard1150\seasement.agt

05-29-90

VOL 532 PAGE 414

Claim No. 38 in Township 12 South, Range 4 West of the Willamette Meridian, Linn County, Oregon.

D. By quitclaim deed dated April 24, 1978, Grantors granted a permanent easement to Gates for the installation, maintenance, and servicing of the well and the power line (the "well maintenance easement"). The well maintenance easement was appurtenant to and for the benefit of the mobile home park.

E. The locations of the mobile home park, the servient property, the water line, and the well are shown on the map attached hereto as Exhibit C.

F. By quitclaim deed of even date herewith, Grantees propose to release all rights under the well maintenance easement to Grantors.

G. The parties now desire to enter into a new agreement whereby Grantors grant an easement to Grantees for the maintenance and use of the power line and the installation, maintenance, and servicing of the well, specifically including the continued placement, use, and maintenance of the pipeline or other such other equipment as will allow Grantees to continue to draw water from the well.

NOW, THEREFORE, IT IS AGREED:

1. Well and Pipeline Easement. Grantor hereby grants to Grantee the following described permanent easement for the installation, maintenance, and servicing of the well, with ingress and egress thereto and therefrom, and the installation, maintenance, servicing, and productive use of the pipeline and other equipment which may be used to draw and deliver water from the well:

A 10-foot wide easement the center line of which is described as follows: Beginning at a point on the East line of that tract of land described by deed recorded in Book 327, Page 566, Tract II, of the Linn County, Oregon, Deed Records; said point being South 03°02' West along the East line of said Tract II 99.51 feet from the northeast corner of said Tract II; thence North 89°41' West 105.00 feet.

2. Power Line Easement. Grantor hereby grants to Grantee a permanent easement for the installation, maintenance, servicing, and use of the power line, with ingress and egress thereto:

A 10-foot wide easement the center line of which is described as follows: Beginning at a power pole which is located North 34°57' West 26.2 feet from the northeast corner of that tract of land described by deed recorded in

2 - Easement Agreement

gard1150\assment.agt

05-29-90

VOL 532 PAGE 415

Book 327, Page 566, Tract II of the Linn County, Oregon,
Deed Records; thence South 36°54' West 155.00 feet.

3. Well Protection Easement. No septic tank or sewage disposal field or any part thereof shall be installed or maintained by Grantors, their licensees or assigns, within a 100-foot radius of the well and Grantors' land is charged with this restriction.

4. Fence Maintenance. Grantees agree to maintain the integrity of any fence installed by Grantors either by similar fencing or gates. After installation, repair, or maintenance, Grantees shall restore the surface of the servient property to substantially the same condition as existed prior to such installation, repair, or maintenance.

5. Benefit of Easements. All easements granted under this Agreement shall be appurtenant to, and for the benefit of, the mobile home park.

6. Indemnity. The parties shall indemnify and hold each other harmless against any claim, loss or liability arising out of the exercise of rights under this Agreement, except in the case of gross negligence on behalf of the party seeking indemnification.

7. Breach of Obligations. In the event either party shall breach its obligations under this Agreement, the other party shall be entitled to require such performance by suit for specific performance or where appropriate, through injunctive relief. Such remedy shall be in addition to any other remedies afforded under Oregon law.

8. Attorneys' Fees. In the event of any litigation arising under this Agreement, the prevailing party shall recover from the losing party the prevailing party's reasonable attorneys' fees at trial or on appeal.

9. Effect of Agreement. The rights, covenants, and obligations contained in this Agreement shall bind, burden, and benefit each party's successors and assigns, lessees, mortgagees, or beneficiaries under a deed of trust.

GRANTORS:


Arthur E. Olson


C. Eileen Olson

3 - Easement Agreement

ged1150\seasement.egt

05-29-90

VOL 532 PAGE 416

GRANTEES:

Lorraine C. Smith
Lorraine C. Smith

Gary H. Jones
Gary H. Jones

Pamela S. Jones
Pamela S. Jones

STATE OF OREGON)
County of Benton) ss.

The foregoing instrument was acknowledged before me this
15th day of May, 1990, by Arthur E. Olson and C. Eileen Olson.

Pat Sullivan
Notary Public for State of Oregon
My Commission Expires: 2/12/94

STATE OF OREGON)
County of Linn) ss.

The foregoing instrument was acknowledged before me this
25th day of May, 1990, by Lorraine C. Smith.

Mary Sawyer
Notary Public for State of Oregon
My Commission Expires: 11/28/91

STATE OF OREGON)
County of Linn) ss.

The foregoing instrument was acknowledged before me this
25th day of May, 1990, by Gary H. Jones and Pamela S. Jones.

Mary Sawyer
Notary Public for State of Oregon
My Commission Expires: 11/28/91

4 - Easement Agreement

gard1159\essment.egt

05-29-90

Title No. 53638L

VOL 532 PAGE 417

EXHIBIT 'A'

Beginning at the Northwest corner of the Joseph Hamilton Donation Land Claim No. 53 in Township 12 South, Range 4 West, of the Willamette Meridian in Linn County, Oregon; and running thence North $0^{\circ}21'1\frac{1}{2}"$ West 398.0 feet to the most Easterly Northeast corner of the Joseph Robinette Donation Land Claim No. 51; thence continuing North $0^{\circ}20'1\frac{1}{2}"$ West 173 feet to the center of Owl Creek; thence Easterly and Southerly up the center of said Owl Creek to its intersection with the North line of said Joseph Hamilton Donation Land Claim; thence Westerly along said claim line 1056 feet to the point of beginning.

SAVE AND EXCEPT: Beginning at the centerline Station P.T. 80+62.70 of Linn County Market Road No. 118 being North $00^{\circ}20'30"$ West 257.15 feet from the Northwest corner of the Joseph Hamilton Donation Land Claim No. 53 in the North one half of Section 8, Township 12 South, Range 4 West, Willamette Meridian, Linn County, Oregon; running thence North $89^{\circ}39'30"$ East 25 feet to a $\frac{1}{2}$ inch iron rod on the Easterly right of way line of said County Road No. 118; thence North $67^{\circ}37'59"$ East 109.02 feet to a $\frac{5}{8}$ inch iron rod; thence North $37^{\circ}01'42"$ East 52.24 feet to a $\frac{5}{8}$ inch iron rod; thence North $17^{\circ}40'48"$ East 24.28 feet to a $\frac{5}{8}$ inch iron rod; thence North $01^{\circ}27'23"$ West 128.84 feet to a $\frac{5}{8}$ inch iron rod, being South $01^{\circ}27'23"$ East from and in reference to the centerline of the main channel of Owl Creek; thence North $01^{\circ}27'23"$ West 43.00 feet to the centerline of said main channel of Owl Creek; thence South $86^{\circ}39'51"$ West 109.49 feet along the center line of said main channel of Owl Creek to a point referenced by a $\frac{5}{8}$ inch iron rod South 23.00 feet; thence continuing along the centerline of said main channel of Owl Creek North $51^{\circ}33'15"$ West 67.45 feet to a point, said point on the creek centerline being North $00^{\circ}20'30"$ West of a $\frac{1}{2}$ inch iron rod; thence leaving said creek centerline South $00^{\circ}20'30"$ East 43.77 feet to said $\frac{1}{2}$ inch iron rod; thence South $00^{\circ}20'30"$ East 131.08 feet to the Easterly Northeast corner of Donation Land Claim No. 51; thence South $00^{\circ}20'30"$ East 139.00 feet to the point of beginning.

05-29-90

VOL 532 PAGE 418

EASEMENT AGREEMENT
GRANTORS: Olsons
GRANTEES: Smith & Jones

May 15, 1990

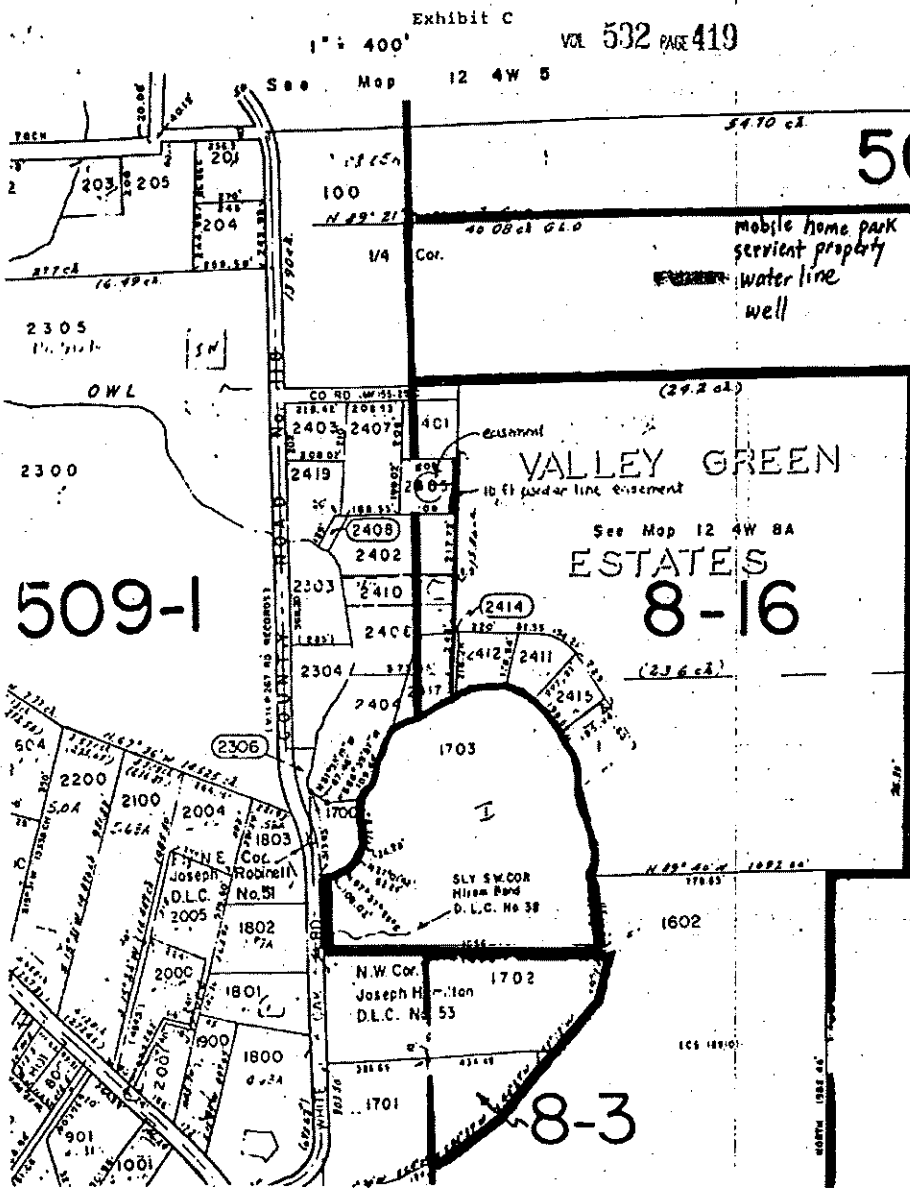
EXHIBIT B

TRACT II:

Beginning at a point lying in Section 8, Township 12 South, Range 4 West of the Willamette Meridian, Linn County, Oregon, which is South 0°09' West 967.40 feet and South 89°41' East 451.95 feet and South 3°02' West 208.00 feet from a point which is North 2947.0 feet and West 3618.4 feet from the Southeast corner of the Hiram Bond Donation Land Claim No. 38, said township and range; which is the true point of beginning of the following tract: thence South 89°41' East 208.00 feet; thence South 3°02' West 199.02 feet to the Northeast corner of the Dwayne G. Morrison and Marion R. Morrison property as recorded in Deed Book 326, page 312; thence North 89°41' West 208.00 feet along said Morrison North boundary; thence North 3°02' East 199.02 feet to the point of beginning.

Exhibit B

05-29-90



MAY 29 9 31 AM '90

STATE OF OREGON
County of Linn

I hereby certify that the attached was
received and duly recorded by me in
Linn County records:

STEVE DRUCKENMILLER
Linn County Clerk

By FA Deputy

Volume: W 532 Page: 413

MAY 29 1990

WATER LINE REPAIR AND MAINTENANCE AGREEMENT

AGREEMENT made this 10th day of May, 1990, by and between LORAIN C. SMITH, GARY JONES and PAM JONES ("Smith & Jones"), and SAMUEL ALBERT LEWIS and MABLELEE H. LEWIS, husband and wife ("Lewis").

RECITALS:

A. Smith & Jones are the beneficial owners, as tenants in common, of that certain real property situated in Linn County, Oregon, consisting of approximately 17.5 acres, located at 32115 White Oak Drive, Corvallis, Oregon (Tax Lot 1703), commonly known as Woodland Mobile Home Park and more particularly described on the attached Exhibit A (the "mobile home park"). Eugene P. Smith and Loraine C. Smith acquired the mobile home park as vendees under a land sale contract dated July 1, 1978, with Ella M. Gates ("Gates") as vendor. On December 27, 1984, the vendee's interest in such contract was assigned to Woodland Park Mobile Homes, a partnership consisting of Eugene P. Smith and Loraine C. Smith. At his death, Eugene P. Smith devised his fifty percent partnership interest to Loraine C. Smith. Loraine C. Smith transferred by gift this fifty percent partnership interest to Gary Jones and Pam Jones, husband and wife. The partnership was dissolved on April 1, 1990, and ownership rights to the mobile home park were distributed to the partners as tenants in common.

B. Lewis is the owner of the certain real property known as Tax Lot 2417, which is located adjacent to and north of the mobile home park (the "Lewis property").

C. On January 29, 1968, Gates sold that certain real property known as Tax Lot 2414 (the "servient property"), located adjacent to and north of the mobile home park and adjacent to and east of the Lewis property, to Clarence Gilmore and Clara E. Gilmore, husband and wife ("Gilmore"). On June 4, 1968, Gilmore granted Gates a permanent easement over the servient property for the purpose of installing and maintaining a water system and line servicing the mobile home park (the "easement"). The easement is appurtenant to and benefits the mobile home park. On June 23, 1976, the servient property was deeded to Linn County, Oregon in foreclosure proceedings.

D. The locations of Tax lots 1703, 2417, and 2414 are outlined on the map attached hereto as Exhibit B, and a copy of the easement is attached hereto as Exhibit C.

E. Pursuant to the easement, an underground water line running in a northerly direction was installed in order to service the mobile home park and in conformity with the boundaries of the easement (the "water line"). The location of the water line is highlighted on Exhibit B. Lewis subsequently constructed and placed a structure

1 - Water Line Repair and Maintenance Agreement

60641150\waterline.m41

AMERICAN PACIFIC TITLE 534-38 13-40-8-1703 760021

2900
8B
now part of
3000 8B

inside the servient property and over the water line (the "encroaching structure").

F. The existence of the encroaching structure materially impairs Smith & Jones' ability to maintain or repair the water line. The parties desire to reach an agreement regarding future repair or maintenance which may be required upon the water line.

NOW, THEREFORE, IT IS AGREED:

1. Encroachment; Future Encroachment. Lewis hereby acknowledges that the encroaching structure interferes with Smith & Jones' enjoyment of their rights under the easement, and may obstruct Smith & Jones' ability to maintain and repair the water line. Lewis agrees to take no actions which would cause damage to the water line or further interfere with Smith & Jones' rights under the easement.

2. Right to Maintain and Repair. Lewis hereby agrees to allow Smith & Jones to maintain, repair, and replace that portion of the water line laying under the encroaching structure. Smith & Jones shall have the right to take whatever actions they deem reasonably necessary in order to carry out such repair or maintenance, including but not limited to digging, excavating, dismantling of portions of the encroaching structure, and placement of replacement pipe or other equipment on or near the encroaching structure. Smith & Jones shall not be responsible for reconstructing any portion of the encroaching structure, but shall make diligent efforts to minimize the damage thereto in connection with any repair or maintenance of the water line hereunder. Lewis grants Smith & Jones and their agents or employees reasonable access to the encroaching structure for the purpose of determining the need for water line repairs or maintenance and the proper methods for carrying out such work.

3. Costs. Lewis shall be responsible for all direct or indirect costs incurred in repairing or maintaining the portion of the water line located beneath the encroaching structure. Smith & Jones shall be responsible for all direct or indirect costs incurred in repairing or maintaining all other portions of the water line; provided, however, that if any maintenance or repair of the water line is the direct or indirect result of the presence of the encroaching structure or the activities of Lewis or Lewis' employees, agents, licensees or invitees, Lewis shall be responsible for the entire cost of such maintenance or repair.

4. Indemnity. Lewis hereby indemnifies and holds Smith & Jones harmless against any claim, loss or liability arising out of or related to Smith & Jones' exercise of rights under the easement or this Agreement, except that no such indemnity shall arise from acts of gross negligence by Smith & Jones.

2 - Water Line Repair and Maintenance Agreement

6ard1159\water21n.agt

MAY 29 1990

5. Permissive Use. The parties hereto agree that Lewis' continuing encroachment upon the easement is permissive and shall constitute a mere revocable license. Under no circumstances shall such permissive use create an easement by prescription or an irrevocable license. Smith & Jones agree that they shall take no action to revoke such license, except in the event Lewis shall breach this Agreement.

6. Breach of Obligations. In the event either party shall breach its obligations under this Agreement, the other party shall be entitled to require such performance by suit for specific performance, or where appropriate, through injunctive relief. Such remedies shall be in addition to any other remedies afforded under Oregon law.

7. Attorneys' Fees. In the event of any litigation arising under this Agreement, the prevailing party shall recover from the losing party the prevailing party's reasonable attorneys' fees at trial or on appeal.

8. Effect of Agreement. The rights, covenants and obligations contained in this Agreement shall bind, burden and benefit each party's successors and assigns, lessees, mortgagees, or beneficiaries under a deed of trust.

SMITH AND JONES:

Loraine C. Smith
Loraine C. Smith

Gary Jones
Gary Jones

Pamela S. Jones
Pam Jones, aka, Pamela S. Jones

LEWIS:

Samuel Albert Lewis
Samuel Albert Lewis

Mablelee H. Lewis
Mablelee H. Lewis

3 - Water Line Repair and Maintenance Agreement

card11501waterlin.agt

MAY 29 1990

VOL 532 PAGE 423

STATE OF OREGON,

County of Columbia

BE IT REMEMBERED, That on this 10th day of May, 1990, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named SAMUEL ALBERT LEWIS & MABLE LEE H. LEWIS

known to me to be the identical individuals described in and who executed the within instrument and acknowledged to me that they executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Pat Sullivan
Notary Public for Oregon
My Commission expires 8/16/94

GENERAL ACKNOWLEDGMENT
Form No. 9-16

STATE OF OREGON,

County of Linn

BE IT REMEMBERED, That on this 25th day of May, 1990, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named LOBAINE C. SMITH, GARY JONES, AND PAMELA S. JONES

known to me to be the identical individuals described in and who executed the within instrument and acknowledged to me that they executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Maria Casey
Notary Public for Oregon
My Commission expires 10/31/94

GENERAL ACKNOWLEDGMENT
Form No. 9-16

MAY 29 1990

Title No. 53638L

Vol 532 PAGE 424

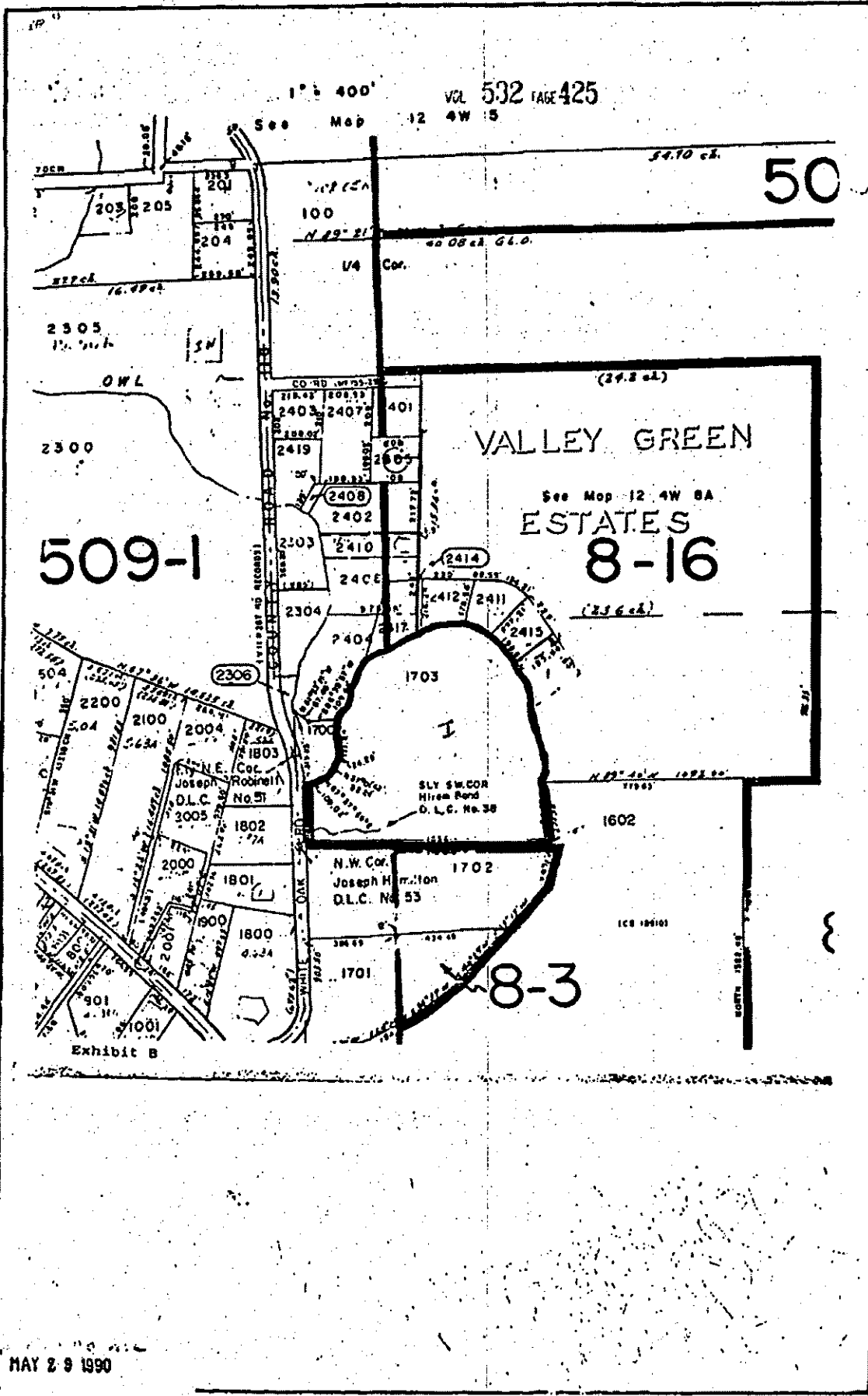
EXHIBIT 'A'

1703

Beginning at the Northwest corner of the Joseph Hamilton Donation Land Claim No. 53 in Township 12 South, Range 4 West, of the Willamette Meridian in Linn County, Oregon; and running thence North $0^{\circ}21'1\frac{1}{2}"$ West 398.0 feet to the most Easterly Northeast corner of the Joseph Robinette Donation Land Claim No. 51; thence continuing North $0^{\circ}20'1\frac{1}{2}"$ West 173 feet to the center of Owl Creek; thence Easterly and Southerly up the center of said Owl Creek to its intersection with the North line of said Joseph Hamilton Donation Land Claim; thence Westerly along said claim line 1056 feet to the point of beginning.

SAVE AND EXCEPT: Beginning at the centerline Station P.T. 80+62.70 of Linn County Market Road No. 118 being North $00^{\circ}20'30"$ West 257.15 feet from the Northwest corner of the Joseph Hamilton Donation Land Claim No. 53 in the North one half of Section 8, Township 12 South, Range 4 West, Willamette Meridian, Linn County, Oregon; running thence North $89^{\circ}39'30"$ East 25 feet to a $\frac{1}{2}$ inch iron rod on the Easterly right of way line of said County Road No. 118; thence North $67^{\circ}37'59"$ East 109.02 feet to a $\frac{5}{8}$ inch iron rod; thence North $37^{\circ}01'42"$ East 52.24 feet to a $\frac{5}{8}$ inch iron rod; thence North $17^{\circ}40'48"$ East 24.28 feet to a $\frac{5}{8}$ inch iron rod; thence North $01^{\circ}27'23"$ West 128.84 feet to a $\frac{5}{8}$ inch iron rod, being South $01^{\circ}27'23"$ East from and in reference to the centerline of the main channel of Owl Creek; thence North $01^{\circ}27'23"$ West 43.00 feet to the centerline of said main channel of Owl Creek; thence South $86^{\circ}39'51"$ West 109.49 feet along the center line of said main channel of Owl Creek to a point referenced by a $\frac{5}{8}$ inch iron rod South 23.00 feet; thence continuing along the centerline of said main channel of Owl Creek North $51^{\circ}33'15"$ West 67.45 feet to a point, said point on the creek centerline being North $00^{\circ}20'30"$ West of a $\frac{1}{2}$ inch iron rod; thence leaving said creek centerline South $00^{\circ}20'30"$ East 43.77 feet to said $\frac{1}{2}$ inch iron rod; thence South $00^{\circ}20'30"$ East 131.08 feet to the Easterly Northeast corner of Donation Land Claim No. 51; thence South $00^{\circ}20'30"$ East 139.00 feet to the point of beginning.

1700



282666

Vol. 532 PAGE 426

6/18/68

6/4/68

B&S DEED

331/483

CLARENCE OILMORE AND CLARA E. OILMORE, H/W
TO
R. G. GATES AND ELLA GATES, H/W

...gbsc...pty...sit in the Co of Ll, S of O, daf, to wit:

A permanent easement and r/w to grantees, their heirs, successors, licensees and assigns, 10 ft in width and for the purpose of installing, owning, maintaining, reinstalling and otherwise providing a water system and li, the c/l of which easement is daf: (2) TL 2000 PT 2300 12-44-8

Begg at an existing 10" drain steel cased well which is sd to be S 6°09' W 147.45 ft and S 89°41' E 681.91 ft and S 3°02' W 228 ft from a pt 2, 47.0 ft N and 2,618.4 ft W from the SE cor of Hiram Bond SEC 36 in sec 2, T 12 S, R 4 W, WM, Ll Co, O; th W 16.0 ft to a pt 5 ft E of the W li of existing roadway sig the E side of CS 5007; th S 1°03' W pll with and 5 ft Ely from the Wly li of sd existing 20 ft wide roadway 900 ft w/l to c/l of Owl Creek;

Grantees, by the acceptance hereof, covenant and agree that

282666

page 2

if any improved roadway is damaged in exercising the rights granted hereby, they will repair and replace the same to the condition of repair that the same was in prior to any such damage.

STATED CONSIDERATION: other pty or value given

SEA

Return to Thomas & Johnson, Corvallis, O.

Note: System is maintained by Northwest Irrigation Systems, Corvallis, contact: Cory Bavendage 928-0114

Exhibit C

MAY 29 9 31 AM '90

STATE OF OREGON
County of Linn

I hereby certify that the attached was received and duly recorded by me in Linn County records:

STEVE GAUCKENMILLER
Linn County Clerk

By DN, Deputy

Volume: MP 532 Page: 420

MAY 29 1990

Ken Dowden

To: Tyler Parsons
Subject: RE: GB Enterprises (T-10400)

Thanks Tyler for following up on this.

-----Original Message-----

From: Tyler Parsons [mailto:Tyler@Parsons-Surveying.com]
Sent: Thursday, March 11, 2010 12:43 PM
To: Ken Dowden
Subject: Re: GB Enterprises (T-10400)

Ken,

I called the provider of the PAR Report. According to Lynn Rohde of First American Title Ins Co of Oregon, the PAR Reports do not come with a signature.

She did admit, however, that she did this one.

Tyler Parsons
Parsons Surveying
1915 SE Stone Street
Corvallis, OR 97333
541-752-7515 voice & fax
541-740-0261 mobile
Tyler@Parsons-Surveying.com
<http://www.parsons-surveying.com>

GB ENTERPRISES LLC

21C ORINDA WAY #308, ORINDA CA 94563 (925) 254-8200

April 14, 2010

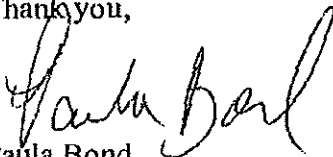
Oregon Water Resources Department
North Central Region
116 SE Dorion Ave
Pendleton, OR 97801
Att: Ken Downden

RE: Water Right Transfer Application T-10400 on Woodland Mobile Home Park,
Corvallis

Ken,

I am in receipt of your draft Preliminary Determination regarding Transfer Application T-10400 dated April 7, 2010. I have reviewed the documents and they appear to be consistent with our intent in seeking the transfer. Please forward the required notice that we must publish in the local newspaper and we will get that started.

Thank you,



Paula Bond
GB Enterprises, LLC
Company Manager

FORFEITURE OF WATER RIGHTS

540.610 Use as measure of water right; forfeiture for nonuse; confirmation of rights of municipalities. (1) Beneficial use shall be the basis, the measure and the limit of all rights to the use of water in this state. Whenever the owner of a perfected and developed water right ceases or fails to use all or part of the water appropriated for a period of five successive years, the failure to use shall establish a rebuttable presumption of forfeiture of all or part of the water right.

(2) Upon a showing of failure to use beneficially for five successive years, the appropriator has the burden of rebutting the presumption of forfeiture by showing one or more of the following:

(a) The water right is for use of water, or rights of use, acquired by cities and towns in this state, by appropriation or by purchase, for all reasonable and usual municipal purposes.

(b) A finding of forfeiture would impair the rights of such cities and towns to the use of water, whether acquired by appropriation or purchase, or heretofore recognized by act of the legislature, or which may hereafter be acquired.

(c) The use of water, or rights of use, are appurtenant to property obtained by the Department of Veterans' Affairs under ORS 407.135 or 407.145 for three years after the expiration of the period of redemption provided for in ORS 18.964 while the land is held by the Department of Veterans' Affairs, even if during such time the water is not used for a period of more than five successive years.

(d) The use of water, or rights of use, under a water right, if the owner of the property to which the right is appurtenant is unable to use the water due to economic hardship as defined by rule by the Water Resources Commission.

(e) The period of nonuse occurred during a period of time within which land was withdrawn from use in accordance with the Act of Congress of May 28, 1956, chapter 327 (7 U.S.C. 1801-1814; 1821-1824; 1831-1837), or the Federal Conservation Reserve Program, Act of Congress of December 23, 1985, chapter 198 (16 U.S.C. 3831-3836, 3841-3845). If necessary, in a cancellation proceeding under this section, the water right holder rebutting the presumption under this paragraph shall provide documentation that the water right holder's land was withdrawn from use under a federal reserve program.

(f) The end of the alleged period of nonuse occurred more than 15 years before the date upon which evidence of nonuse was submitted to the commission or the commission initiated cancellation proceedings under ORS 540.631, whichever occurs first.

(g) The owner of the property to which the water right was appurtenant is unable to use the water because the use of water under the right is discontinued under an order of the commission under ORS 537.775.

(h) The nonuse occurred during a period of time within which the water right holder was using reclaimed water in lieu of using water under an existing water right.

(i) The nonuse occurred during a period of time within which the water right holder was reusing water through land application as authorized by ORS 537.141 (1)(i) or 537.545 (1)(g) in lieu of using water under an existing water right.

(j) The owner or occupant of the property to which the water right is appurtenant was unable to make full beneficial use of the water because water was not available. A water right holder rebutting the presumption under this paragraph shall provide evidence that the water right holder was ready, willing and able to use the water had it been available.

(k) The holder of a water right is prohibited by law from using the water. If the prohibition is subject to remedial action that would allow the use of the water, the water right holder shall provide evidence that the water right holder is conducting the remedial action with reasonable diligence.

(L) The nonuse occurred during a period of time within which the exercise of all or part of the water right was not necessary due to climatic conditions, so long as the water right holder had a facility capable of handling the full allowed rate and duty, and was otherwise ready, willing and able to use the entire amount of water allowed under the water right.

(m) The nonuse occurred during a period of time within which the water was included in a transfer application pending before the Water Resources Department.

(n) The nonuse of a supplemental water right occurred during a period of time when the primary water right used in conjunction with that supplemental water right was leased as an in-stream water right pursuant to ORS 537.348.

(3) Notwithstanding subsection (1) of this section, if the owner of a perfected and developed water right uses less water to accomplish the beneficial use allowed by the right, the right is not subject to forfeiture so long as:

(a) The user has a facility capable of handling the entire rate and duty authorized under the right; and

(b) The user is otherwise ready, willing and able to make full use of the right.

(4) The right of all cities and towns in this state to acquire rights to the use of the water of natural streams and lakes, not otherwise appropriated, and subject to existing rights, for all reasonable and usual municipal purposes, and for such future reasonable and usual municipal purposes as may reasonably be anticipated by reason of growth of population, or to secure sufficient water supply in cases of emergency, is expressly confirmed.

(5) After a water right is forfeited under subsection (1) of this section, the water that was the subject of use shall revert to the public and become again the subject of appropriation in the manner provided by law, subject to existing priorities.

[Amended by 1985 c.689 §5; 1987 c.339 §4; 1989 c.699 §1; 1989 c.833 §61a; 1991 c.370 §6; 1995 c.356 §2; 1995 c.366 §1; 1997 c.42 §5; 1997 c.244 §5; 1997 c.283 §1; 1999 c.335 §3; 1999 c.804 §§3,4; 2005 c.222 §1; 2005 c.542 §70; 2005 c.625 §70]

AFFIDAVIT FOR THE PARTIAL CANCELLATION OF A
WATER RIGHT CERTIFICATE

State of California)
County of CONTRA COSTA) ss

We, GB Enterprises, LLC, residing at 21c Orinda Way #308, Orinda Ca 94563,
being first duly sworn depose and say:

1. We are the legal owners of the property described as Tax Lot number 1703, within the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$, and the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 8, Township 12 South, Range 4 West, of the Willamette Meridian, in Linn County, Oregon, as shown on the attached map and described in the attached deed and legal description and made part of this affidavit;
2. A portion of Certificate 32460, issued in the name of R.G. Gates (perfected under Permit G-1573), with a priority date of April 12, 1960, allows for the use of 0.10 cubic foot per second from Well #1 within the Owl Creek Basin (Willamette River) for Irrigation of 8.1 acres, is appurtenant to our property;
3. We have abandoned a portion of the above described 8.1 acres under water right Certificate 32460, specifically, a 3.6 acre portion as shown on the attached map and described as follows:
The right to the use of 0.045 from Well #1 within the Owl Creek Basin for primary irrigation is located within:

(Tax Lot 1703) SW $\frac{1}{4}$ NE $\frac{1}{4}$ Irrigation of **2.6 acres**

(Tax Lot 1703) SE $\frac{1}{4}$ NW $\frac{1}{4}$ Irrigation of **1.0 acre**

Section 8

Township 12 South, Range 4 West, of the Willamette Meridian; and

4. We request that the portion of water right Certificate 32460 described above be canceled.

Paula Bond operations Manager/Member.
Signature Title

3/13/10
Date

Paula Bond
Print Name



State of California Contra Costa County
Subscribed and sworn to (or affirmed) before me
on this 13 day of MARCH 2010, by Paula Bond,
proved to me on the basis of satisfactory evidence
to be the person(s) who appeared before me.
Notary Cynthia K. Saba (Seal)

Subscribed and Sworn to Before Me this _____ day of _____, 201__.

Notary Public for

My Commission Expires April 18, 2013

STATUTORY WARRANTY DEED

LOUIS E. BOND and GOLDIE M. BOND, husband and wife, Grantors, hereby convey and warrant to G B ENTERPRISES LLC, an Oregon limited liability company, Grantee, the real property located in Linn County, Oregon, which is described on Exhibit "A" attached hereto, free of encumbrances other than encumbrances of record on the date of this conveyance and those matters which would be shown by an accurate survey or inspection of the premises:

The true consideration for this conveyance is \$0.00.

This instrument will not allow use of the property described in this instrument in violation of applicable land use laws and regulations. Before signing or accepting this instrument, the person acquiring fee title to the property should check with the appropriate city or county planning department to verify approved uses and to determine any limits on lawsuits against farming or forest practices as defined in ORS 30.930.

DATED this 30 day March, 1999.

GRANTORS. LOUIS E. BOND and GOLDIE M. BOND

Louis E. Bond
Louis E. Bond

Goldie M. Bond
Goldie M. Bond

STATE OF OREGON)

County of Jackson) ss.

The foregoing instrument was acknowledged before me this 30th day of March, 1999, by LOUIS E. BOND, Grantor.

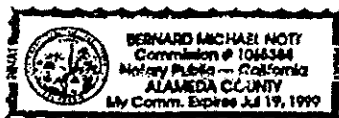


WITNESS my hand and official seal.

Laurie Bradley
Notary Public
My Commission Expires _____

STATE OF California)
County of Alameda) ss.

The foregoing instrument was acknowledged before me this 14 day of April, 1999, by GOLDIE M. BOND, Grantor.



WITNESS my hand and official seal.

Bernard Michael Noty
Notary Public
My Commission Expires 7-19-99

✓ After recording, please return to:
Stephen G. Jamieson, Esq.
2592 E. Barnett Road
Medford, OR 97504

Until a change is requested, all tax statements should be sent to Louis E. Bond, Manager, 1395 Poplar Drive, Medford, Oregon, 97504.

EXHIBIT "A" TO STATUTORY WARRANTY DEED

Beginning at the Northwest corner of the Joseph Hamilton Donation Land claim No. 53 in Township 12 South, Range 4 West of the Willamette Meridian in Linn County, Oregon; and running thence North 0°21' 1/2" West 398.0 feet to the most Easterly Northeast corner of the Joseph Robinette Donation Land Claim No. 51; thence continuing North 0°20' 1/2" West 173 feet to the center of Owl Creek; thence Easterly and Southerly up the center of said Owl Creek to its intersection with the North line of said Joseph Hamilton Donation Land claim; thence Westerly along said claim line 1056 feet to the point of beginning.

SAVE AND EXCEPT: Beginning at the centerline Station P.T. 80+62.70 of Linn County Market Road No. 118 being North 00°20'30" West 257.15 feet from the Northwest corner of the Joseph Hamilton Donation Land Claim No. 53 in the North one half of Section 8, Township 12 South, Range 4 West, Willamette Meridian, Linn County, Oregon; running thence North 89°39'30" East 25 feet to a 1/2 inch iron rod on the Easterly right of way line of said County Road No. 118; thence North 67°37'59" East 109.02 feet to a 5/8 inch iron rod; thence North 37°01'42" East 52.24 feet to a 5/8 inch iron rod; thence North 17°40'48" East 24.28 feet to a 5/8 inch iron rod; thence North 01°27'23" West 128.84 feet to a 5/8 inch iron rod, being South 01°27'23" East from and in reference to the centerline of the main channel of Owl Creek; thence North 01°27'23" West 43.00 feet to the centerline of said main channel of Owl Creek; thence South 86°39'51" West 109.49 feet along the center line of said main channel of Owl Creek to a point referenced by a 5/8 inch iron rod South 23.00 feet; thence continuing along the centerline of said main channel of Owl Creek North 51°33'15" West 67.45 feet to a point, said point on the creek centerline being North 00°20'30" West of a 1/2 inch iron rod; thence leaving said creek centerline South 00°20'30" East 43.77 feet to said 1/2 inch iron rod; thence South 00°20'30" East 131.08 feet to the Easterly Northeast corner of Donation Land Claim No. 51; thence South 00°20'30" East 139.00 feet to the point of beginning.

TOGETHER WITH A permanent easement and right-of-way, 10 feet in width and for the purpose of installing, owning, maintaining, reinstalling and otherwise providing a water system and line, the center line of which easement is described as follows:

Beginning at an existing 10" drain steel cased wall which is said to be South 0°09' West 917.40 feet and south 89°41' East 681.91 feet and South 3°02' West 228 feet from a point 2,947.0 feet North and 3,618.4 feet West from the Southeast corner of Hiram Bond Donation Land Claim No. 38 in Section 8, Township 12 South, Range 4 West, Willamette Meridian, Linn County Oregon; thence West 16.0 feet to a point 5 feet East of the West line of existing roadway along the East side of CS No. 9637; thence South 3°02' West parallel with and 5 feet Easterly from the Westerly line of said existing 20 feet wide roadway 800 feet more or less to the center line of Owl Creek.

ALSO TOGETHER WITH a well and Pipeline Easement. A 10-foot wide easement the center line of which is described as follows: Beginning at a point on the East line of that tract of land described by deed recorded in Book 327, page 566, Tract II, of the Linn County, Oregon, Deed Records; said point being South 03°02' West along the East line of said Tract II 89.51 feet from the Northeast corner of said Tract II; thence North 89°41' West 105.00 feet. ALSO a Power Line Easement: a 10-foot wide easement the center line of which is described as follows: Beginning at a power pole which is located North 34°57' West 26.2 feet from the Northeast corner of that tract of land described by deed recorded in Book 327, Page 566, Tract II of the Linn County, Oregon, Deed Records; thence South 36°54' West 155.00 feet.

STATE OF OREGON
County of Linn

I hereby certify that the attached
was received and duly recorded
by me in Linn County records.

STEVE DRUCKENMILLER
Linn County Clerk

By Steve Druckemiller, Deputy

M. 10
R. 20
S. 20
O. 20

8:20 O'clock a.m. 40

APR 23 1999

ME 1029
47

Copy to be a true
copy of the original now
in the
STEVE DRUCKENMILLER
Linn County Clerk
Deputy
02-23-10

Return To: Gay Miller
33125 White Oak Dr. #
Corvallis, OR 97333

VOL. 1623 PAGE 850

STATE OF OREGON WELL INFORMATION FORM
(FILE WITH COUNTY CLERK'S OFFICE)

Pursuant to ORS 537.788, owners of property on which a well is located shall, within 60 days following the construction and/or alteration of a new well or upon property transfer, record the following information in the property deed records at the appropriate County Clerks Office. Either the deed recording number or legal description of the property may be used to identify the property.

Property Owner Name(s): GB Enterprises LLC
Mailing Address: 21C Orinda Way # 308, Orinda, CA 94563
Deed Recording Number (or legal description): Slack 862 attached microf. in # 1029-47
Map 125 4W 8 Tax Lot 1703
Well Identification Number(s): L70782

Limited Rights and Obligations: Most uses of water in Oregon require a water right permit issued by the Oregon Water Resources Department. However, some uses of ground water are exempt from permitting requirements under Oregon Revised Statutes 537.545.

Whether or not a use of ground water is exempt from permitting requirements, a landowner is responsible for maintaining any well on the landowner's property in proper condition so that a well does not pose a health threat or health hazard, and does not contaminate or serve as a source of waste of the ground water resource by allowing loss of artesian pressure or commingling of aquifers.

Wells may be permanently abandoned by licensed and bonded well constructors or a bonded and permitted landowner.

Additional obligations of a landowner with regard to well maintenance and abandonment of wells can be found at Oregon Revised Statutes 537.747 to 537.795 and Oregon Administrative Rules Chapter 690, Division 200 to 240.

Signature of Property Owner(s): Paula Bond Operations Manager

State of CALIFORNIA, County of CONTRA COSTA

This instrument was acknowledged before me on AUGUST 28TH, 2004 by PAULIA BOND

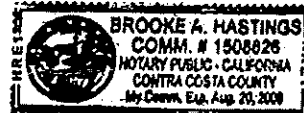
(name of person(s) as PERSONAL UNASSISTED CAP type of authority - (if applicable) of GAE
(name of party on behalf of whom instrument was executed - (if applicable))

Before Me:

BROOKE A. HASTINGS County Clerk Seal, if any:

Notary Public for CALIFORNIA COUNTY OF CONTRA COSTA

My commission expires AUGUST 20, 2008



Recording Office Use Only

I hereby certify this copy to be a true and correct copy of the original now recorded in my office.

SEP 13 2004

Christine Miller County Clerk
Deputy

STATE OF OREGON

I hereby certify that the attached was received and duly recorded by me in Lin County records.

SEP 13 2004

CH Deputy PAGE 850

SEP 13 2004 6:30 O'clock a.m.

SEP 13 2004

STATUTORY WARRANTY DEED

LOUIS E. BOND and GOLDIE M. BOND, husband and wife, Grantors, hereby convey and warrant to G B ENTERPRISES LLC, an Oregon limited liability company, Grantee, the real property located in Linn County, Oregon, which is described on Exhibit "A" attached hereto, free of encumbrances other than encumbrances of record on the date of this conveyance and those matters which would be shown by an accurate survey or inspection of the premises:

The true consideration for this conveyance is \$0.00.

This instrument will not allow use of the property described in this instrument in violation of applicable land use laws and regulations. Before signing or accepting this instrument, the person acquiring fee title to the property should check with the appropriate city or county planning department to verify approved uses and to determine any limits on lawsuits against farming or forest practices as defined in ORS 30.930.

DATED this 30 day March, 1999.

GRANTORS. LOUIS E. BOND and GOLDIE M. BOND

Louis E. Bond
Louis E. Bond

Goldie M. Bond
Goldie M. Bond

STATE OF OREGON)
County of Jackson) ss.

The foregoing instrument was acknowledged before me this 30th day of March, 1999, by LOUIS E. BOND, Grantor.

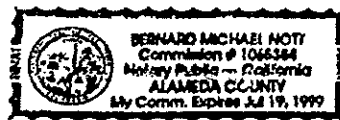


WITNESS my hand and official seal.

Laurie Bradley
Notary Public
My Commission Expires _____

STATE OF California)
County of Alameda) ss.

The foregoing instrument was acknowledged before me this 14 day of April, 1999, by GOLDIE M. BOND, Grantor.



WITNESS my hand and official seal.

Bernard Michael Noty
Notary Public
My Commission Expires 7-19-99

✓ After recording, please return to:
Stephen G. Jamieson, Esq.
2592 E. Barnett Road
Medford, OR 97504

Until a change is requested, all tax statements should be sent to Louis E. Bond, Manager, 1395 Poplar Drive, Medford, Oregon, 97504.

EXHIBIT "A" TO STATUTORY WARRANTY DEED

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SAVE AND EXCEPT: Beginning at the centerline Station P.T. 80+62.70 of Linn County Market Road No. 118 being North 00°20'30" West 257.15 feet from the Northwest corner of the Joseph Hamilton Donation land Claim No. 53 in the North one half of Section 8, Township 12 South, Range 4 West, Willamette Meridian, Linn County, Oregon; running thence North 89°39'30" East 25 feet to a 1/2 inch iron rod on the Easterly right of way line of said County Road No. 118; thence North 67°37'59" East 109.02 feet to a 5/8 inch iron rod; thence North 37°01'42" East 52.24 feet to a 5/8 inch iron rod; thence North 17°40'48" East 24.28 feet to a 5/8 inch iron rod; thence North 01°27'23" West 128.84 feet to a 5/8 inch iron rod, being South 01°27'23" East from and in reference to the centerline of the main channel of Owl Creek; thence North 01°27'23" West 43.00 feet to the centerline of said main channel of Owl Creek; thence South 88°39'51" West 109.49 feet along the center line of said main channel of Owl Creek to a point referenced by a 5/8 inch iron rod South 23.00 feet; thence continuing along the centerline of said main channel of Owl Creek North 51°33'15" West 67.45 feet to a point, said point on the creek centerline being North 00°20'30" West of a 1/2 inch iron rod; thence leaving said creek centerline South 00°20'30" East 43.77 feet to said 1/2 inch iron rod; thence South 00°20'30" East 131.08 feet to the Easterly Northeast corner of Donation Land Claim No. 51; thence South 00°20'30" East 139.00 feet to the point of beginning.

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STATE OF OREGON
County of Linn

I hereby certify that the attached
was received and duly recorded
by me in Linn County records.

STEVE DRUCKENMILLER
Linn County Clerk

By SA Deputy

W
N
E
A
O

MP 1029
47

PAGE

8:20 O'clock a.m. 40

APR 23 1999

CLERK
Copy to be a true
copy of the original now
in my possession
STEVE DRUCKENMILLER
Linn County Clerk
02-23-10
Deputy

Return To: Gary Moller
33125 White Oak Dr. #
Corvallis, OR 97333

VOL. 1623 PAGE 850

STATE OF OREGON WELL INFORMATION FORM
(FILE WITH COUNTY CLERK'S OFFICE)

Pursuant to ORS 537.788, owners of property on which a well is located shall, within 60 days following the construction and/or alteration of a new well or upon property transfer, record the following information in the property deed records at the appropriate County Clerk's Office. Either the deed recording number or legal description of the property may be used to identify the property.

Property Owner Name(s): G.B. Enterprises LLC
Mailing Address: 2100 Olinda Way # 308, Olinda, CA 94563
Deed Recording Number (or legal description): State 861, 1029-47
Map 125 4W 8 1029-47
Well Identification Number(s): L70782

Limited Rights and Obligations: Most uses of water in Oregon require a water right permit issued by the Oregon Water Resources Department. However, some uses of ground water are exempt from permitting requirements under Oregon Revised Statutes 537.545.

Whether or not a use of ground water is exempt from permitting requirements, a landowner is responsible for maintaining any well on the landowner's property in proper condition so that a well does not pose a health threat or health hazard, and does not contaminate or serve as a source of waste of the ground water resource by allowing loss of artesian pressure or commingling of aquifers.

Wells may be permanently abandoned by licensed and bonded well constructors or a bonded and permitted landowner.

Additional obligations of a landowner with regard to well maintenance and abandonment of wells can be found at Oregon Revised Statutes 537.747 to 537.795 and Oregon Administrative Rules Chapter 690, Division 200 to 240.

Signature of Property Owner(s): Paula Bond Operations Manager GBE

State of CALIFORNIA, County of CONTRA COSTA

This instrument was acknowledged before me on AUGUST 28th, 2004 by PAULA BOND

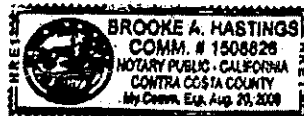
(name of person(s) as OPERATIONS MANAGER GBE type of authority - (if applicable) of GBE
(name of party on behalf of whom instrument was executed - (if applicable))

Before Me:

BROOKE A. HASTINGS County Clerk Seal, if any:

Notary Public for CALIFORNIA, County of CONTRA COSTA

My commission expires AUGUST 20, 2008



Recording Office Use Only

ONE COPY OF THIS COPY TO BE A TRUE COPY OF THE ORIGINAL NOW
RECORDED IN MY OFFICE
BY DEVE BRUCKENMILLER
Deputy
County Clerk
Date 02-23-10

SEP 13 2004 9:30 O'clock a.m.
MF 1623
850
Deputy PAGE

VOL 1029 PAGE 47

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DATED this 30 day March, 1999.

GRANTORS: LOUIS E. BOND and GOLDIE M. BOND

Louis E. Bond
Louis E. Bond

Goldie M. Bond
Goldie M. Bond

STATE OF OREGON)
) ss.
County of Jackson)

The foregoing instrument was acknowledged before me this 30th day of March, 1999, by LOUIS E. BOND, Grantor.

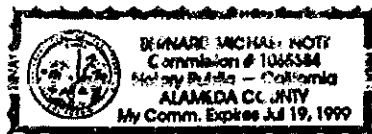


WITNESS my hand and official seal.

Laurie Bradley
Notary Public
My Commission Expires _____

STATE OF California)
) ss.
County of Alameda)

The foregoing instrument was acknowledged before me this 14 day of April, 1999, by GOLDIE M. BOND, Grantor.



WITNESS my hand and official seal.

Bernard Michael
Notary Public
My Commission Expires 7-19-99

✓ After recording, please return to:
Stephen G. Jamieson, Esq.
2592 E. Barnett Road
Medford, OR 97504

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STATE OF OREGON
County of Linn

I hereby certify that the attached
was received and duly recorded
by me in Linn County records.

STEVE DRUCKENMILLER
Linn County Clerk

By DA, Deputy PAGE 47

8:30 O'clock a.m.

APR 23 1999

copy to be a true
copy of the original now
in office.
STEVE DRUCKENMILLER
County Clerk
Deputy
02-23-10
Christine Miller

Return To: Gary Mohler
33125 White Oak Dr. #
Corvallis, OR 97333

VOL. 1623 PAGE 850

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(FILE WITH COUNTY CLERK'S OFFICE)

Pursuant to ORS 537.788, owners of property on which a well is located shall, within 60 days following the construction and/or alteration of a new well or upon property transfer, record the following information in the property deed records at the appropriate County Clerks Office. Either the deed recording number or legal description of the property may be used to identify the property.

Property Owner Name(s): GB Enterprises LLC
Mailing Address: 216 Oliver Way # 308, Orinda, CA 94563
Deed Recording Number (or legal description): Sub 866, Map 1254W 8, Tax Lot 1703, Map 1029-47
Well Identification Number(s): L70782

Limited Rights and Obligations: Most uses of water in Oregon require a water right permit issued by the Oregon Water Resources Department. However, some uses of ground water are exempt from permitting requirements under Oregon Revised Statutes 537.545.

Whether or not a use of ground water is exempt from permitting requirements, a landowner is responsible for maintaining any well on the landowner's property in proper condition so that a well does not pose a health threat or health hazard, and does not contaminate or serve as a source of waste of the ground water resource by allowing loss of artesian pressure or commingling of aquifers.

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Signature of Property Owner(s): Paula Bond, Operations Manager GBE

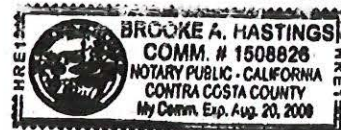
State of CALIFORNIA, County of CONTRA COSTA

This instrument was acknowledged before me on AUGUST 29TH, 2004 by PAULA BOND

(name of person(s) as OPERATIONS MANAGER GBE type of authority - if applicable) of GBE
(name of party on behalf of whom instrument was executed - if applicable)

Before Me:

BROOKE A. HASTINGS Commissioner Seal, if any:
Notary Public for STATE OF CALIFORNIA, COUNTY OF CONTRA COSTA
My commission expires AUGUST 20, 2008



Recording Office Use Only

STATE OF OREGON
COUNTY OF CONTRA COSTA
I hereby certify this copy to be a true, correct copy of the original now on record in my office.
STEVE BRUCKENMILLER
County Clerk
Deputy
02-23-10
SEP 13 2004
8:30 O'clock a.m.
MF 1623
850
Deputy PAGE



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Central Region
116 S.E. Dorian Avenue
Pendleton, OR 97801
Phone (541) 278-5456
FAX (541) 278-0287

APRIL 7, 2010

G B ENTERPRISES, LLC

attn: Paula Bond and/or JEFF SHAPIRO

21 C ORINDA WAY, #308

ORINDA, CALIFORNIA 94563

SUBJECT: Water Right Transfer Application T-10400

Your water right transfer is in one of three phases of processing. Please find enclosed a draft of our Preliminary Determination regarding Transfer Application T-10400. The document reflects the Department's conclusion that, based on the information currently available, the transfer will be approved.

Items needed before the next phase of processing...

Please review the draft carefully to familiarize yourself with any requirements and evaluate whether the document is consistent with your intent in seeking the transfer. Please respond in writing by the deadline provided below, whether you agree with the proposed action and whether there are any typographical errors that need to be corrected.

A report of landownership for the lands to which the water right is appurtenant is required. We have received your report via an e-mail attachment from your Certified Water Rights Examiner Tyler Parsons, and meets the requirements for determining the ownership of the portion of water right Certificate 32460 involved in the transfer. Thank you.

Conditions to your water right...

The Department has determined that each new wells tap into the same (aquifer) water bearing zone as that of the original well #1 listed in Certificate 32460. At this time, the Watermaster is not requiring a flowmeter be installed on any of these but we may require one in the future.

Please look at Condition #8 on page 4, which sets a date for completion of the change. If the required completion date is insufficient to comply with any of the requirements listed in this document, you may extend the date at no cost to you during this stage of processing. Please let me know by the comment deadline so we can make the proper arrangements to get you the time you need.

What happens next...

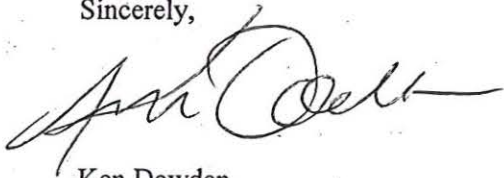
Once the preliminary determination is issued a publication period is required. Because the new points of appropriation is more than ¼ mile from the authorized point of appropriation, the applicant is responsible for publishing notice of the transfer in a local newspaper having a general circulation in the area of the water right. The notice must be published at least once a week for three consecutive weeks. We will provide a copy of the required notice to you upon issuance of the Preliminary Determination, which is the next document to come out of Salem.

Once the preliminary determination is issued, a publication period is required. The Department will publish a notice in their weekly publication, which opens a 30-day period in which the transfer can be protested.

Issuance of the Preliminary Determination will occur shortly after we receive your written response to the conditions and proposed action in the draft Preliminary Determination (e-mail is acceptable). **If we do not receive your response and the report by May 7, 2010, a Preliminary Determination may be issued denying the application as incomplete.**

Please do not hesitate to contact me at 541-278-5456 or Ken.D.Dowden@wrд.state.or.us if I may be of assistance.

Sincerely,



Ken Dowden
Transfer Specialist
Field Services Division

cc: Mike Mattick, District 2 Watermaster
Tyler B. Parsons, CWRE → address: 1915 S.E. Stone St., Corvallis, Oregon. 97333
File T-10400

enc

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

In the Matter of Transfer Application
T-10400, Linn County

) **D R A F T**
)
) PRELIMINARY DETERMINATION
) PROPOSING APPROVAL OF A
) CHANGE IN PLACE OF USE, POINT
) OF APPROPRIATION AND PARTIAL
) CANCELLATION OF THE WATER
) RIGHT

Authority

ORS 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use authorized under an existing water right. OAR Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

ORS 540.621 establishes the process for the owner of land to which a water right is appurtenant to certify under oath that the water right, or a portion thereof, has been abandoned and to voluntarily request that it be cancelled.

Applicant

G. B. ENTERPRISES, LLC
21 C ORINDA WAY, #308
ORINDA, CALIFORNIA 94563

Findings of Fact

Background

1. On June 4, 2007, Paula Bond of G.B. Enterprises, LLC, filed an application to change the place of use and point of appropriation under a portion of Certificate 32460. The Department assigned the application number T-10400.
2. The portion of the right to be transferred is as follows:
 - Certificate:** 32460 in the name of R.G. GATES (perfected under Permit G-1573)
 - Use:** IRRIGATION of 4.5 ACRES
 - Priority Date:** APRIL 12, 1960
 - Rate:** 0.057 CUBIC FEET PER SECOND (cfs)
 - Limit/Duty:** The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: WELL #1 within the OWL CREEK BASIN (Willamette River)

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q - Q	DLC	Survey Coordinates
12 S	4 W	WM	8	NW SE	53	6.25 CHAINS SOUTH and 6.0 CHAINS EAST FROM NW CORNER of HAMILTON DLC 53

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q - Q	DLC	Acres
12 S	4 W	WM	8	SW NE	38	2.6
12 S	4 W	WM	8	SE NW	38	1.9

3. Transfer Application T-10400 proposes to change the PLACE OF USE to a different configuration within the same quarter quarters to:

IRRIGATION w/in a Manufactured Home Park						
Twp	Rng	Mer	Sec	Q - Q	DLC	Acres
12 S	4 W	WM	8	SW NE	38	3.4
12 S	4 W	WM	8	SE NW	38	1.1

4. Transfer Application T-10400 also proposes to change the point of appropriation from Well#1 approximately 460 feet northeast to Well#4, and 1,850 feet north to Wells #2 & #3 located:

Twp	Rng	Mer	Sec	Q - Q	DLC	Survey Coordinates
12 S	4 W	WM	8	NW NE	38	WELL #2 - 1880 FEET NORTH and 580 FEET EAST FROM THE SW CORNER of BOND DLC 38
12 S	4 W	WM	8	NW NE	38	WELL #3 - 1650 FEET NORTH and 450 FEET EAST FROM THE SW CORNER of BOND DLC 38
12 S	4 W	WM	8	SW NE	38	WELL #4 - 50 FEET NORTH and 700 FEET EAST FROM THE SW CORNER of BOND DLC 38

5. Notice of the application for transfer was published on June 12, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
6. The Department has determined that the proposed points of appropriation Well# 4 (LINN 56115), Well# 2 (LINN 54762) and Well# 3 (LINN 10651) will all develop the same source of water as the authorized existing Well# 1 (LINN 10647 and LINN 10652/deepening).

Transfer Review Criteria (OAR 690-380-4010)

7. Water has been used within the last five years prior to the submittal of Transfer Application T-10400 according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
8. A well, pump, pipeline, and various sprinkler systems sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-10400.
9. The proposed changes would not result in enlargement of the right.

10. The proposed changes would not result in injury to other water rights.

Partial Cancellation of the Water Right

11. On March 18, 2010, Paula Bond, Operations Manager of G.B. Enterprises, LLC, owner of the property appurtenant to the following water right, has submitted a voluntary cancellation affidavit meeting the requirements of ORS 540.621.

The portion of the water right to be cancelled is described as follows:

Certificate: 32460 in the name of R.G. GATES (perfected under Permit G-1573)

Use: IRRIGATION of 3.6 ACRES

Priority Date: APRIL 12, 1960

Rate/Duty: 0.045 cfs, limited to ONE-EIGHTIETH of one cfs and 2.5 ACRE-FEET per each acre

Source: WELL #1 within the OWL CREEK BASIN (WILLAMETTE RIVER)

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q - Q	DLC	Survey Coordinates
12 S	4 W	WM	8	NW SE	53	6.25 CHAINS SOUTH and 6.0 CHAINS EAST FROM NW CORNER of HAMILTON DLC 53

PLACE OF USE TO BE CANCELLED						
Twp	Rng	Mer	Sec	Q - Q	DLC	Acres
12 S	4 W	WM	8	SW NE	38	2.6
12 S	4 W	WM	8	SE NW	38	1.0

Determination and Proposed Action

The changes in place of use and point of appropriation proposed in Transfer Application T-10400 appears to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000 and the abandoned portion of the right should be cancelled. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved and the abandoned portion of the right will be cancelled.

If application T-10400 is approved, the final order will include the following:

- 1. The changes in place of use and point of appropriation proposed in application T-10400 are approved. The portion of the right that has been abandoned is cancelled.*
- 2. The right to 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 Certificate 32460 and any related decree.*
- 3. Water right certificate 32460 is cancelled. A new certificate will be issued describing that portion of the right NOT affected by this transfer.*
- 4. Water from the new proposed wells shall be acquired from the same aquifer (water source) as the original point of appropriation Well #1 (LINN 10647 and LINN 10652/deepening).*

5. *The quantity of water diverted at the new points of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation.*
6. *The Director may require the water user to install a totalizing flow meter or other suitable measuring devices at each new point of appropriation. If the Director notifies the water user to install totalizing flow meters or other measuring devices, the water user shall install such devices specified by the Director within the period allowed in the notice. Once installed, the water user shall maintain the meters or measuring devices in good working order and shall allow the Watermaster access to the meters or measuring devices.*
7. *The former place of use of the transferred right shall no longer receive water under the right.*
8. *The approved changes shall be completed and full beneficial use of the water shall be made on or before **October 1, 2011**. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.*
9. *When satisfactory proof of the completed changes is received, a new certificate confirming the right transferred will be issued.*

Dated at Salem, Oregon this ____ day of _____ 2010.

D R A F T

Phillip C. Ward, Director

<p>This draft Preliminary Determination was prepared by Ken Dowden. If you have questions about the information in this document, you may reach me at 541-278-5456 or Ken.D.Dowden@wrdd.state.or.us.</p>

Ken Dowden

From: Tyler Parsons [Tyler@Parsons-Surveying.com]
Sent: Tuesday, January 26, 2010 2:35 PM
To: Ken Dowden
Subject: GB Enterprises (T-10400)
Attachments: 10400- Cert 32460_partCancel.pdf; bondRev2009-4p1.pdf; bondRev2009-4p2.pdf

Ken,

I believe I have fixed the maps to your satisfaction. Please check.
Should the work Forfeit be changed to Abandoned?

Do we need to change any references to Wells 2 and 3 in the Application?

Amended pages in the Transfer Application. Please verify.
Supplemental Form A,

Page 4:

Change Source from 2 wells back to Well1?

Change Acres SENW to 1.9

Change Acres SWNE to 2.6

Page 6:

Change Acres SENW to 1.1

Change Acres SWNE to 3.4

Supplemental Form B

Change Acres SWNE to 2.6

Change Acres SENW to 1.9

Cancellation Affidavit

I've changed the acreages to correspond to the forfeited areas per the map (3.6 acres), and the use corresponding to 1/8 cfs/acre (0.045 cfs).

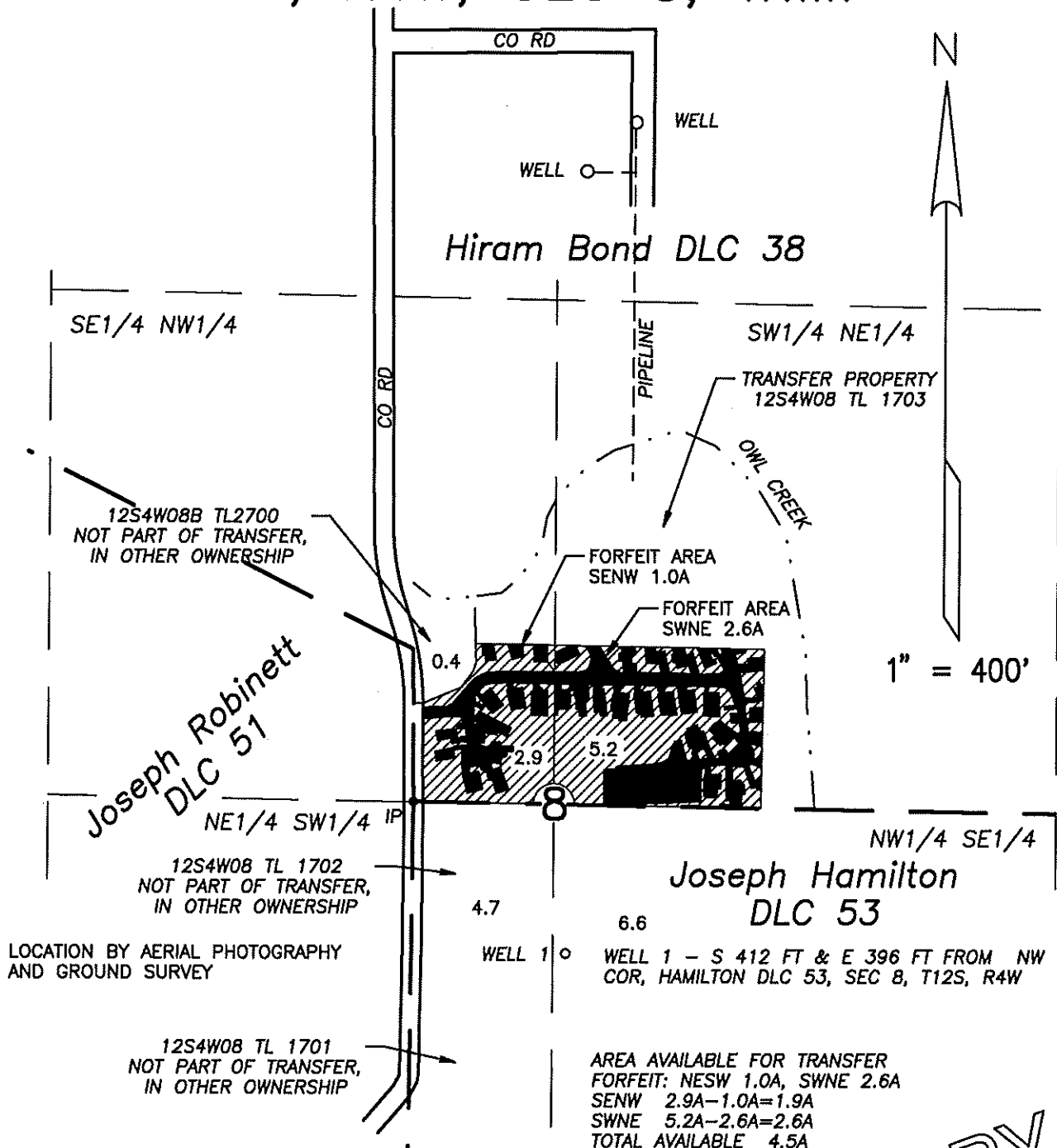
Anything else I've missed?

--
Tyler Parsons
Parsons Surveying
1915 SE Stone Street
Corvallis, OR 97333
541-752-7515 voice & fax
541-740-0261 mobile
Tyler@Parsons-Surveying.com
<http://www.parsons-surveying.com>

MOST OKAY
E-MAILED RESPONSE 1/27/2010

1/26/2010

T12S, R4W, SEC 8, W.M.



Revised 1/22/2010
 Revised 5/18/2007
 Prepared 1/29/2007
 PARSONS SURVEYING
 1915 S.E. Stone St.
 Corvallis, OR 97333
 541-752-7515
 Project No. 0636

This map is for location of Water Right Application only and does not constitute a boundary survey.

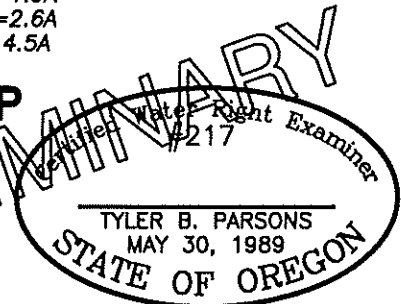
TRANSFER APPLICATION MAP

IN THE NAME OF

GB Enterprises LLC

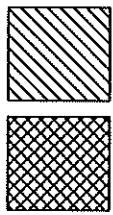
Permit G-1573 Dept. 32460

SHEET 1 OF 2



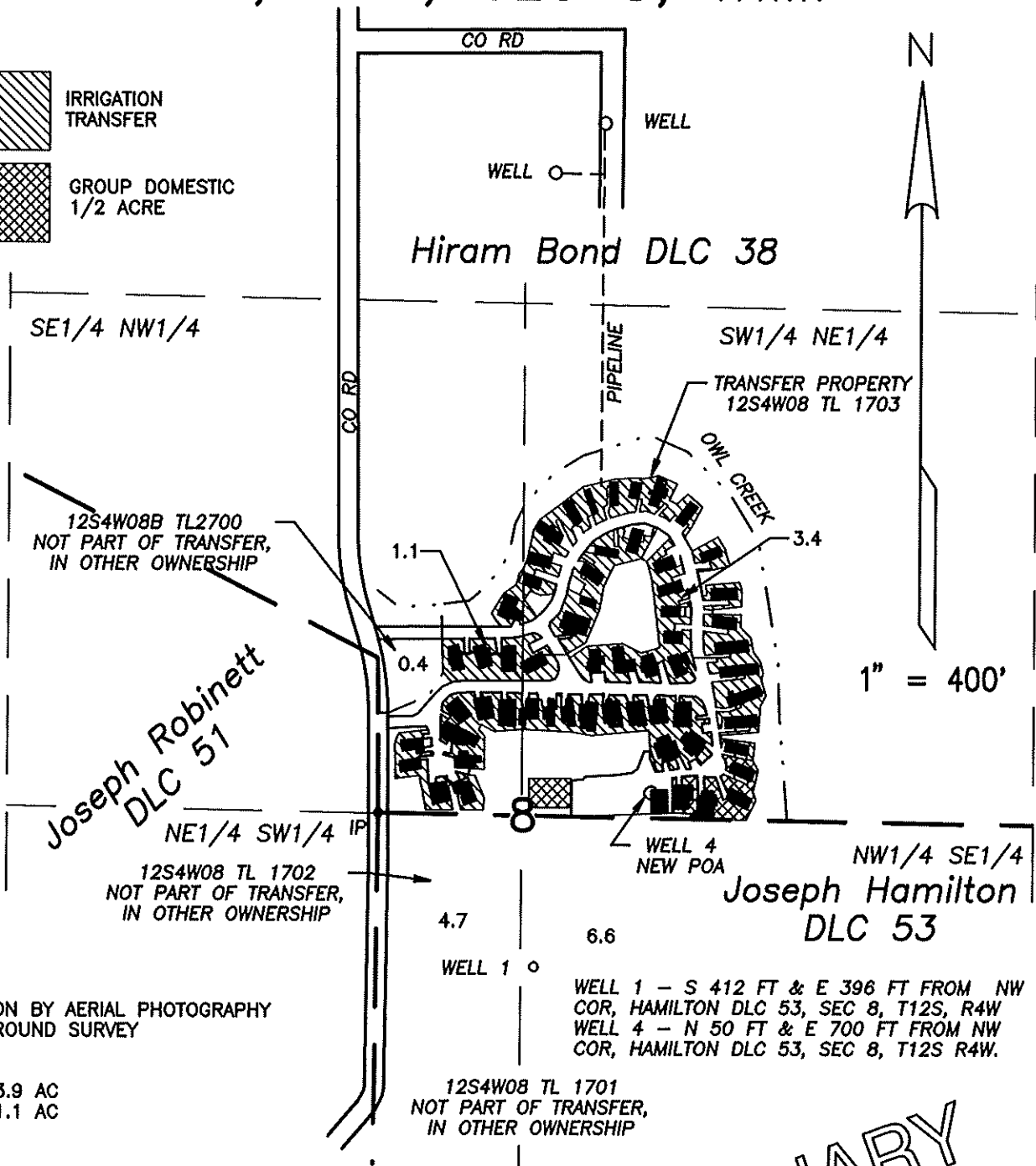
EXP: 12/31/2010

T12S, R4W, SEC 8, W.M.



IRRIGATION
TRANSFER

GROUP DOMESTIC
1/2 ACRE



LOCATION BY AERIAL PHOTOGRAPHY
AND GROUND SURVEY

POU:
SWNE 3.9 AC
SENE 1.1 AC

Revised 1/22/2010
Revised 5/18/2007
Prepared 1/29/2007
PARSONS SURVEYING
1915 S.E. Stone St.
Corvallis, OR 97333
541-752-7515
Project No. 0636

This map is for location of Water Right Application
only and does not constitute a boundary survey.

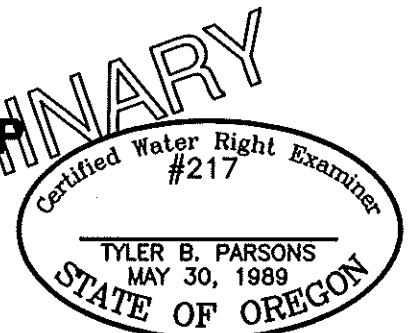
TRANSFER APPLICATION MAP

IN THE NAME OF

GB Enterprises LLC

Permit G-1573 Cert. 32460

SHEET 2 OF 2



EXP: 12/31/2010

Ken Dowden

From: Michael Mattick
Sent: Friday, April 02, 2010 1:41 PM
To: Ken Dowden
Subject: Ownership info T-10400

Hey Ken,

Back around March 12, you left me message wanting ownership info on some lands associated with this transfer. You were probably clear in your message, but I am not positive what you wanted. I figure it is the ownership of the unaffected part of the water right.

That is T 12 S, R 4 W, Sec 8, t1s 1701 and 1702. They are both owned by:

Leroy Richey
33027 SW White Oak Rd.
Corvallis, OR 97333.

I'll call you in a minute to see if that's what you needed,
Be Well,
MM

Michael J. Mattick
District 2 Watermaster
ph 541 682-3620
fax 541 746-1861
220 5th St, Springfield, OR 97477
generally open 8:30 am until 4:00 pm
Water Resources Department Web Page: www.wrd.state.or.us

*THIS IS RR PORTION
for 11.3 acres*

4/5/2010

Ken Dowden

From: Michael Mattick
Sent: Friday, April 02, 2010 3:31 PM
To: Ken Dowden
Subject: Ownership Tr 10400

Hi Ken,

Here is what I find for 12S 4W Sec 8B, T1 2700:

Loraine C. Smith
33115 SE White Oak Rd
Corvallis, OR 97333-2508

Good Luck,
MM

Michael J. Mattick
District 2 Watermaster
ph 541 682-3620
fax 541 746-1861
220 5th St, Springfield, OR 97477
generally open 8:30 am until 4:00 pm
Water Resources Department Web Page: www.wrd.state.or.us

THIS IS LAND
for RR PORTION = 0.4 acres

4/5/2010



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Central Region
116 S.E. Dorian Avenue
Pendleton, OR 97801
Phone (541) 278-5456
FAX (541) 278-0287

October 22, 2009

G. B. ENTERPRISES, LLC
attn: JEFF SHAPIRO
21 "C" ORINDA WAY, #308
ORINDA, CALIFORNIA 94563

SUBJECT: Water Right Transfer Application T-10400

Dear Mr. Shapiro,

Thank you for taking the time to discuss this water right transfer application with me. As discussed, I am examining your water right transfer application for a CHANGE IN PLACE OF USE and POINT OF APPROPRIATION under a portion of water right Certificate 32640. There are a couple of issues that need to be resolved before I can continue processing your transfer.

First, the "FROM" lands map (sheet 1 of 2) appears to suggest that the entire 8.1 acres contained in both the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ and the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ in Section 8 are subject to transfer. In other words, the application has been submitted making the claim that the 8.1 acres has been irrigated under the terms and conditions of the certificate, and the evidence was submitted to establish that the water has been put to a beneficial use (irrigation) on the entire place of use at least in one of the five years prior to submitting the transfer. Oregon water law states that a water right or portion thereof has been forfeited if there has been no beneficial use of water (*abandoned*) within a five year consecutive time frame, and is considered forfeited because of non-use. Enclosed is a copy of Oregon Revised Statute ORS 540.610 which speaks to non-use.

The evidence of use that you have submitted to support the application demonstrates two things: 1) that the residents have been there many years, and 2) that the use of water has been for just those lands the residents have been watering. As discussed, it is apparent that the park has been in existence for many years and that the roads, concrete pads and manufactured home dwellings are clearly not irrigated lands and therefore cannot be counted towards the beneficial use calculation.

In our discussion involving the "TO" lands map (sheet 2 of 2), it appears obvious that the map represents the long term, historical water use within the park. To that end, in order for the Department to approve this transfer, only the amount of acreage that has been used within the five years prior to the 2007 filing is the amount that may be considered for transfer. At this point, the Department recommends working with your certified water rights examiner (CWRE), Mr. Parsons, to determine what acreage amounts are wrapped up in roads, concrete pads and manufactured homes. This amount must be withdrawn from the application and should therefore be canceled. If you concur that those lands have not been irrigated under the water right for several years and are subject to forfeiture, then please review the enclosed voluntary cancellation affidavit which will assist you in canceling the forfeited portions.

Should you proceed with the partial cancellation of the right as recommended, the application should be amended to describe the actual amount that may be transferred. I have roughly calculated approximately 2.90 acres must be cancelled, being 2.00 acres within the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$, and 0.90 acres within the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$, both in Section 8, of T 12 S, R 4 W, W.M.. This calculation is based on the use of a scaled aerial photo and using an average assumption that each manufactured home is approximately 35 feet by 55 feet. Most roadways are appearing to be 30 foot wide right of ways. Again, any portion of the

water right that has not been exercised in the five years prior to submitting the transfer application is presumed forfeited and cannot be considered for transfer. The amount of acres would then be "shaved" off on the "TO" lands map, representing the adjusted acreage amount being transferred. This can only be accomplished by working with your CWRE to amend the application map. Furthermore, as discussed, the 8.1 acre portion of Certificate was entitled to 0.102 cubic foot per second, or 45.9 gallons per minute. This is based on the rate of 1/80th of one cubic foot per second per each acre irrigated described in the certificate, also enclosed. The cancellation of the 2.9 acres would mean then that the water right portion to be transferred would now be limited to 0.066 cfs or approximately 29.48 gallons per minute.

Second, the application and map indicates the previous use of certain Wells #2 and #3. Water right Certificate 32460 does not authorize the use of Wells #2 and #3. Although not a fatal flaw, these wells cannot be considered for either flow calculations or same source determinations, because they are found to be tapping into the same groundwater bearing zone as Well #1, and the application file does include enough information on the use of the authorized Well #1 to move forward. As we discussed, you may also want to amend the application by written request to include a change in point of appropriation to include Wells #2 and #3, in addition to Well #4. The total above described 29.48 gallons per minute would then be permitted to be pumped in any combination from Wells #2, #3 and #4, upon final approval of the transfer. Enclosed is a partially filled out Supplemental Form "A" form to complete in which to add these two wells.

Also as discussed, please keep in mind that under ORS 540.545 (1)(b)(d), you are entitled to 15,000 gallons per day for group domestic within the park and watering of a lawn and non-commercial garden area of up to ½ acre total from your well as an exemption, not requiring a water right. The delivery is then limited to the ½ acre in area per well (#4), per each tax lot. Wells #2 and #3 cannot be added to add additional 15,000 gallons per day or multiply the ½ acre, because the limitation is one well per each tax lot.

Please make the above described needed amendments/corrections to the enclosed original application and map. If you should have any questions regarding the above information, please feel free to contact me at (541) 278-5456, or by my e-mail at Ken.D.Dowden@wr.d.state.or.us.

Sincerely,



Ken Dowden
Field Services Division

cc: Mike Mattick, District 2 Watermaster
Tyler B. Parsons, CWRE → address: 1915 S.E. Stone St., Corvallis, Oregon. 97333

enc

T-10400

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

ORIGINAL APPLICATION
SENT OUT TO APPLICANT
ON OCTOBER 22, 2009 and
HAVE INADVERTENTLY BEEN MISPLACED.
FOLLOWING PAGES of BEGINNING
PART of APPLICATION ARE COPIES
of ORIGINALS.

4/8/2010

RECEIVED BACK 4/12/2010

WOODLAND MOBILE HOME PARK

AN OVER 55 MOBILE HOME COMMUNITY • A GB ENTERPRISES PROPERTY • 33125 WHITE OAK DRIVE • CORVALLIS, OR 97333

June 1, 2007

Sarah Henderson
Water Resources Department
725 Summer St NE Suite A
Salem, OR 97301 1266

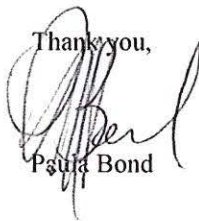
RE Water Right Transfer Application

Dear Ms. Henderson,

Enclosed please find our revised Application with an updated page 6 of Supplemental Form A and the revised maps showing the "from" locations and resolving the missing .2 acre issue listed in your April 18, 2007 letter. As discussed, I also re-dated and initialed page 6 of the Transfer Application and enclosed the check for the application fee.

Thank you for your time and assistance in this matter. Please let me know if any other information is required to process the application.

Thank you,



Paula Bond

T 10400

RECEIVED

JUN 04 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 Water Right Transfer

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 TRANSFER APPLICATION

Please check one	
<input checked="" type="checkbox"/> Permanent Transfer	<input type="checkbox"/> Instream Transfer
<input type="checkbox"/> Temporary Transfer	<input type="checkbox"/> Permanent
• total number of years: _____	<input type="checkbox"/> Time-Limited
(begin year: _____)	<input type="checkbox"/> Drought Transfer
(end year: _____)	<input type="checkbox"/> Other

2. APPLICANT INFORMATION

Name: GB ENTERPRISES, LLC
First Last
 Address: 21 C ORINDA WAY # 308
ORINDA CA 94563
City State Zip
 Phone: 510-318-1547 925-254-3541
Home Work Other
 Fax: 925-254-8325 E-Mail address: pmbo@pacbell.net

3. AGENT INFORMATION

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

Name: PAULA BOND
First Last
 Address: SAME
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.

RECEIVED

JUN 04 2007

WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED

APR 16 2007

WATER RESOURCES DEPT
SALEM, OREGON

4. PROPOSED CHANGE(S) TO WATER RIGHT(S)

- List **all** water rights to be affected by this transfer. Indicate the certificate, permit, decree or other identifying number(s) in the table below: (Attach additional pages as necessary.)

	Application / Decree	Permit / Previous Transfer	Certificate
1.	G-1715	G-1573	32460
2.			
3.			
4.			
5.			
6.			

- Attach a **separate Supplemental Form A** (Description of Proposed Change(s) to a Water Right) for **each** water right listed above.
- Check **all** proposed change(s) included in this transfer application:
 - ☒ Place of Use ☐ Point of Diversion ☐ Additional Point of Diversion
 - ☐ Character of Use ☒ Point of Appropriation ☐ Additional Point of Appropriation
 - ☐ Instream Transfer ☐ Surface Water source to Ground Water source
- Reason(s) for change(s): CHANGE IN WELL LOCATION TO OWNED PROPERTY.
CHANGE IN PLACE OF USE TO COMMON AREAS, MOBILE HOME PARK

5. WATER DELIVERY SYSTEM

- Describe the **current** water delivery system **or** the system that **was in place** at some time **within the last 5 years**. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use. If the transfer involves multiple rights that have independent systems, describe each system separately.

The description must be sufficient to demonstrate that the full quantity of water to be transferred can be conveyed from the authorized source and applied at the authorized location and that the applicant is ready, willing, and able to exercise the right.

THE PREVIOUS SYSTEM CONSISTED OF 2 WELLS (WELLS 2 & 3) USED ALTERNATELY WITH 7 1/2 HP TURBINE PUMPS, 4" PVC MAINLINE TO MOBILE HOME PARK, RESERVE TANK, NEW WELL (#4) REPLACES 2 & 3. 3" PVC DISTRIBUTION SYSTEM TO INDIVIDUAL USERS, AND HAS A 7 1/2 HP TURBINE PUMP, STORAGE TANKS.

- System capacity: 0.32 cubic feet per second (cfs). If the transfer involves multiple rights that have independent systems, describe the capacity for each system separately.

RECEIVED

JUN 04 2007

RECEIVED

APR 16 2007

6. EVIDENCE OF BENEFICIAL WATER USE

- Attach one or more **Evidence of Use Affidavits** (Supplemental Form B) demonstrating that each of the right(s) involved in the transfer have been exercised in the last five years in accordance with the terms and conditions of the right or that a presumption of forfeiture for non-use could be rebutted. The Evidence of Use Affidavit(s) **must include supporting documentation** such as the following:
 - ▶ Copies of receipts from sales of irrigated crops or for expenditures relating to use of water;
 - ▶ Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers;
 - ▶ Dated aerial photographs of the lands or other photographs containing sufficient detail to establish location and date of the photograph; **or**
 - ▶ If the right has **not** been used during the past five years, documentation that the presumption of forfeiture would be rebutted under ORS 540.610(2).

7. AFFECTED DISTRICTS AND LOCAL GOVERNMENTS

- Are any of the water rights proposed for transfer located within or served by an irrigation or other water district? ☐ Yes ☒ No
- Will any of the water rights be located within or served by an irrigation or other water district after the proposed transfer? ☐ Yes ☒ No
- Is water for any of the rights supplied under a water service agreement or other contract for stored water with a federal agency or other entity? ☐ Yes ☒ No

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

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

Linn County, 300 SW 4th Ave, P.O. Box 100
ALBANY, OR 97321

RECEIVED

JUN 04 2007

WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED

APR 16 2007

Last revised: 1/4/2007

Transfer Application/3

WATER RESOURCES DEPT
SALEM, OREGON

T 10400

8. LAND OWNERSHIP

- Does the applicant own the lands **FROM** which the right is being transferred? ☒ Yes ☐ No

If "No", provide the following information. For Temporary Transfers, also include a notarized statement granting consent to the transfer from each of the landowners:

Names of Current Landowner(s): _____
First Last

Address: _____

City State Zip

- Does the applicant own the lands **TO** which the right is being transferred?

☒ Yes ☐ No ☐ N/A - NOT APPLICABLE TO INSTREAM TRANSFERS

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.

☐ N/A. (Not applicable. Application is for an Instream Water Right Transfer.)

RECEIVED

APR 16 2007

RECEIVED WATER RESOURCES DEPT
SALEM, OREGON

JUN 04 2007

WATER RESOURCES DEPT
SALEM, OREGON

Last revised: 1/4/2007

Transfer Application/4

FS

T 10400

9. ATTACHMENTS

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

Supplemental Form A –

Description of Proposed Change(s) to a Water Right

- ☒ A separate Supplemental Form A is enclosed for each water right to be affected by this transfer.

Supplemental Form B –

Evidence of Use Affidavit(s)

- ☒ At least one Evidence of Use Affidavit documenting that the right has been used during the last five years or that the right is not subject to forfeiture under ORS 540.610 is attached. The affidavit provided must be the original (not a copy), and
- ☒ The Evidence of Use Affidavit must be accompanied by supporting documentation.

Map

☒ Water Right Transfer

The map must be prepared by a Certified Water Right Examiner and meet the requirements of OAR 690-380-3100 unless a waiver has been granted. The map provided must be the original, not a copy.

☐ Temporary Transfer or Historical POD Change

A map meeting the requirements of OAR 690-380-3100 must be included but need not be prepared by a Certified Water Right Examiner.

Water Well Report(s)/Well Log(s):

- ☒ The application is for a change in point of appropriation or change from surface water to ground water and copies of all water well reports are attached.
- ☐ 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.
- ☐ 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.)

Land Use Information Form:

- ☒ Enclosed; *or*
- ☐ Not Required if all of the following are met:
- 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, *and*
 - ④ Irrigation only.

Fees:

- ☐ Amount enclosed: \$ 700.00
See the Department's Fee Schedule at www.wrd.state.or.us or call (503) 986-0900.

Instream Water Right Transfers, also include:

Supplemental Form C –

Instream Water Right Transfer

- ☐ Complete this form to describe the desired nature and attributes for the proposed instream water right.

Temporary Transfers, also include:

Recorded Deed:

- ☐ The applicant must submit a copy of the current deed of record for the land **from** which the authorized place of use or point of diversion/appropriation is being moved.

Affidavit of Consent:

- ☐ If the applicant is **NOT** the owner of record for the land **from** which the authorized place of use or point of diversion/appropriation is being moved, a notarized statement from the actual owner of record consenting to the proposed transfer must be submitted.

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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 right.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.

10. SIGNATURES

▪ Check one of the following, as appropriate, and sign the application in the signature box below:

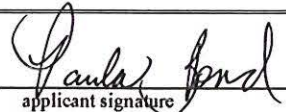
☒ In accordance with OAR 690-380-3000(13)(a), I (we) understand that prior to Department approval of a permanent transfer and upon my receipt of a draft Preliminary Determination for the proposed transfer, I (we) will be required [pursuant to OAR 690-380-4010(5)] to provide the following landownership information and evidence demonstrating that I (we) are authorized to pursue the transfer:

- (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 transfer 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 agreement and identification of the owner of the lands at the time the agreement was recorded must be submitted; and*
- (c) If the landowner identified in the report of ownership and lien information is not the applicant, a notarized statement consenting to the transfer (*attached*) signed by the landowner identified in the report or an authorized representative of the entity to whom the interest in the water right has been conveyed as identified in a water right conveyance agreement or other documentation demonstrating that the applicant is authorized to pursue the transfer in the absence of the consent of the landowner.

☐ 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 690-380-3000(13)(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 water right proposed for transfer is appurtenant by condemnation. Documentation is provided with this application supporting this statement. Therefore, pursuant to OAR 690-380-3000(13)(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 a transfer under this subsection if it has filed a condemnation action to acquire the property.)

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

 applicant signature	<u>Paula Bond</u> name (print)	<u>4/2/07</u> <u>4/1/07</u> date
 applicant signature	 name (print)	 date

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Last revised: 1/4/2007

Transfer Application/6

FS

T 10400

Water Right Transfer Supplemental Form A

DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT

List only one water right per page. A separate Supplemental Form A must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Attach additional copies of Supplemental Form A as needed to describe other certificates, permits, decrees or other rights involved in this transfer.

■ Certificate Number or other identifying number: 32460

1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

Point of Diversion or Appropriation	Place of Use	Character of Use
<input checked="" 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 transfer.) <input 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 transfer.) <input checked="" type="checkbox"/> Historic Point of Diversion or Appropriation Change (Unauthorized point of diversion or appropriation used for more than 10 years.) <input type="checkbox"/> Surface Water to Ground Water (A new point of appropriation will be used <u>instead of</u> the old point of diversion. The old point of diversion will <u>not</u> be used.) <input type="checkbox"/> Point of Diversion Change due to Government Action (The old point of diversion or appropriation can no longer be used due to government action.) <input type="checkbox"/> Exchange (Water from another source will be used in exchange for supplying an equal amount of replacement water to that source.)	<input type="checkbox"/> All of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.) <input checked="" type="checkbox"/> Only a portion of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.)	Proposed new use: <input checked="" type="checkbox"/> Irrigation <input type="checkbox"/> Municipal <input type="checkbox"/> Quasi-municipal <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Instream (complete and attach <i>Supplemental Form C</i>) <input type="checkbox"/> Domestic (indicate number of households) _____ <input type="checkbox"/> Other _____ <input type="checkbox"/> Substitution (A supplemental ground water right will be substituted for a primary surface water right.) <input type="checkbox"/> Supplemental Use to Primary Use (Primary water right shall be cancelled and the supplemental water right will change to primary use.)

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2. CURRENT WATER RIGHT INFORMATION

Water Right Subject to Transfer (check and complete one of the following):

<input checked="" type="checkbox"/> Certificated Right	<u>32466</u> <small>Certificate Number</small>	<u>G-1573</u> <small>Permit Number or Decree Name</small>
<input type="checkbox"/> Adjudicated, Non-certificated Right	 <small>Name of Decree</small>	 <small>Page Number</small>
<input type="checkbox"/> Permit for which Proof has been Approved	 <small>Permit Number</small>	 <small>Date Claim of Beneficial Use Submitted</small>
<input type="checkbox"/> Transferred Right for which Proof has been Filed	 <small>Previous Transfer Number</small>	 <small>Date Claim of Beneficial Use Submitted</small>

- Name on Permit, Certificate, or Decree: R.G. GATES
- County: LINN
- Authorized Use(s) to be Affected by Transfer: IRRIGATION
- Priority Date(s): APRIL 12, 1960

If there are multiple Priority Dates identified on the water right, any information provided on pages 3 through 6 of this form must identify which priority date is associated with each of the authorized and proposed points of diversion or appropriation and places of use.

- Source(s) of Water to be Affected by Transfer: WELL No 1 (AUTHORIZED)
WELLS 2 AND 3, (HISTORIC)

Tributary to: BOWL CREEK (WILLAMETTE RIVER)

If there are multiple Sources listed on the water right, any information provided on pages 3 through 6 of this form must identify which source is associated with each of the authorized and proposed points of diversion or appropriation and places of use.

For applications proposing a Change in Place of Use or Character of Use:

- Are there **Other Water Rights**, Permits or Ground Water Registrations associated with this land?

☐ Yes ☒ No ☐ N/A – No Change in Place of Use or Character of Use

If "Yes", what are the Permit, Registration or Certificate Numbers? N/A

Pursuant to ORS 540.510, any "layered" water use or a right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled, except as provided in OAR 690-380-2240(5).

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▪ Certificate Number or other identifying number: 32460

The following information **must be provided** only for those points of diversion or appropriation that **are involved in the transfer** (i.e., list only the portion of the water right you propose to transfer.) 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 water right.

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

(i.e., the allowed point(s) of diversion or appropriation listed on the water right that will be affected by the proposed transfer, the "FROM" point(s) of diversion or 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)
LINN 10647 LINN 10652	Well #1 4/12/1960	T12S	R4W	W.M.	8	NWSE	TL1702 DLC 53	5412.6' ± E 396 FT FROM NW COR DLC 53

- Does the water right being transferred 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 web page at: <http://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

3/11/2010 JAP
3/05/10
1/31/2010

▪ Certificate Number or other identifying number: 32460

The following information must be provided only for those points of diversion or appropriation that are involved in the transfer (i.e., list only the portion of the water right you propose to transfer.) 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 water right.

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

(i.e., the allowed point(s) of diversion or appropriation listed on the water right that will be affected by the proposed transfer, the "FROM" point(s) of diversion or 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)
LINN 10647 LINN 10652	WELL #1 APR 12, 60	12S	4W	WM	8	NW¼SE¼	1702 TL 53	3400 FT E 400 FT FROM NW COR DLC 53
LINN 10651	WELL #2 HISTORIC	12S	4W	WM	8	NW¼NE¼	30	N 1780 FT E 580 FT FROM NW COR DLC 53
LINN 54762	WELL #3 HISTORIC	12S	4W	WM	8	NW¼NE¼	38	N 1650 FT E 450 FT FROM NW COR DLC 53

- Does the water right being transferred 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 web page at: <http://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

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▪ Certificate Number or other identifying number: 32460

The following information must be provided only for those places of use that are involved in the transfer (i.e., list only the portion of the water right you propose to transfer.) 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 water right.

Location of Existing Authorized Place of Use to be Affected:

(i.e., the allowed lands listed on the water right that will be affected by the proposed transfer, the "FROM" lands)

[illegible]

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■ Certificate Number or other identifying number: 32460

3. PROPOSED CHANGES TO THE WATER RIGHT

Describe proposed changes to the water right 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 or appropriation)

☐ N/A - Instream Water Right Transfer

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

Source	Township	Range	Section	Subsection	Section	Section	Survey Coordinates (coordinates from recognized survey corner)
WELL#4	12S	4W	WM	8	SW 1/4 NE 1/4	DLC 38	N 50 FT & E 700 FT From NW Corner DLC 53
WELL#3	12S	4W	WM	8	NW 1/4 NE 1/4	DLC 38	N 1650 FT & E 450 FT From NW Corner DLC 53
WELL#2	12S	4W	WM	8	NW 1/4 NE 1/4	DLC 38	N 1780 FT & E 580 FT From NW Corner DLC 53

- 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 web page at: <http://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)	Well Log ID No. (or Well ID Tag No. L)	Diameter	Type and size of casing	Type of casing	Material casing is constructed of (or type of casing)	Well depth	Well depth to water bearing stratum	Type of device or measuring device	Total well depth
Yes	LINN 56115 L-70782	SEE WELL	Log.	#4					
Yes	LINN-54762 (#2)		11	#2					
Yes	LINN 10651 (#3)		11	#3					

3/11/2010 JBP
3/6/10

▪ Certificate Number or other identifying number: 32460

3. PROPOSED CHANGES TO THE WATER RIGHT

Describe proposed changes to the water right 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 or appropriation)

☐ N/A - Instream Water Right Transfer

(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)
WELL#4	12S	4W	WM	8	SW¼NE¼	38	N 50 FT & E 700 FT From NW CORNER DLC 53

- 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 web page at: <http://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
YES	WINN 56115 L-70782	SEE WELL	Log.							

▪ Certificate Number or other identifying number: 32460

Describe proposed changes to the water right 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) ☐ N/A – Instream Water Right Transfer

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

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Remarks: PORTION OF WATER RIGHT IN OTHER OWNERSHIP:

0.4a IN SE 1/4 NW 1/4, SEC 8

4.7a IN NE 1/4 SW 1/4, SEC 8

6.6 a 1D NW 1/4 SE 1/4, SEC 8

WELL # 4 IS ALSO BEING USED FOR GROUP DOMESTIC USE

Supplemental Form A

- 6 -

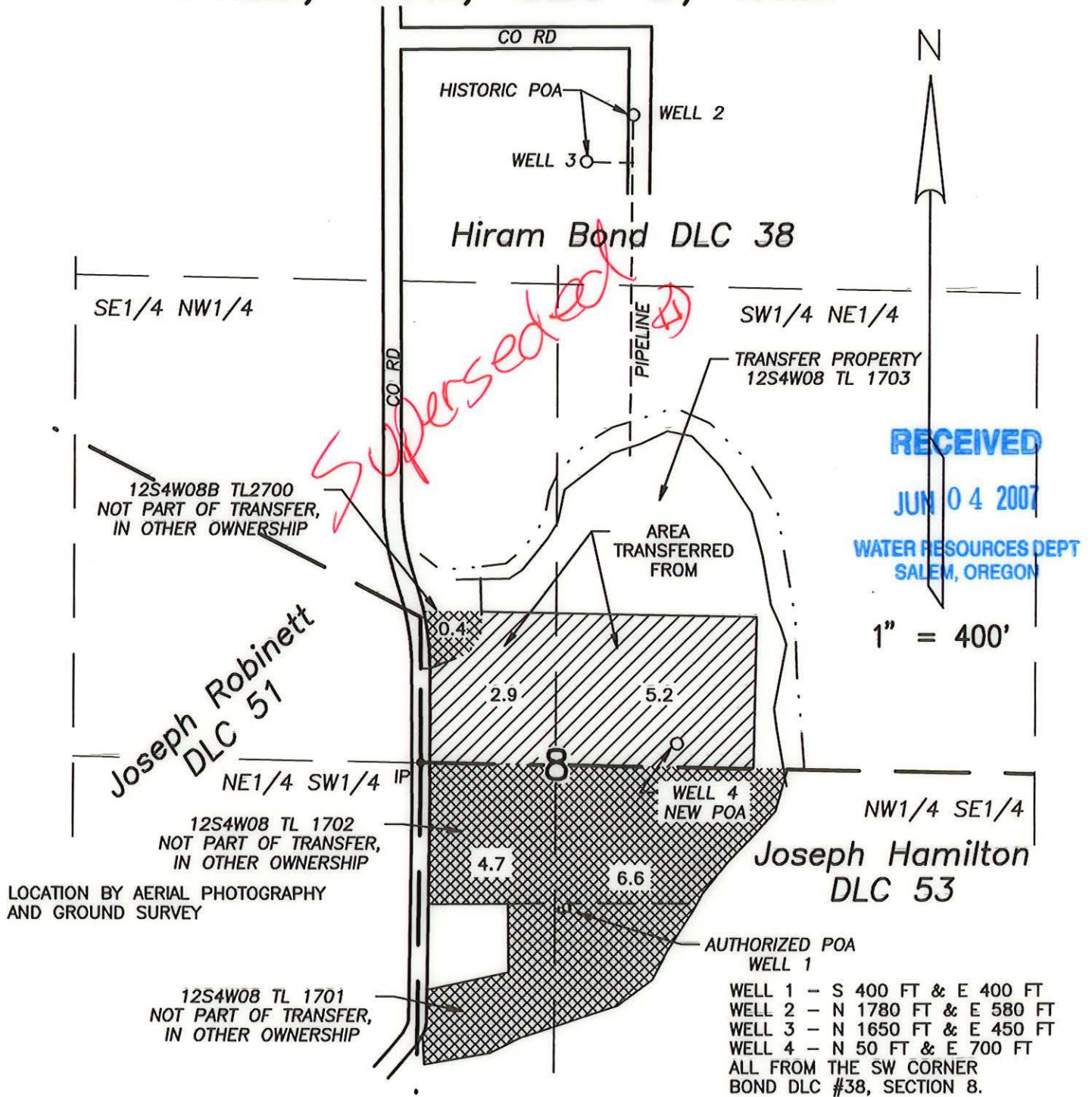
Description of Proposed Change(s) to a Water Right

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T12S, R4W, SEC 8, W.M.



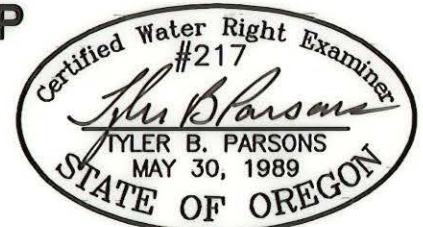
Revised 5/18/2007
 Prepared 1/29/2007
 PARSONS SURVEYING
 1915 S.E. Stone St.
 Corvallis, OR 97333
 541-752-7515
 Project No. 0636

This map is for location of Water Right Application only and does not constitute a boundary survey.

TRANSFER APPLICATION MAP

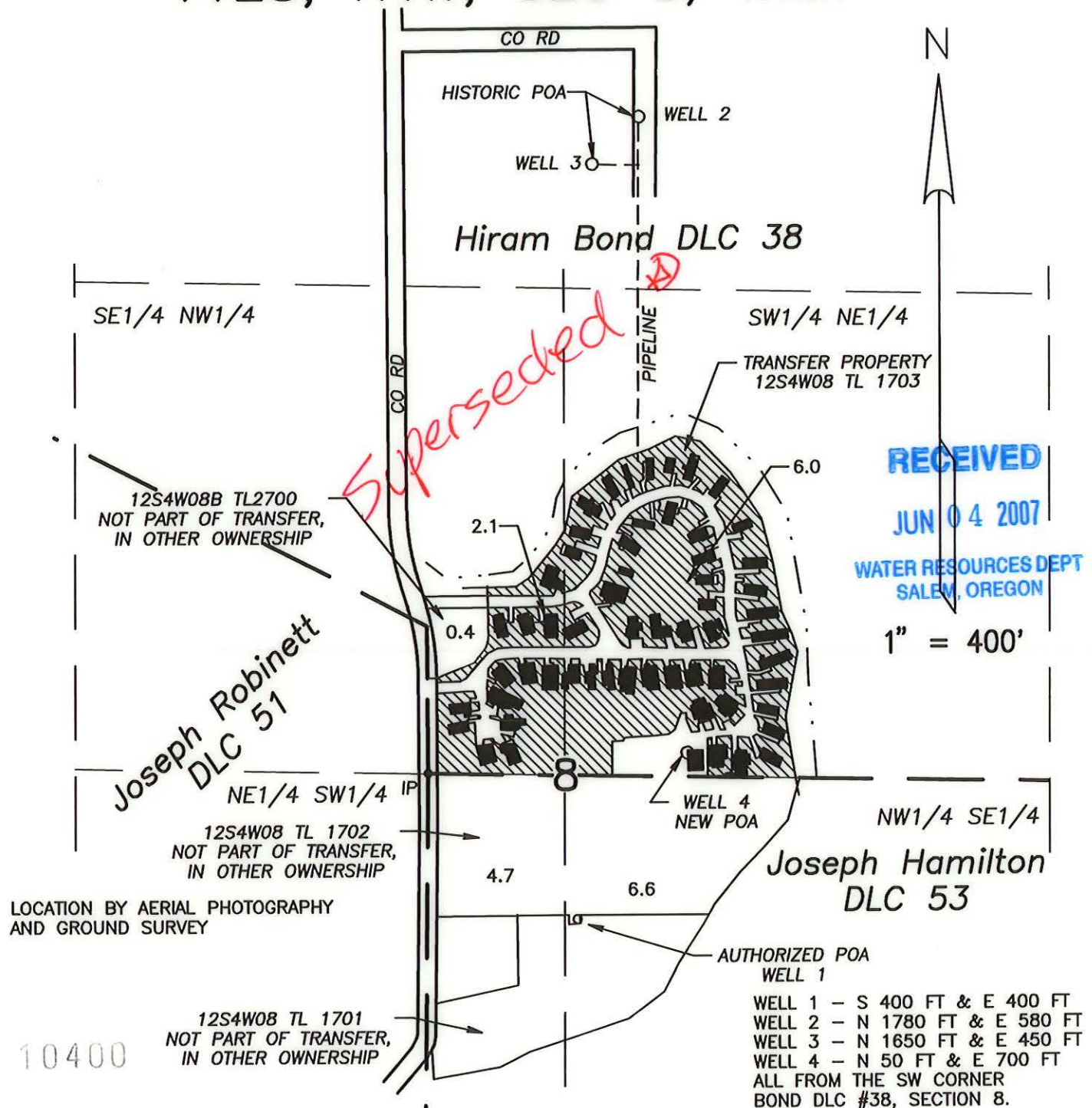
IN THE NAME OF
GB Enterprises LLC
 Permit G-1573 Cert. 32460

SHEET 1 OF 2



EXP: 12/31/2008

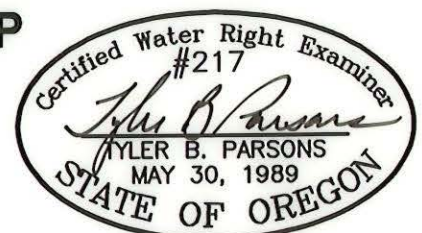
T12S, R4W, SEC 8, W.M.



Prepared 1/29/2007,
Rev 5/18/2007
PARSONS SURVEYING
1915 S.E. Stone St.
Corvallis, OR 97333
541-752-7515
Project No. 0636

TRANSFER APPLICATION MAP

IN THE NAME OF
GB Enterprises LLC
Permit G-1573 Cert. 32460



This map is for location of Water Right Application only and does not constitute a boundary survey.

SHEET 2 OF 2

EXP: 12/31/2008

Oregon Water Resources Web Mapping Application (beta)

Active Layer: Water Rights

Locate a place on the map ▶ Use Basic Map ▶ Help ▶ Links ▶



REC'D APR 12 2010

LINN
10652

12/4W-8

TO WATER WELL CONTRACTOR
The original and first copy of this report are to be filed with the
STATE ENGINEER, SALEM 10, OREGON
within 30 days from the date of well completion.

WATER WELL REPORT
STATE OF OREGON
(Please type or print)

State Well No. _____
State Permit No. _____

(1) OWNER:
Name M. S. Stables
Address 114 Carver Ave

(2) LOCATION OF WELL:
County Linn Driller's well number _____
1/4 1/4 Section 8 T. 125 R. 44 W.M.
Bearing and distance from section or subdivision corner _____

(3) TYPE OF WORK (check):
New Well ☐ Deepening ☒ Reconditioning ☐ Abandon ☐
Abandonment, describe material and procedure in Item 12.

(4) PROPOSED USE (check):
Domestic ☐ Industrial ☐ Municipal ☐ Rotary ☐ Driven ☐
Irrigation ☒ Test Well ☐ Other ☐ Cable ☐ Jetted ☐
Dug ☐ Bored ☐

(6) CASING INSTALLED: Threaded ☐ Welded ☒
8" Diam. from 34 ft. to 108 ft. Gage 750
" Diam. from _____ ft. to _____ ft. Gage _____
" Diam. from _____ ft. to _____ ft. Gage _____

(7) PERFORATIONS: Perforated? ☐ Yes ☒ No
Type of perforator used _____
Size of perforations in. by in.
_____ perforations from _____ ft. to _____ ft.
_____ perforations from _____ ft. to _____ ft.
_____ perforations from _____ ft. to _____ ft.
_____ perforations from _____ ft. to _____ ft.
_____ perforations from _____ ft. to _____ ft.

(8) SCREENS: Well screen installed ☐ Yes ☒ No
Manufacturer's Name _____ Model No. _____
Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.
Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.

(9) CONSTRUCTION:
Well seal—Material used in seal _____
Depth of seal _____ ft. Was a packer used? _____
Diameter of well bore to bottom of seal _____ in.
Were any loose strata cemented off? ☐ Yes ☐ No Depth _____
Was a drive shoe used? ☐ Yes ☐ No
Was well gravel packed? ☐ Yes ☐ No Size of gravel: _____
Gravel placed from _____ ft. to _____ ft.
Did any strata contain unusable water? ☐ Yes ☒ No
Type of water? _____ Depth of strata _____
Method of sealing strata off _____

(10) WATER LEVELS:
Static level 10 ft. below land surface Date Aug 23
Artesian pressure _____ lbs. per square inch Date _____

(11) WELL TESTS: Drawdown is amount water level is lowered below static level.
Was a pump test made? ☒ Yes ☐ No If yes, by whom? Barnes & White
Yield: 200 gal./min. with 90 ft. drawdown after 4 hrs. 00

Bailer test gal./min. with ft. drawdown after hrs.
Artesian flow g.p.m. Date _____
Temperature of water _____ Was a chemical analysis made? ☐ Yes ☐ No

(12) WELL LOG: Diameter of well below casing _____
Depth drilled 74 ft. Depth of completed well 108 ft.
Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.

MATERIAL	FROM	TO
Clay - (Blue, soft)	34	88
Clay - Blue w/ some gravel	88	96
SAND (Black med)	96	108

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Work started Aug 21 1962 Completed Aug 24 1962
Date well drilling machine moved off of well Aug 24 1962

(13) PUMP:
Manufacturer's Name _____
Type: _____ H.P. _____

Water Well Contractor's Certification:
This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.
NAME E. H. Pruitts Well Drilling
(Person, firm or corporation) (Type or print)
Address 114 Box 53 Coxville, OR
Drilling Machine Operator's License No. 154
[Signed] E. H. Pruitt
(Water Well Contractor)
Contractor's License No. 233 Date Aug 25 1962

(USE ADDITIONAL SHEETS IF NECESSARY)

The original and first copy of this report are to be filed with the

WATER RESOURCES DEPARTMENT,
SALEM, OREGON 97310
within 30 days from the date
of well completion.

WATER WELL REPORT

STATE OF OREGON
(Please type or print)

WATER RESOURCES DEPT.

SALEM, OREGON

WELL 2, (TRANSFER APP)

LINN 54762

State Well No. 125/4W-8 ba

WELL #2

State Permit No. Inspected Ok 10-12-78 A.S.

(1) OWNER:

(Woodland Park Mobile Homes)

Name Ella M. Gates
Address 33201 Peoria Road
Corvallis, Oregon 97330

(2) TYPE OF WORK (check):

New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐
If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary ☒ Driven ☐
Cable ☐ Jetted ☐
Dug ☐ Bored ☐

(4) PROPOSED USE (check):

Domestic ☐ Industrial ☐ Municipal ☐
Irrigation ☐ Test Well ☐ Other ☒

(5) CASING INSTALLED:

10" Diam. from 0 ft. to 61 ft. Gage .250
" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage

(6) PERFORATIONS:

Perforated? ☒ Yes ☐ No
Type of perforator used Torch cut
Size of perforations 1/4 in. by 4 in.
130 perforations from 46 ft. to 58 ft.
perforations from ft. to ft.
perforations from ft. to ft.

(7) SCREENS:

Well screen installed? ☐ Yes ☒ No
Manufacturer's Name
Type Model No.
Diam. Slot size Set from ft. to ft.
Diam. Slot size Set from ft. to ft.

(8) WELL TESTS:

Drawdown is amount water level is lowered below static level
Was a pump test made? ☒ Yes ☐ No If yes, by whom? Northwest Pump
Yield: 165 gal./min. with 20 ft. drawdown after 8 hrs.
" " " " " "
" " " " " "
Bailer test gal./min. with ft. drawdown after hrs.
Artesian flow g.p.m.
Temperature of water Depth artesian flow encountered ft.

(9) CONSTRUCTION:

Well seal—Material used Cement
Well sealed from land surface to 30 ft.
Diameter of well bore to bottom of seal 14 in.
Diameter of well bore below seal 10 in.
Number of sacks of cement used in well seal 16 sacks
How was cement grout placed?
Pumped through tremie
Was a drive shoe used? ☐ Yes ☒ No Plugs Size: location ft.
Did any strata contain unusable water? ☐ Yes ☒ No
Type of water? depth of strata
Method of sealing strata off
Was well gravel packed? ☐ Yes ☒ No Size of gravel:
Gravel placed from ft. to ft.

(10) LOCATION OF WELL:

County Linn Driller's well number S/43/A
1/4 1/4 Section 5 T. 12S R. 4W W.M.

Bearing and distance from section or subdivision corner

(11) WATER LEVEL: Completed well.

Depth at which water was first found 42 ft.
Static level 12 ft. below land surface. Date 5/17/78
Artesian pressure lbs. per square inch. Date

(12) WELL LOG:

Diameter of well below casing 10
Depth drilled 61 ft. Depth of completed well 61 ft.

Formation: Describe color, texture, grain size and structure of materials and show thickness and nature of each stratum and aquifer penetrated with at least one entry for each change of formation. Report each change in position of Static Water Level and indicate principal water-bearing strata

MATERIAL	From	To	SWL
Topsoil	0	1	
Brown sandy clay	1	12	
Brown clay sand & gravel	12	27	
Brown gravel	27	38	
Black sand	38	42	
Black gravel & Sand	42	58	
Blue clay & black gravel	58	59	
Blue clay	59	61	

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Work started 5/16/78 19 Completed 5/17/78 19
Date well drilling machine moved off of well 5/17/78 19

Drilling Machine Operator's Certification:

This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.

[Signed] Gary L. Kinsley Date 5/22/78 19
(Drilling Machine Operator)

Drilling Machine Operator's License No. 689

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

Name Corvallis Drilling Co. Inc.
(Person, firm or corporation) (Type or print)

Address 3440 SW 3rd St. Corvallis, Oregon 97330

[Signed] William H. Kinsley
(Water Well Contractor)

Contractor's License No. 560 Date 5/22/78 19

WELL#3 (TRANSFER APP)

LINN 10651

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WELL #1 - UNDER PRIMROSE RD.

NOTICE TO WATER WELL CONTRACTOR

The original and first copy
of this report are to be
filed with the

STATE ENGINEER, SALEM 10, OREGON

within 30 days from the date
of well completion.

WATER WELL REPORT

STATE OF OREGON

(Please type or print)

G-3053

State Well No. 12/4U-8B

State Permit No.

(1) OWNER: WOODLAND PARK MOBILE HOMES

Name Mr. R. G. Gates
Address 3000 White Oak Drive
Corvallis, Oregon

(2) LOCATION OF WELL:

County Linn Driller's well number
NW 1/4 NE 1/4 Section 8 T. 12 S R. 4 W W.M.
Bearing and distance from section or subdivision corner

(3) TYPE OF WORK (check):

Drill Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐
If abandonment, describe material and procedure in Item 12.

(4) PROPOSED USE (check):

Domestic ☐ Industrial ☐ Municipal ☐
Irrigation ☒ Test Well ☐ Other ☐

(5) TYPE OF WELL:

Rotary ☐ Driven ☐
Cable ☒ Jetted ☐
Dug ☐ Bored ☐

(6) CASING INSTALLED:

Threaded ☐ Welded ☒
Diam. from 10" ft. to 10" ft. Gage 1"
Diam. from 1 Ft. above ground level to
Diam. from 40 Ft. below ground level

(7) PERFORATIONS:

Perforated? ☒ Yes ☐ No
Type of perforator used Cutting Torch
Size of perforations 3/8 in. by 8 in.
perforations from 52 ft. to 28 ft. to 38 ft.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.

(8) SCREENS:

Well screen installed? ☐ Yes ☒ No
Manufacturer's Name
Model No.
Diam. Slot size Set from ft. to ft.
Diam. Slot size Set from ft. to ft.

(9) CONSTRUCTION:

Well seal—Material used in seal Bentonite
Depth of seal 18 ft. Was a packer used?
Diameter of well bore to bottom of seal 14 in.
Were any loose strata cemented off? ☐ Yes ☒ No Depth
Was a drive shoe used? ☒ Yes ☐ No
Was well gravel packed? ☒ Yes ☐ No Size of gravel: #2 round
Gravel placed from 18 ft. to 40 ft.
Did any strata contain unusable water? ☐ Yes ☒ No
Type of water? Depth of strata
Method of sealing strata off

(10) WATER LEVELS:

Static level 8 ft. below land surface Date 4/8/64
Pressure 40.400 ft. per surface inch Date

(11) WELL TESTS:

Drawdown is amount water level is lowered below static level
Was a pump test made? ☒ Yes ☐ No If yes, by whom? R.G. Gates
Yield: 600 gal./min. with 18 ft. drawdown after 3 hrs.
" " " "
" " " "
Bailer test gal./min. with ft. drawdown after hrs.
Artesian flow g.p.m. Date
Temperature of water 48° Was a chemical analysis made? ☐ Yes ☐ No

(12) WELL LOG:

Diameter of well below casing
Depth drilled 40 ft. Depth of completed well 40 ft.
Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.

MATERIAL	FROM	TO
Top Soil	0	4'
Brown Clay	4'	18'
Sand & Gravel	18'	32'
Medium Gravel - water bearing	32'	40'

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SALEM, OREGON

Work started April 8, 1964 Completed April 10, 1964
Date well drilling machine moved off of well April 11, 1964

(13) PUMP:

Manufacturer's Name
Type: H.P.

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

NAME ART CLINTON WELL DRILLING CO.

(Person, firm or corporation)

(Type or print)

Address Rtl, Box 2, Independence, Oregon

Drilling Machine Operator's License No. 34

[Signed] Art Clinton
(Water Well Contractor)

Contractor's License No. 14 Date April 20 1964

I, Paula Bond, in my capacity as Operations Manager, GB Enterprises
mailing address 21 C Orinda Way #308 Orinda, CA, 94563
telephone number (510) 318-1547, being first duly sworn depose and say:

4. The water right was exercised for the authorized purpose described below (e.g., crops grown):

IRRIGATION OF COMMON AREA LAWN AND GARDENS.

5. The water delivery system used to apply water as authorized by the right is described below:

TWO WELLS (#2 & #3, HISTORIC POA), 4" MAINLINE PVC TO
WOODLAND PARK MOBILE HOME PARK, 3" PVC DISTRIBUTION LINES
WELLS 2 & 3 TO BE ABANDONED. WELL #4 WITH 7 1/2 HP SUBMERSIBLE
PUMP, STORAGE TANK & PRESSURIZATION PUMPS CONNECTED TO EXISTING SYSTEM
SERVES 57 MOBILE HOME UNITS AND IRRIGATION OF COMMON LAWN & GARDEN.

6. One or more of the following documentation supporting the above statements is attached:

- ☐ Copy of a water right certificate that was issued within the last five years (not a remaining right certificate),
- ☐ Copies of receipts from sales of irrigated crops or for expenditures relating to the use of water,
- ☐ Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers,
- ☐ Dated aerial photographs of the lands or other photographs containing sufficient detail to establish the location and date of the photograph,
- ☐ Dedicated power usage records or receipts,
- ☐ Instream lease number _____,

☒ Other: Statements from long-time residents that they have
watered lawn and garden around their homes and that most
of the other residents have also. Statements from previous and current
managers that the residents have watered their lawns and the community
gardens and common areas.

Signature of Affiant _____

Date _____

Signed and sworn to (or affirmed) before me this _____ day of _____, 20____.

see attached

Notary Public for Oregon California

My Commission Expires: _____

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more space. Supporting documentation must be attached.

Supplemental Form B

- 2 -

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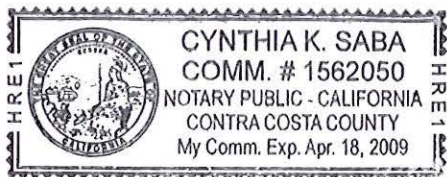
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California Jurat Attachment-----

State of California

County of Contra Costa

Subscribed and sworn to (or affirmed) before me on this 9 day of April, 2007, by Paula Bond personally known to me or proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.



Cynthia K. Saba
Notary

(Place Notary Seal Here)

Description of Attached Document

Title or Type of Document: Attesting To use of water

Document Date: April 9 2007 Number of Pages: _____

Signer(s) Other Than Named Above: _____

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All-purpose Acknowledgment

STATE OF Oregon, COUNTY OF Benton

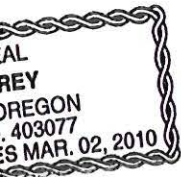
On 03/27/2007 before me, the undersigned, a Notary Public
in and for said State, personally appeared

☐ personally known to me -OR- ☒ proved to me on the basis of satisfactory evidence/ to be the person(s)
whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they
executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the
instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature Timothy R Frey
Name (type or printed) Timothy R Frey
My commission expires: 03/02/2010

(Seal)



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WOODLAND MOBILE HOME PARK

33125 WHITE OAK DRIVE • CORVALLIS, OR 97333

4-3-07

We have been managing Woodland Mobile Home Park since Jan. 1, 2004.

We have always watered the common areas around the club house, the central park area, the garden area, flowers & shrubs in the front of the park. All of the residents water their own flowers & lawns.

Dicki Moker
Gary Noller

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Woodland Park

To whom it may Concern

My name is Frank Stromer and with my wife Betty we were employed as managers of Woodland Park from May 1991 to May 1998.

Our job as managers was to water the grass and shrubs and to maintain the park.

We watered the Common areas, the Central park area and all areas with grass or shrubs outside of the rented spaces. All residents watered their own lawn and flower beds. We also have a Community garden that is planted and watered by the residents every year. The amount of area that we watered was the same as it today

Frank Stromer

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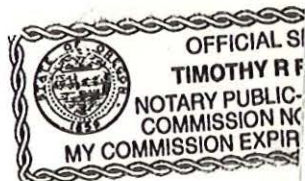
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WOODLAND MOBILE HOME PARK

33125 WHITE OAK DRIVE • CORVALLIS, OR 97333

March 22, 2007

My name is Virginia Bowler I have lived at
Woodland Mobile Home Park for 37 years. I have used the water
supplied by the Park to water my flowers and lawn since I moved here in
1969.

Signature: Virginia Bowler

Witness: Gary Mohler

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WOODLAND MOBILE HOME PARK

33125 WHITE OAK DRIVE • CORVALLIS, OR 97333

March 22, 2007

My name is William Harris I have lived at
Woodland Mobile Home Park for 21 years. I have used the water
supplied by the Park to water my flowers and lawn since I moved here in
1986.

Signature: William Harris

Witness: Gary Mohler

The Park Has Always been kept
in excellent care as all residents
have kept lawns and flowers
well watered with

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WOODLAND MOBILE HOME PARK

33125 WHITE OAK DRIVE • CORVALLIS, OR 97333

March 22, 2007

My name is Donald W. Beitel I have lived at Woodland Mobile Home Park for 33 years. I have used the water supplied by the Park to water my flowers and lawn since I moved here in 1972. I have always used a great deal of water to maintain the lawn, flowers and trees.

Signature: Donald W. Beitel

Witness: Gary Mohler

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WOODLAND MOBILE HOME PARK

33125 WHITE OAK DRIVE • CORVALLIS, OR 97333

March 22, 2007

My name is Elden B Penttila I have lived at
Woodland Mobile Home Park for 20 years. I have used the water
supplied by the Park to water my flowers and lawn since I moved here in
1986.

Signature: Elden B Penttila

Witness: Gary Mohler

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WOODLAND MOBILE HOME PARK

33125 WHITE OAK DRIVE • CORVALLIS, OR 97333

March 22, 2007

My name is Robert Simcoe Jr I have lived at
Woodland Mobile Home Park for 21 years. I have used the water
supplied by the Park to water my flowers and lawn since I moved here in
1986.

Signature: Robert Simcoe Jr

Witness: Gary Mohler

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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: GB Enterprises, LLC
Mailing Address: 21C Orinda Way #308
City: Orinda State: CA Zip: 94563 Day Phone: 510-318-1547

This application is related to a Measure 37 claim. ☐ Yes ☒ No

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 #	Plan Designation (e.g. Rural Residential/RR-5)	Water to be:	Proposed Land Use:
12S	4W	8	SW NE	1703	RR-2.5	<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Irrigation
12S	4W	8	SE NW	1703	RR-2.5	<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Irrigation
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	

List all counties and cities where water is proposed to be diverted, conveyed, or used. Linn County, Oregon

B. Description of Proposed Use

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

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

Source of water: ☐ Reservoir/Pond ☒ Ground Water ☐ Surface Water (name) _____

Estimated quantity of water needed: 0.10 ☒ 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: Transfer is requested to segregate water rights from property not owned by GB Enterprises and a new point of appropriation for the Woodland Park Mobile Home Park for irrigation of common areas.

The new well is also used for domestic use for 57 mobile home units (not part of this transfer)

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

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SALEM, OREGON

T 10400

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form.

This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

☐ Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): _____.

☒ 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
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued

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

*The new well placement and use of is not considered "infill" to the point of requiring a conditional use permit.

Water supply quantity and quality for the park is based upon approval of State Agencies.

Name: Mr. Mattson Title: Planner
Signature: _____ Phone: 541-967-3816 Date: 2/13/07
Government Entity: Linn County Planning and Building Department

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

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WATER RESOURCES DEPT
SALEM, OREGON

Last updated 12/22/06 WR

1 10400

TRANSFER OF WATER RIGHTS (CHANGES TO WATER RIGHTS)**
(OAR Chapter 690, Divisions 21 and 380)

I. Regular Transfers, Permit Amendments and Water Right Exchanges

A type of change is any of the following: place of use, point of diversion/appropriation, or character of use.

Base: minimum fee for one change:

\$350.00

PLUS:

Each additional type of change requested:

\$350.00

Each change in place of use or type of use or water exchange:

~~\$700~~

\$175.00 for each cubic foot per second (cfs) or fraction thereof in addition to the 1st cfs

II. Temporary Transfers

Temporary transfers are allowed for a change in place of use, point of diversion/appropriation to facilitate a change in place of use, character of use identified in a right to store water, and change in use under some circumstances in the Deschutes Basin

Base:

\$175.00

PLUS:

Non-Irrigation uses:

\$75.00 for each cfs or fraction thereof beyond the 1st cfs

Irrigation uses:

\$1.00 per acre of land irrigated

III. Permanent Irrigation District Transfers

Base:

\$350.00 for up to one cfs

PLUS:

Additional fee:

\$175.00 for each cfs or fraction thereof in addition to the 1st cfs

IV. Temporary Irrigation District Transfers

Base:

\$175.00 for up to one cfs

PLUS:

Non-Irrigation uses:

\$75.00 for each cfs or fraction thereof in addition to the 1st cfs

Irrigation uses:

\$1.00 (or \$0.25 if submitted in a Department approved digital format) per acre of land irrigated

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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 06/12/07

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: Linn
Transfer: T -10400
Water Right: Cert:32460 OR *
Priority Date: 1960
Name: PAULA BOND
Address: 21 C ORINDA WAY #308; OINDA CA 94563
Change: POU, POA
Source: WELL #1 > OWL CREEK
Authorized POU: T12S R4W 8
Proposed POU: T12S R4W 8
Authorized POA: T12S R4W 8
Proposed POA: T12S R4W 8

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

June 12, 2007

GB ENTERPRISES LLC
ATTN: PAULA BOND
21 C ORINDA WAY #308
ORINDA CA 94563

Reference: Transfer 10400

On June 4, 2007 we received your water right transfer application. The application was accompanied by \$700.00. Our receipt 87951 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. A number of other transfer applications are also awaiting review. As a result, it may be some time before we are able to process your application. If you wish to have your application processed more quickly, you may want to consider use of the Department's reimbursement authority. Under this authority an applicant may receive expedited review by paying the full cost for a pre-qualified contractor to process the applications. For more information on the Reimbursement Authority program, see our website at http://www.wrd.state.or.us/OWRD/mgmt_reimbursement.shtml or call the transfer section.

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 #2
Tyler Parsons, CWRE
Groundwater
Linn County

enclosure