

GR MOD

Name Case Family LLC

Address 33010 Dever Conner Rd NE
Albany OR 97321

Change in POA POA

Date Filed 2/16/2021

Initial notice date 3/9/2021

DPD issued date _____

PD issued date 8-18-2025

PD notice date 8-19-2025

Date of FO 11/17/2025 Vol 138 Page 70-74

C-Date _____

COBU due date _____

COBU Received date _____

Certificate issued _____

DESCRIPTION OF WATER RIGHT(S)

Name of Stream well

Trib. of CROOKS creek

Use Irrigation County linn

Quantity of water (CFS) _____ No. of Acres _____

Name of ditch _____

App# GR 1703 Per # _____ Cert # GR 11057 PR Date 12/31/2021

App# _____ Per # _____ Cert # _____ PR Date _____

App# _____ Per # _____ Cert # _____ PR Date _____

App# _____ Per # _____ Cert # _____ PR Date _____

App# _____ Per # _____ Cert # _____ PR Date _____

FEES PAID		
Date	Amount	Receipt #
<u>2-16-2021</u>	<u>\$1,250.00</u>	<u>134548</u>

FEES REFUNDED		
Date	Amount	Receipt #

Assignments: _____

Irrigation District _____

Agent Will McGill - willmcgill.surveying@gmail

CWRE _____

CC's list linn County

**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 # **134548**

INVOICE # _____

RECEIVED FROM: <u>Will McGill Surveying, LLC</u>	APPLICATION
BY: _____	PERMIT
	TRANSFER <u>1-13626</u>
CASH: <input type="checkbox"/> CHECK # <u>1777</u> OTHER: (IDENTIFY) <input type="checkbox"/>	TOTAL REC'D \$ <u>1,250.00</u>

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 <u>46110</u>	
0407 COPY & TAPE FEES	\$
0410 RESEARCH FEES	\$
0408 MISC REVENUE: (IDENTIFY) _____	\$
TC162 DEPOSIT LIAB. (IDENTIFY) _____	\$
0240 EXTENSION OF TIME	\$
WATER RIGHTS:	EXAM FEE
0201 SURFACE WATER	\$
0203 GROUND WATER	\$
0205 TRANSFER	\$ <u>1,250.00</u>
	RECORD FEE
	\$
	\$
	\$
WELL CONSTRUCTION	EXAM FEE
0218 WELL DRILL CONSTRUCTOR	\$
LANDOWNER'S PERMIT	\$
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: **134548**

DATED: 2-16-2021 BY: Mindy Carlson

Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal

**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 # **145744**

INVOICE # _____

RECEIVED FROM: Will McGill Surveying LLC
BY: _____

APPLICATION	
PERMIT	
TRANSFER	<u>T-13626</u>

CASH: CHECK:# 2439 OTHER: (IDENTIFY)

TOTAL REC'D \$ 483.08

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES <u>4618</u>		\$
<u>0207</u> OTHER: (IDENTIFY) <u>Newspaper Notice</u>		\$ <u>483.08</u>
0243 I/S Lease _____	0244 Muni Water Mgmt. Plan _____	0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

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

WATER RIGHTS:

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

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR	EXAM FEE	0219	LICENSE FEE	\$
LANDOWNER'S PERMIT	\$	0220	\$	\$

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

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

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)		\$
0231 HYDRO LICENSE FEE (FW/WRD)		\$
HYDRO APPLICATION		\$

TREASURY OTHER / RDX

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

**RECEIVED
OVER THE COUNTER**

RECEIPT: **145744**

DATED: 7-31-25 BY: Will McGill



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building
725 Summer St NE, Suite A
Salem, OR 97301
Phone 503 986-0900
Fax 503 986-0904
www.oregon.gov/owrd

November 17, 2025

Case Family LLC
33010 Dever Conner Rd NE
Albany, OR 97321

REFERENCE: Groundwater Registration Modification Application T-13626

Enclosed is a copy of the final order approving recognition of your Groundwater Registration Modification application.

If you have any questions related to the approval of this application, you may contact your caseworker, Arla Davis, by telephone at (503) 979-3129 or by e-mail at Arla.L.Davis@water.oregon.gov.

Sincerely,

David V. Jones Jr
Water Right Services Support
Transfers and Conservation Section

cc: Gregory J. Wacker, Watermaster Dist. # 16 (via email)
William E. McGill, Agent
Linn County Planning Department, Local Government
Enclosure

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

In the Matter of Groundwater	)	FINAL ORDER
Registration Modification Application	)	APPROVING RECOGNITION OF A
T-13626, Linn County	)	MODIFICATION IN POINT OF
	)	APPROPRIATION AND A MODIFICIATION
	)	IN PLACE OF USE

Authority

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

Oregon Administrative Rules (OAR) Chapter 690, Divisions 382 and 380 implement the statutes and provide the Department's procedures and criteria for evaluating groundwater registration modification applications.

Applicant

CASE FAMILY LLC
33010 DEVER CONNER RD NE
ALBANY, OR 97321

Findings of Fact

1. On February 16, 2021, Case Family LLC filed a groundwater registration modification application to modify the point of appropriation and place of use under Groundwater Registration GR-1703 (Certificate of Registration GR-1652). The Department assigned the application number T-13626.
2. On August 16, 1968, Groundwater Registration GR-1703 (Certificate of Registration GR-1652) was assigned from Anna E. Lyon to Robert L. Brunson.
3. On March 3, 2021, Groundwater Registration GR-1703 (Certificate of Registration GR-1652) was assigned from Robert L. Brunson to Edward R. Perlenfein.
4. The Groundwater Registration Modification Application included consent to transfer and/or water right conveyance agreement from Edward R. Perlenfein.

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.

5. Notice of the application for groundwater registration modification was published on March 9, 2021, pursuant to OAR 690-382-0600. No comments were filed in response to the notice.
6. On August 1, 2023, the Department sent a copy of the draft Preliminary Determination to the applicant, proposing to deny Groundwater Registration Modification T-13626. The application is incomplete as the application map does not meet the requirements of OAR 690-382-0400(11). The application map does not show the direction of flow for Crooks Creek. In addition, the application map needs to include the use type, not just the Agriculture/Industrial use, and priority date. The application map should also show existing roads and the delivery system for irrigation. Therefore, all other application requirements are not met. The draft Preliminary Determination cover letter set forth a deadline of August 30, 2023, for the applicant to respond.
7. On August 9, 2023, the applicant's agent submitted an amended map to the Department, satisfying the deficiency and allowing Groundwater Registration Modification T-13626 to be approved.
8. On August 10, 2023, the applicant's agent requested that the Department proceed with issuance of a Preliminary Determination and provided the required report of ownership information.
9. On October 25, 2023, and March 18, 2024, the Department contacted the applicant and the applicant's agent by email regarding deficiencies in the Report of Ownership Information submitted to the Department on August 10, 2023. The deficiencies were outlined as follows:

The Report of Ownership provided to the Department on August 10, 2023, needs to show the following information:

- a. The report of ownership must include a "prepared by" date;
 - b. The report of ownership must be prepared within 3 months of the Draft Preliminary Determination showing current ownership;
 - c. The report of ownership must be prepared within 3 months of the recording of a water right conveyance agreement;
 - d. Draft Preliminary Determination showing current ownership;
 - e. Clarified ownership information and if necessary, affidavits of consent forms for Tax Lots 400 (Duran), 500 (Santoyo), 501 (Glidewell), 600 (Cole), 601 (Helms);
 - f. Portions of the lands proposed for modification under Groundwater GR-1703 (Certificate of Registration GR-1652), are located within roadways identified as being "owned" by the City of Millersburg.
10. On May 14, 2024, the applicant's agent provided an amended Report of Ownership information and notarized consent forms.
 11. On March 27, 2025, the Department met with applicant's agent to clarify information contained in the Report of Ownership information satisfying the deficiencies outlined in the DPD cover letter, allowing T-13697 to be approved.

12. On August 18, 2025, the Department issued a Preliminary Determination proposing to approve GR-Mod Application T-13626 and sent a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published in the Department's weekly notice on August 19, 2025, and in the Albany Democratic Herald newspaper on August 16 and 23, 2025, pursuant to ORS 540.520 and OAR 690-380-4020. (No) protests were filed in response to the notice.

13. The groundwater registration to be modified is as follows:

Registration: Application GR-1703 (Certificate of Registration GR-1652), in the name of J.H. Lyon (*assigned to Edward R. Perlenfein*)

Use: Irrigation of 3.5 acres

Tentative

Priority Date: 1951

Quantity: 30.0 Gallons per Minute (GPM)

Duty: 10.0 Acre-Feet (AF) annually

Source: Pump Well within the CROOKS CREEK BASIN

Original Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
10 S	3 W	WM	16	SW SE	PUMP WELL - 660 FEET NORTH AND 3820 FEET EAST FROM THE SW CORNER OF SECTION 16

Original Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
10 S	3 W	WM	16	SW SE	3.50

14. The applicant has provided information that better describes the location of the original point of appropriation as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
10 S	3 W	WM	16	SW SE	PUMP WELL - 1120 FEET NORTH AND 3430 FEET EAST FROM THE SW CORNER OF SECTION 16

15. Groundwater Registration Modification Application T-13626 proposes to modify the location of the place of use under the groundwater registration to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
10 S	3 W	WM	8	NW SE	3.50

16. Groundwater Registration Modification Application T-13626 proposes to move the authorized point of appropriation approximately 1.8 miles NW from the original well to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
10 S	3 W	WM	8	SW NE	WELL 1 - NORTH 61 DEGREES 30 SECONDS WEST 41 CHAINS FROM THE SE CORNER OF THE NE1/4 CORNER OF SECTION 8

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
10 S	3 W	WM	8	SW NE	WELL 2 - NORTH 75 DEGREES 10 SECONDS WEST 39 CHAINS FROM THE SE CORNER OF THE NE1/4 CORNER OF SECTION 8
10 S	3 W	WM	8	SW NE	WELL 4 - NORTH 68 DEGREES 20 SECONDS WEST 26 CHAINS FROM THE SE CORNER OF THE NE1/4 CORNER OF SECTION 8
10 S	3 W	WM	8	NW SE	WELL 3 - SOUTH 81 DEGREES 5 SECONDS WEST 38.25 CHAINS FROM THE NE CORNER OF THE SE1/4 CORNER OF SECTION 8

***Review Criteria for Groundwater Registration Modification Applications
[OAR 690-382-0100(10), 690-382-0700(2), 690-382-1000(1) and 690-380-2110(2)]***

17. The proposed modifications would not result in a state Scenic Waterway not receiving previously available water during periods in which stream flows are less than the quantities determined by the Department to be necessary to meet the requirements of ORS 390.835.
18. The proposed points of appropriation develop groundwater from the same aquifer as the authorized points of appropriation, as required by OAR 690-380-2110(2).
19. The proposed modifications would not result in enlargement of the groundwater registration.
20. The proposed modifications to the groundwater registration would not result in injury to other water rights.
21. All other application requirements are met.

Conclusions of Law

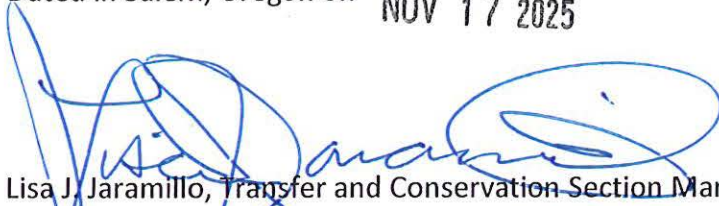
The modification in point of appropriation and modification in place of use proposed in Groundwater Registration Modification T-13626 is consistent with the requirements of ORS 537.610, 537.705, 540.505 to 540.580 and OAR 690-382-1000.

Now, therefore, it is ORDERED:

1. The modifications to Groundwater Registration GR-1703 (Certificate of Registration GR-1652) proposed in Groundwater Registration Modification Application T-13626 are recognized. Recognition of the modifications shall not be construed as a final determination of the right to appropriate groundwater under the certificate of registration or modification. Such a determination will occur in an adjudication proceeding under ORS 537.670 to 537.695.
2. The use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Groundwater Registration GR-1703 (Certificate of Registration GR-1652) and any related decree.

3. Approval of this groundwater registration modification application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new points of appropriation or the new place of use.
4. Water shall be acquired from the same aquifer (water source) as the original point of appropriation.
5. Water shall no longer be appropriated from the original point of appropriation as part of this groundwater certificate of registration.
6. The quantity of water diverted at the proposed points of appropriation (Wells 1, 2, 3, and 4) shall not exceed the quantity of water lawfully available at the original point of appropriation (pump well).
7. The former place of use of the modified groundwater registration shall no longer receive water as part of the groundwater certificate of registration.

Dated in Salem, Oregon on NOV 17 2025



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
IVAN GALL, DIRECTOR
Oregon Water Resources Department

Mailing date: NOV 18 2025

AFFIDAVIT OF PUBLICATION

See Proof on Next Page

Gazette Times - Democrat Herald
600 Lyon St SW
(541) 926-2211

State of Florida, County of Orange, ss:

Edmar Corachia, being first duly sworn, deposes and says: That (s)he is a duly authorized signatory of Column Software, PBC, duly authorized agent of Gazette Times - Democrat Herald, a newspaper of general circulation in Counties of Linn and Benton, as defined by section 193.010 O.R.S, published at 600 Lyon St. SW, Albany, OR in the aforesaid county and state; that a copy is hereto Annexed, was published in the entire issue of said newspaper.

PUBLICATION DATES:

Sep. 27, 2025

Oct. 4, 2025

NOTICE ID: ZMVhuVLuPytlktaPwepT

PUBLISHER ID: COL-OR-101387

NOTICE NAME: T-13626

Publication Fee: \$402.57

Edmar Corachia

(Signed) _____

VERIFICATION

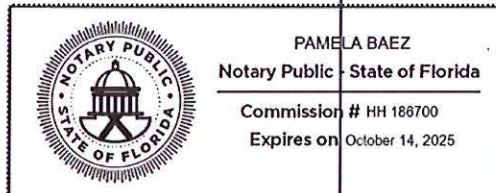
State of Florida
County of Orange

Subscribed in my presence and sworn to before me on this: 10/06/2025

[Signature]

Notary Public

Notarized remotely online using communication technology via Proof.



T-13626
Notice of Preliminary Determination for

Groundwater Registration Modification T-13626

T-13626 filed by Case Family LLC, 33010 Dever Conner Rd NE, Albany, OR 97321, proposes a modification in point of appropriation and modification in place of use under Registration Application GR-1703 (Certificate of Registration GR- 1652). The registration allows the use of a pump well in Sec. 16, T 10S, R3W, WM for irrigation in Sec. 16. The applicant proposes to move the point of appropriation to four wells in Sec. 8, T10S, R3W, WM and to change the place of use to Sec. 8, T10S, R3W, WM. The Water Resources Department proposes to approve the modification, based on the requirements of ORS Chapter 540 and OAR 690-382-1000.

Any person may file, jointly or severally, a protest or standing statement within 30 days after the last date of newspaper publication of this notice, 10/04/2025. Call (503)-988-0935 to obtain additional information. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

9/27, 10/4 COL-OR-101387



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building
725 Summer St NE, Suite A
Salem, OR 97301
Phone 503 986-0900
Fax 503 986-0904
www.oregon.gov/owrd

August 18, 2025

VIA CERTIFIED MAIL AND E-MAIL

Applicant

CASE FAMILY LLC
33010 DEVER CONNER RD NE
ALBANY, OR 97321

SUBJECT: Groundwater Registration Modification T-13626

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-13626. This document is an intermediate step in the approval process; water may not be used legally as proposed in the groundwater registration modification 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 and in the Albany Democrat Herald newspaper, simultaneously with issuance of the Preliminary Determination. The notice initiates a 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. The protest period will end 30 days after the Department's notice or 30 days after the last date of newspaper publication, whichever is later.

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.

Please do not hesitate to contact me at 503-979-3129 or for assistance.

Sincerely,

Arla L Davis

Arla L Davis
Groundwater Registration Modification Specialist
Transfers and Conservation Section

cc: GR Modification application file T-13693, T-13697,
Gregory J. Wacker, District 16 Watermaster (via e-
Will McGill Surveying LLC, Agent for the applicant)

enc

7022 3330 0000 2624 6978

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PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

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

In the Matter of Groundwater	)	PRELIMINARY DETERMINATION
Registration Modification Application	)	PROPOSING APPROVAL OF RECOGNITION
T-13626, Linn County	)	OF A MODIFICATION IN POINT OF
	)	APPROPRIATION AND A MODIFICATION
	)	IN PLACE OF USE

Authority

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

Oregon Administrative Rules (OAR) Chapter 690, Divisions 382 and 380 implement the statutes and provide the Department's procedures and criteria for evaluating groundwater registration modification applications.

Applicant

CASE FAMILY LLC
33010 DEVER CONNER RD NE
ALBANY, OR 97321

Findings of Fact

1. On April 28, 2023, Case Family LLC filed a groundwater registration modification application to modify the point of appropriation and place of use under Groundwater Registration GR-1703 (Certificate of Registration GR-1652). The Department assigned the application number T-13626.
2. On August 16, 1968, Groundwater Registration GR-1703 (Certificate of Registration GR-1652) was assigned from Anna E. Lyon to Robert L. Brunson.
3. On March 3, 2021, Groundwater Registration GR-1703 (Certificate of Registration GR-1652) was assigned from Robert L. Brunson to Edward R. Perlenfein.
4. The Groundwater Registration Modification Application included consent to transfer and/or water right conveyance agreement Edward R. Perlenfein.

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 the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later, of this preliminary determination.

5. Notice of the application for groundwater registration modification was published on March 9, 2021, pursuant to OAR 690-382-0600. No comments were filed in response to the notice.
6. On August 1, 2023, the Department sent a copy of the draft Preliminary Determination to the applicant, proposing to deny Groundwater Registration Modification T-13626. The application is incomplete as the application map does not meet the requirements of OAR 690-382-0400(11). The application map does not show the direction of flow for Crooks Creek. In addition, the application map needs to include the use type, not just the Agriculture/Industrial use, and priority date. The application map should also show existing roads and the delivery system for irrigation. Therefore, all other application requirements are not met. The draft Preliminary Determination cover letter set forth a deadline of August 30, 2023, for the applicant to respond.
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9. On October 25, 2023, and March 18, 2024, the Department contacted the applicant and the applicant's agent by email regarding deficiencies in the Report of Ownership Information submitted to the Department on August 10, 2023. The deficiencies were outlined as follows:

The Report of Ownership provided to the Department on August 10, 2023, needs to show the following information:

- a. The report of ownership must include a "prepared by" date;
 - b. The report of ownership must be prepared within 3 months of the Draft Preliminary Determination showing current ownership;
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 - e. Clarified ownership information and if necessary, affidavits of consent forms for Tax Lots 400 (Duran), 500 (Santoyo), 501 (Glidewell), 600 (Cole), 601 (Helms);
 - f. Portions of the lands proposed for modification under Groundwater GR-1703 (Certificate of Registration GR-1652), are located within roadways identified as being "owned" by the City of Millersburg.
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12. The groundwater registration to be modified is as follows:

Registration: Application GR-1703 (Certificate of Registration GR-1652), in the name of J.H. Lyon (*assigned to Edward R. Perlenfein*)
Use: Irrigation of 3.5 acres
Tentative Priority Date: 1951
Quantity: 30.0 Gallons per Minute (GPM)
Duty: 10.0 Acre-Feet (AF) annually
Source: Pump Well within the CROOKS CREEK BASIN

Original Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
10 S	3 W	WM	16	SW SE	PUMP WELL - 660 FEET NORTH AND 3820 FEET EAST FROM THE SW CORNER OF SECTION 16

Original Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
10 S	3 W	WM	16	SW SE	3.50

13. The applicant has provided information that better describes the location of the original point of appropriation as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
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14. Groundwater Registration Modification Application T-13626 proposes to modify the location of the place of use under the groundwater registration to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
10 S	3 W	WM	8	NW SE	3.50

15. Groundwater Registration Modification Application T-13626 proposes to move the authorized point of appropriation approximately 1.8 miles NW from the original well to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
10 S	3 W	WM	8	SW NE	WELL 1 - NORTH 61 DEGREES 30 SECONDS WEST 41 CHAINS FROM THE SE CORNER OF THE NE1/4 CORNER OF SECTION 8
10 S	3 W	WM	8	SW NE	WELL 2 - NORTH 75 DEGREES 10 SECONDS WEST 39 CHAINS FROM THE SE CORNER OF THE NE1/4 CORNER OF SECTION 8
10 S	3 W	WM	8	SW NE	WELL 4 - NORTH 68 DEGREES 20 SECONDS WEST 26 CHAINS FROM THE SE CORNER OF THE NE1/4 CORNER OF SECTION 8
10 S	3 W	WM	8	NW SE	WELL 3 - SOUTH 81 DEGREES 5 SECONDS WEST 38.25 CHAINS FROM THE NE CORNER OF THE SE1/4 CORNER OF SECTION 8

***Review Criteria for Groundwater Registration Modification Applications
[OAR 690-382-0100(10), 690-382-0700(2), 690-382-1000(1) and 690-380-2110(2)]***

16. The proposed modifications would not result in a state Scenic Waterway not receiving previously available water during periods in which stream flows are less than the quantities determined by the Department to be necessary to meet the requirements of ORS 390.835.
17. The proposed points of appropriation develop groundwater from the same aquifer as the authorized points of appropriation, as required by OAR 690-380-2110(2).
18. The proposed modifications would not result in enlargement of the groundwater registration.
19. The proposed modifications to the groundwater registration would not result in injury to other water rights.
20. All other application requirements are met.

Determination and Proposed Action

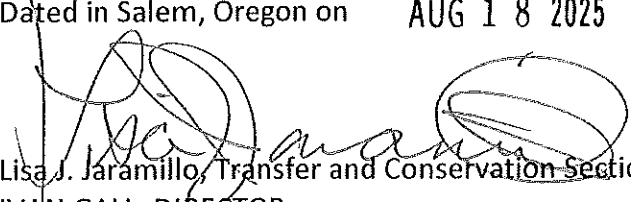
The modification in point of appropriation and modification in place of use proposed in Groundwater Registration Modification T-13626 appear to be consistent with the requirements of ORS 537.610, 537.705, 540.505 to 540.580 and OAR 690-382-1000. If protests are not filed pursuant to OAR 690-382-0900 modification will be approved.

If Groundwater Registration Modification Application T-13626 is approved, the final order will include the following:

1. *The modifications to Groundwater Registration GR-1703 (Certificate of Registration GR-1652) proposed in Groundwater Registration Modification Application T-13626 are recognized. Recognition of the modifications shall not be construed as a final determination of the right to appropriate groundwater under the certificate of registration or modification. Such a determination will occur in an adjudication proceeding under ORS 537.670 to 537.695.*
2. *The use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Groundwater Registration GR-1703 (Certificate of Registration GR-1652) and any related decree.*
3. *Approval of this groundwater registration modification application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new points of appropriation or the new place of use.*
4. *Water shall be acquired from the same aquifer (water source) as the original point of appropriation.*
5. *Water shall no longer be appropriated from the original point of appropriation as part of this groundwater certificate of registration.*

6. *The quantity of water diverted at the proposed points of appropriation (Wells 1, 2, 3, and 4) shall not exceed the quantity of water lawfully available at the original point of appropriation (pump well).*
7. *The former place of use of the modified groundwater registration shall no longer receive water as part of the groundwater certificate of registration.*

Dated in Salem, Oregon on **AUG 18 2025**


Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
IVAN GALL, DIRECTOR
Oregon Water Resources Department

This Preliminary Determination was prepared by Arla L Davis. If you have questions about the information in this document, you may reach me at 503-979-3129 or arla.l.davis@water.oregon.gov.

Protests

Under the provisions of ORS 540.520(6) & (7) and OAR 690-382-0900, within 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-382-0800, whichever is later, any person may file, jointly or severally, a protest expressing opposition of approval of the groundwater registration application and disagreement with this Preliminary Determination or a standing statement in support of this Preliminary Determination. Protests and standing statements must be received by the Water Resources Department within 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-382-0900, whichever is later.

Protests must be in writing and received in hard copy form with the appropriate statutory protest filing fee; protests cannot be filed by electronic mail. [OAR 690-002-0025(3) and 690-382-0900]. and include the following:

- The person's name, address, and telephone number;
- All reasonably ascertainable issues and all reasonably available arguments supporting the person's position by the close of the protest period. Failure to raise a reasonably ascertainable issue in a protest or failure to provide sufficient specificity to afford the Department an opportunity to respond to the issue may preclude consideration of the issue during the hearing;
- If you are the applicant, a protest fee of \$480 required by ORS 536.050; and
- If you are not the applicant, a protest fee of \$950 required by ORS 536.050 and proof of service of the protest upon the applicant.

Requests for Standing

Under the provisions of OAR 690-382-0900(5), the Department shall provide to persons who have filed standing statements as defined under OAR 690-382-0100(8) notice of any differences between the Department's Preliminary Determination and the Final Order, notice of a hearing on the application under OAR 137-003-0535, and an opportunity to request limited party status or party status in the hearing.

Requests for standing must be received in the Water Resources Department no later than 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-382-0900, whichever is later. Requests for standing must be in writing, and must include the following:

- The requester's name, mailing address and telephone number;
- If the requester is representing a group, association or other organization, the name, address and telephone number of the represented group;
- A statement that the requester supports the preliminary determination as issued.

After the protest period has ended, the Director will either issue a Final Order or schedule a contested case hearing. The contested case hearing will be scheduled only if a protest has been filed under OAR 690-382-0900. In accordance with OAR 690-382-1100, notice and conduct of the hearing shall:

- Be under the applicable provisions of ORS 183.310 to 183.550, pertaining to contested cases, and the hearing shall be held in the area where the rights are located unless all parties stipulate otherwise; and
- If a protest has asserted that a water right to be transferred has been forfeited through non-use, include the notice and procedures described in OAR 690-017-0500 to 690-017-0900.

If you do not request a hearing within 30 days after the close of the protest period, or if you withdraw a request for a hearing, notify the Department or the administrative law judge that you will not appear, or fail to appear at a scheduled hearing, the Director may issue a final order by default. If the Director issues a Final Order by default, the Department designates the relevant portions of its files on this matter, including all materials that you have submitted relating to this matter, as the record for purpose of proving a *prima facie* case upon default.

You may be represented by an attorney at the hearing. Legal aid organizations may be able to assist a party with limited financial resources. Generally, partnerships, corporations, associations, governmental subdivisions, or public or private organizations are represented by an attorney. However, consistent with OAR 690-002-0020 and OAR 690-137-0555, an agency representative may represent partnerships, corporations, associations, governmental subdivisions or public, or private organizations if the Department determines that appearance of a person by an authorized representative will not hinder the orderly and timely development of the record in this case.

Notice Regarding Service Members: Active-duty service members have a right to stay proceedings under the federal Service Members Civil Relief Act, 50 U.S.C. App. §§501-597b. You may contact the Oregon State Bar or the Oregon Military Department for more information. The toll-free telephone number for the Oregon State Bar is: 1 (800) 452-8260. The toll-free telephone number for the Oregon Military Department is: 1 (800) 452-7500. The Internet address for the United States Armed Forces Legal Assistance Legal Services Locator website is: <http://legalassistance.law.af.mil>.

If you have questions about how to file a protest or if you have previously filed a protest and you want to know the status, please contact Will Davidson at 503-986-0801.

If you have questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at 503-986-0900.

Address any correspondence to: Oregon Water Resources Department, Transfer and Conservation Section, 725 Summer Street NE, Suite A, Salem OR 97301-1266



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

July 29, 2025

CASE FAMILY LLC
33010 DEVER CONNER RD NE
ALBANY, OR 97321

SUBJECT: Groundwater Registration Modification Application T-13626

Your water right Groundwater Registration Modification is ready for issuance of the Preliminary Determination, once the Department receives payment for publication of the newspaper notice.

Items needed before the next phase of processing...

At this time you need to:

1. submit a check for **\$483.08** (to cover cost of publication of the notice), made out to the Oregon Water Resources Department.
2. write **"for T-13626 NOTICE"** on the front of your check, and submit it with the tracking stub at the bottom of this letter.

Mail the check to 725 Summer St. NE, Suite A, Salem, OR 97301-1266, **no later than August 29, 2025.**

What happens next... Shortly after receiving payment, the Department will issue the Preliminary Determination, initiate publication in the Albany Democratic Herald Newspaper, and also publish the notice on the Department's weekly notice. Publication of the notice will initiate a protest period during 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.

If we do not receive payment for newspaper notice by August 29, 2025, a Preliminary Determination may be issued denying the application as incomplete.

Please do not hesitate to contact me at 503-979-3129 or arla.l.davis@water.oregon.gov, if I may be of assistance.

Sincerely,

Arla L Davis

Arla L Davis
Groundwater Registration Modification Specialist
Transfer and Conservation Section

cc: GR Modification application file T-13626
Gregory Wacker, District 16 Watermaster (via e-mail)
William E. McGill, Agent for the applicant (via e-mail)

✂-----

Attached is a check for \$483.08 (PCA #46118) for Newspaper Notice for GR MOD T-13626 made out to Oregon Water Resources Department (or WRD)

- **"for T-13626 NOTICE" written on front of check**

Mail to: Oregon Water Resources Department
725 Summer St. NE, Suite A
Salem, OR 97301-1266

Caseworker: ARLA



Received by OWRD
JUL 31 2025
Salem, OR

Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Case Family LLC
33010 Dever Connor Rd NE, Albany OR 97321

Transaction Type: Newspaper Notice

Fees Received: \$ 483.08

Cash Check: Check No. 2439
Name(s) on Check: Will McGill Surveying

Thank you for your submission. Oregon Water Resources Department (Department) staff will review your submittal as soon as possible.

If your submission is determined to be complete, you will receive a receipt for the fees paid and an acknowledgement letter stating your submittal is complete.

If determined to be incomplete, your submission and the accompanying fees will be returned with an explanation of deficiencies that must be addressed in order for the submittal to be accepted.

If you have any questions, please feel free to contact the Department's Customer Service staff at 503-986-0801 or 503-986-0810.

Sincerely,
OWRD Customer Service Staff

Submission received by: Corie Lounien
(Name of OWRD staff)

Instructions for OWRD staff:

- Complete this Submission Receipt and make two (2) copies. Place one copy with the check/cash; and place the other copy with the submission (i.e., the application or other document).
- Date-stamp all pages. (NOTE: Do not stamp check.)
- Give this original Submission Receipt to the applicant.
- Record Submission Receipt information on the "RECEIVED OVER THE COUNTER" log sheet.
- Fold and put one copy of the Submission Receipt with check/cash into the Safe slot. Place the other copy of the Submission Receipt with submission (application/other document) in the top drawer of filing cabinet.

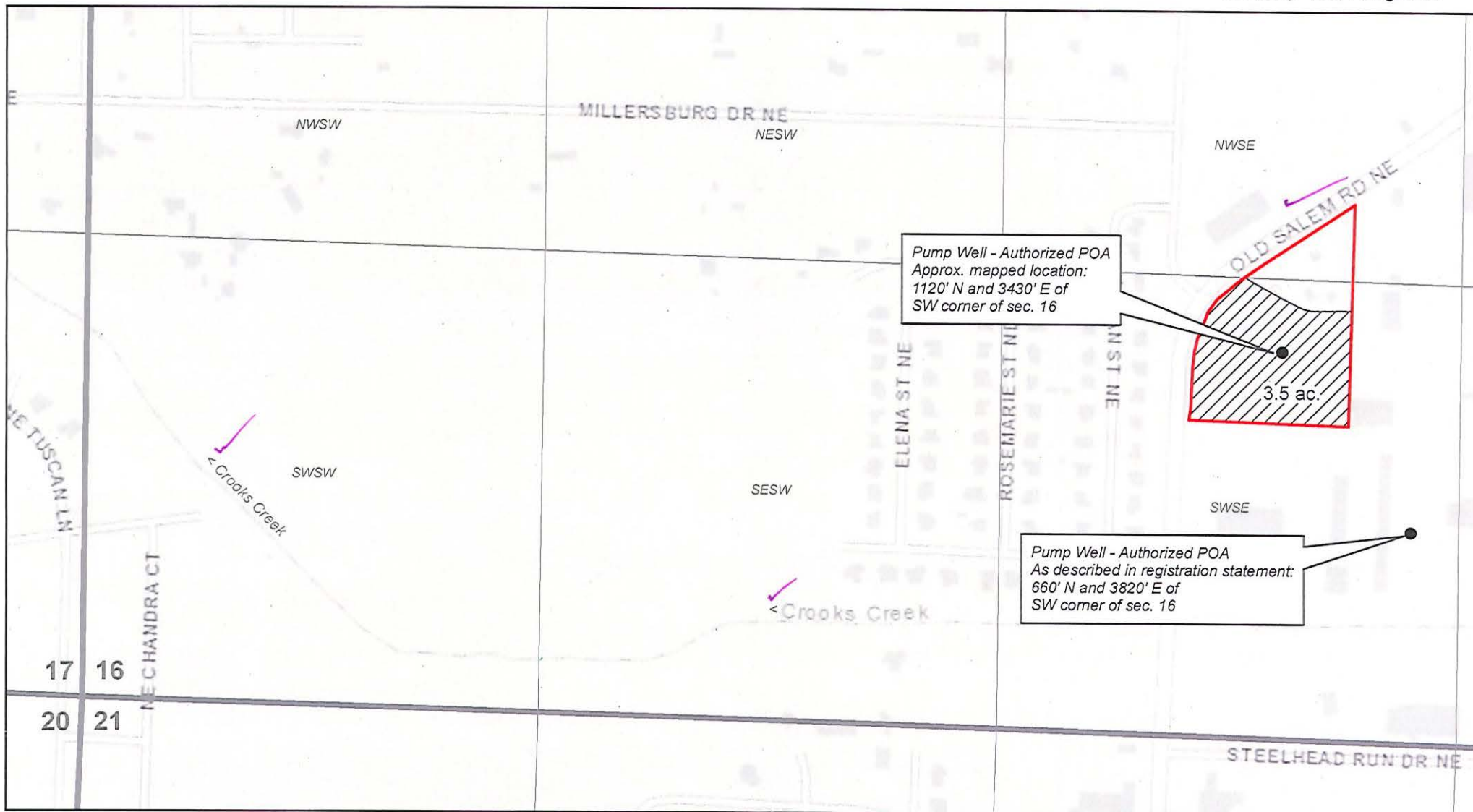
Copy

T-13626

Amended 8/7/2023

Groundwater Registration Modification - GR 1703 FROM - Perlenfein

Township 10S, Range 3W

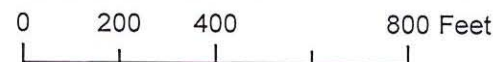


All GR 1703 1951 Priority Date ✓

Legend

 GR 1703 FROM - Irrigation ✓
 Tax Lot 2200

missing delivery system





320 Church St. NE, Salem, OR 97301
PHONE (503) 581-1431 FAX (503) 364-8716

STATUS OF RECORD TITLE

Grant McGill
Will McGill Surveying, LLC
15333 Pletzer Rd. SE
Turner, OR 97392
Your Reference No. Case Family LLC -T-13626

April 25, 2024
Title Number: 630624AM
Title Officer: Ashley Valdez
Fee: \$200.00

We have searched the status of record title as to the following described property:

See attached Exhibit 'A'

Vestee:

Edward R. Perlenfein, Trustee of the Edward R. Perlenfein Trust under agreement dated August 15, 2012, as to an undivided one-half interest and Phyllis I. Perlenfein, Trustee under the Phyllis I. Perlenfein Revocable Living Trust dated 12-21-90, as to an undivided one-half interest (VESTING AS OF FEBRUARY 11, 2021)

and dated as of **April 18, 2024** at 7:30 a.m.

Said property is subject to the following on record matters:

1. City liens, if any, of the City of Millersburg. (No inquiry has been made. If no search is requested, this exception will remain in the policy. A charge of \$25.00 per account will be added if a search is requested)
2. The property lies within and is subject to the levies and assessments of the Linn Soil and Water Conservation District.
3. Right, title and interest of the public in and to those portions of the Land lying within roads, streets or highways.
4. An easement including the terms and provisions thereof, affecting the portion of said Land and for the purposes stated therein as set forth in instrument:
Granted To: City of Millersburg, Linn County, Oregon
Recorded: April 13, 1992
Instrument No.: [MF Volume: 595, Page: 46](#)
5. An easement including the terms and provisions thereof, affecting the portion of said Land and for the purposes stated therein as set forth in instrument:
Granted To: City of Millersburg, Oregon
Recorded: February 24, 1994
Instrument No.: [MF Volume: 683, Page: 546](#)
6. Water Right Conveyance Agreement, including the terms and provisions thereof,
Recorded: February 11, 2021
Instrument No.: [2021-03691](#)

NOTE: Any map or sketch enclosed as an attachment herewith is furnished for information purposes only to assist in property location with reference to streets and other parcels. No representation is made as to accuracy and the company assumes no liability for any loss occurring by reason of reliance thereon.

NOTE: [Taxes](#) assessed under Code No. 00807 Account No. 42644 [Map](#) No. 10S03W16-00-02200
The 2023-2024 Taxes: \$3,904.28, Paid in Full.

THIS IS NOT A TITLE REPORT, A COMMITMENT TO ISSUE TITLE INSURANCE OR A GUARANTEE OF ANY KIND. No liability is assumed with this report. The fee charged for this service does not include supplemental reports or other services. Further dissemination of the information in this report in a form purporting to insure title to the herein described land is prohibited by law.

"Superior Service with Commitment and Respect for Customers and Employees"

7. A Deed of Trust, including the terms and provisions thereof, to secure the amount noted below and other amounts secured thereunder, if any:
Amount: \$306,000.00
Trustor/Grantor: Randal F. Aebi and Nuria M. Aebi
Trustee: First American Title Insurance Company of Oregon
Beneficiary: Northwest Farm Credit Services, FLCA
Dated: October 28, 2011
Recorded: November 3, 2011
Instrument No.: 2011-14263
8. An easement including the terms and provisions thereof, affecting the portion of said Land and for the purposes stated therein as set forth in instrument:
Granted To: City of McMinnville
Recorded: September 18, 2015
Instrument No.: 201514885

NOTE: Any map or sketch enclosed as an attachment herewith is furnished for information purposes only to assist in property location with reference to streets and other parcels. No representation is made as to accuracy and the company assumes no liability for any loss occurring by reason of reliance thereon.

THIS IS NOT A TITLE REPORT, A COMMITMENT TO ISSUE TITLE INSURANCE OR A GUARANTEE OF ANY KIND. No liability is assumed with this report. The fee charged for this service does not include supplemental reports or other services. Further dissemination of the information in this report in a form purporting to insure title to the herein described land is prohibited by law.

"Superior Service with Commitment and Respect for Customers and Employees"



320 Church St. NE, Salem, OR 97301
PHONE (503) 581-1431 FAX (503) 364-8716

STATUS OF RECORD TITLE

Grant McGill
Will McGill Surveying, LLC
15333 Pletzer Rd. SE
Turner, OR 97392
Your Reference No. Rolling Acres

April 5, 2024
Title Number: 628689AM
Title Officer: Michele Harris
Fee: \$200.00

We have searched the status of record title as to the following described property:

See attached Exhibit 'A'

Vestee:

Rolling Acres LLC, an Oregon limited liability company

and dated as of **April 3, 2024** at 7:30 a.m.

Said property is subject to the following on record matters:

1. **Taxes** assessed under Code No. 40.2 Account No. 123725 Map No. 04S-04W-03 500
The 2023-2024 Taxes: \$12,100.04
Balance Due: \$3,178.48, plus interest, unpaid.
2. Taxes deferred, as disclosed by the tax roll, the premises herein described have been zoned or classified for farm use. At any time that said Land is disqualified for such use the property will be subject to additional taxes or penalties and interest.
3. The property lies within and is subject to the levies and assessments of the Yamhill Soil and Water Conservation District.
4. Right, title and interest of the public in and to those portions of the Land lying within roads, streets or highways.
5. An easement including the terms and provisions thereof, affecting the portion of said Land and for the purposes stated therein as set forth in instrument:
Granted To: United States of America
Recorded: September 4, 1968
Instrument No.: Volume: 72 Page: 290
6. Easements as shown on the Partition **Plat** No. 2010-018.

EXHIBIT 'A'

File No. 628689AM

Unsurveyed Parcel 1 of Partition Plat recorded November 17, 2010 as Instrument No. 201016012 Deed and Mortgage Records, Yamhill County, Oregon, more particularly described as follows:

A part of the tract of and situate in Sections 2, 3, and 11, Township 4 South, Range 4 West of the Willamette Meridian in the Miles Carey Donation Land Claim #44, Notification No. 1229, in Yamhill County, Oregon, conveyed to the United States by W.T. Crook by Deed recorded March 11, 1937, in Book 112, Page 288 of the Deed Records of Yamhill County, Oregon; said part being more particularly described as follows, to wit:

Beginning at a point marked by a 3/4" iron pipe at the intersection of the North line of the United States Farm Security Administration Farm Unit No. 67 and the West right-of-way line of the Southern Pacific Railroad, said point being 566.48 feet North of and 1654.32 feet West of the Southwest corner of the Elijah Millican Donation Land Claim #43, Notification No. 1230; thence North 28°13'00" West 1935.66 feet along the West right-of-way line of the Southern Pacific Railroad to a point marked by a 2-inch iron pipe; thence along the line common with the D.C. Youngberg property as follows: South 14°39'00" West 48.20 feet to a point marked by a stone; South 36°56'30" East 91.34 feet to a point marked by a stone; South 00°33'30" East 738.39 feet to a point marked by a stone; North 89°59'30" West 722.01 feet to a point marked by a stone; thence South 9°29'00" West 1527.95 feet along the line common with the Willmot O. and Emma L. Cooper property and the J. A. and D. Wright property to a point marked by a stone; thence North 89°16'00" West 40.03 feet along the line common to the J. A. and Dorothy Wright property to a point marked by a stone; thence South 9°20'30" West 357.71 feet along the line common with the Metropolitan Life Insurance Company property to a point marked by a 3/4-inch iron pipe; thence North 62°26'00" East 2185.42 feet along the line common with Farm Unit No. 69, Farm Unit 67, and Lot No. 29 of St. Joe Orchard Homes to the point of beginning.

EXCEPTING THEREFROM Parcel 2 of Partition Plat recorded November 17, 2010 as Instrument No. 201016012, Deed and Mortgage Records, Yamhill County, Oregon.

ALSO TOGETHER WITH: Beginning at a point marked by a 3/4-inch iron pipe at the intersection of the South line of United States Farm Security Administration Farm Unit No. 68 and the West right-of-way line of the Southern Pacific Railroad, said point being 566.48 feet North of and 1654.32 feet West of the Southwest corner of the Elijah Millican Donation Land Claim #43, Notification No. 1230; thence South 62°26'00" West 962.75 feet along the line common with Farm Unit No. 68 to a point marked by a 2-inch iron pipe on the East right-of-way of Lone Oak Road (County Road #200); thence South 28°13'00" East 1775.11 feet along the East right-of-way of Lone Oak Road (County Road #200) to a point marked by a 2-inch iron pipe on the South line of Lot 41 and 48 St. Joe Orchard Homes; thence North 62°26'00" East 962.79 feet to a point marked by a 2-inch iron pipe on the West right-of-way line of the Southern Pacific Railroad; thence North 28°13'00" West 1775.17 feet along the West right-of-way line of the Southern Pacific Railroad to the point of beginning.

Excepting that portion of the premises lying in the dedicated roadways.

ALSO EXCEPTING that portion conveyed to Kenneth L. and Wilma J. Phillips, husband and wife by Warranty Deed recorded May 28, 1992 in Film Volume 269, Page 1202, Deed and Mortgage Records, Yamhill County, Oregon.

ALSO EXCEPTING a tract of land being a portion of Unit 67 of the U.S. Department of Agriculture Farm Security Administration lying within portions of Sections 2, 3, 10, and 11 of Township 4 South, Range 4 West, Willamette Meridian, and also being a portion of the Miles Carey Donation Land Claim #44, Notification No. 1229, in Yamhill County, Oregon said tract of land also being a portion of land described in Film Volume 294, Page 1463 Yamhill County Deed records, said tract being more particularly described as follows:

Beginning at an iron rod of Partition 1992-66 (recorded September 4, 1992 in Film 3 Page 272, Yamhill

County Deed Records) at the Northwest corner of a 30 foot wide strip of land sold from Dwight West to Kenneth and Wilma Phillips described in Film Volume 269, Page 1202 Yamhill County Deed Records, said Northwest corner on record as being North $28^{\circ} 11' 45''$ West 30.00 feet from the Initial Point of said Partition 1992-66, said Initial Point also being a 2" iron pipe with cap marking the Southwest corner of U.S. Unit 67; thence North $63^{\circ} 15' 57''$ East along the Northerly boundary of said Phillips 30 foot wide strip a distance of 317.64 feet to an iron rod; thence North $27^{\circ} 22' 50''$ West parallel with the Westerly boundary of said Unit #67 a distance of 687.51 feet to an iron rod; thence South $62^{\circ} 37' 10''$ West a distance of 317.62 feet, more or less, to an iron rod on the Westerly boundary of said Unit #67; thence South $27^{\circ} 22' 50''$ East along said Westerly boundary a distance of 683.92 feet more or less to the point of beginning.

ALSO TOGETHER WITH all that portion of the Charles S. Tustin Donation Land Claim, Notification No. 1228, Claim No. 45 and all that portion of the Miles Carey Donation Land Claim, Notification No. 1229, Claim No. 44 in Sections 2 and 3, Township 4 South, Range 4 West, of the Willamette Meridian, County of Yamhill, State of Oregon, being more particularly described as follows:
Beginning at a point 20.14 chains West and 1 1.935 chains South of the Northeast corner of the Charles S. Tustin Donation Land Claim, Notification No. 1 228, Claim No. 45; and being in the center of State Highway No. 47; thence East 1 7.357 chains to the Westerly margin of the Southern Pacific Railway right-of-way; thence South $27^{\circ} 34'$ East along the Westerly margin of said Railway right-of-way 23.285 chains to stake; thence South 11° West .82 chains to a stone in creek branch; thence South $36^{\circ} 0' 30''$ East 1 .86 chains to stone; thence South 11.15 chains to stone; thence West 10.93 chains to stone; thence South 9° West 9.04 chains to stake; thence West 18.50 chains to stake in the center of County Road; thence North along the center of said road 42.665 chains to the Point of Beginning.

EXCEPTING THEREFROM A tract of land being a part of the Charles S. Tustin DLC #45 lying in Section 3, Township 4 South, Range 4 West, Willamette Meridian, Yamhill County, Oregon, said tract being a portion of that land described in Instrument No. 200618922, Yamhill County Deed Records and being more particularly described as follows:
Beginning at an iron rod on the East margin of State Highway No. 47, said iron rod being South $35^{\circ} 32' 10''$ West 2248.42 feet from the iron rod and brass cap monument at the Northeast corner of the Tustin DLC #45, said iron rod also being South $00^{\circ} 04' 46''$ West 1029.58 feet from the iron rod of CS-10309 at the Northwest corner of said Instrument No. 200618922; thence South $89^{\circ} 55' 14''$ East 282.88 feet to an iron rod; thence South $00^{\circ} 04' 46''$ West parallel to the East margin of State Highway No. 47, 385.09 feet to an iron rod; thence North $89^{\circ} 55' 14''$ West 282.88 feet to an iron rod on the East margin of State Highway No. 47; thence North $00^{\circ} 04' 46''$ East 385.09 feet to the iron rod at the place of beginning.
APN: 123725

A part of the tract of land situate in Sections 2, 3, 10, and 1 1, Township 4 South, Range 4 West of the Willamette Meridian, in the Miles Carey Donation Land Claim #44, Notification No. 1229, in Yamhill County, Oregon, conveyed to the United States by W.T. Crook by Deed recorded March 1 1, 1937, in Book 1 12, Page 288 of the Deed Records of Yamhill County, Oregon; said part being more particularly described as follows, to wit:
Beginning at a point marked by a 2-inch iron pipe at the intersection of the South line of Lot 15 of St. Joe Orchard Homes and the West right-of-way line of County Road (#201), from which the Southwest corner of the Elijah Millican Donation Land Claim #43, Notification No. 1230 is North $79^{\circ} 29' 39''$ East 673.15 feet; thence North $0^{\circ} 20' 00''$ West 1 126.42 feet along the West right-of-way line of the Hawn Creek Road (County Road #201) to a point marked by a 2-inch iron pipe; thence North $89^{\circ} 29' 30''$ West 1 157.92 feet along the line common with the South line of Lot 1 3 of St. Joe Orchard Homes to a point on the East right-of-way line of the Southern Pacific Railroad; thence South $28^{\circ} 13' 00''$ East 1394.96 feet along the East right-of-way line of the Southern Pacific Railroad to a point marked by a 2-inch iron pipe on the South line of Lot 1 5 of St. Joe Orchard Homes; thence North $79^{\circ} 37' 00''$ East 513.32 feet along the South line of said Lot 1 5 to the point of beginning.
Excepting that portion of the premises lying in dedicated roadways.
APN: 123725

Application for Water Right Transfer



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

Consent by Deeded Landowner

State of Oregon)
)ss
County of Linn)

I Phyllis I. Perlenfein in my/our capacity as Owner/Trustee,

mailing address 3620 S Columbus St., Albany, OR 97322

telephone number (541) 979-5767, duly sworn depose and say that I/We

consent to the proposed change(s) to ~~Water Right Certificate~~ Groundwater Registration
Number 1703

described in a Water Right Transfer Application (T-13626),

(transfer number, if known)

submitted by Case Family LLC

on the property in tax lot number(s) 2200,

Section 16 Township 10 South Range 3 West, W.M.,

located at 6405 NE Old Salem Rd., Albany, OR 97321
(site address)

Received by OWRD

APR 29 2024

Salem, OR

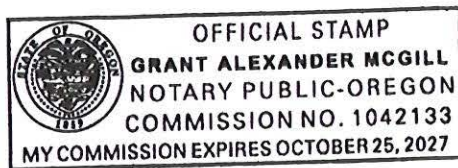
Phyllis Perlenfein
Signature of Affiant

4-26-24
Date

Signature of Affiant

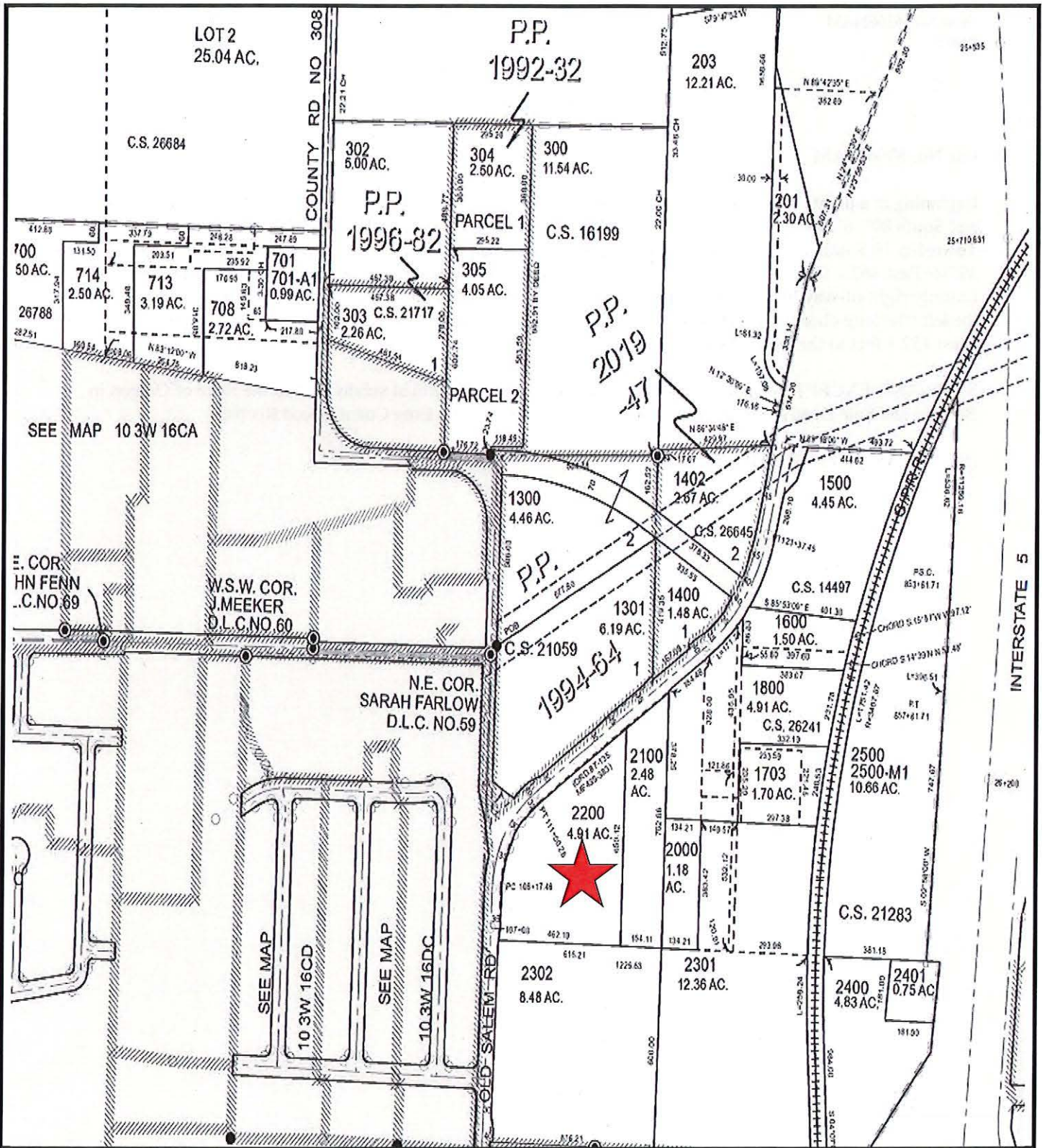
Date

Subscribed and Sworn to before me this 26 day of April, 2024.



Grant McGill
Notary Public for Oregon

My commission expires 10/25/2027.



10S03W16 2200 / 0042644, 6405 NE Old Salem Road
Albany, OR 97321

THIS MAP IS FURNISHED AS AN ACCOMMODATION STRICTLY FOR THE PURPOSES OF GENERALLY LOCATING THE LAND. IT DOES NOT REPRESENT A SURVEY OF THE LAND OR IMPLY ANY REPRESENTATIONS AS TO THE SIZE, AREA OR ANY OTHER FACTS RELATED TO THE LAND SHOWN THEREOF

EXHIBIT 'A'

File No. 630624AM

Beginning at a point on the East line of the Old Pacific Highway, said point being South 0°16' West 840.18 feet and South 89°16' East 61.3 feet from the Northeast corner of the Sarah Farlow Donation Land Claim No. 59 in Township 10 South, Range 3 West of the Willamette Meridian in Linn County, Oregon; and running thence South 89°16' East 462.1 feet; thence North 650.12 feet to a point on the South line of said highway; thence along the Easterly right-of-way line of said highway South 54°21' West 397.1 feet; thence on a 328.09 foot radius curve to the left (the long chord of which bears South 27°40' West 294.68 feet) a distance of 305.6 feet; thence South 0°59' West 152.1 feet to the place of beginning.

SAVE AND EXCEPT that portion conveyed to Linn County, a political subdivision of the State of Oregon in Bargain and Sale Deed recorded August 6, 1999 in MF1053-0793, Linn County Deed Records.

(LEGAL AS OF FEBRUARY 11, 2021)

VOL 932 PAGE 733
WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That ALLAN J. LAHMANN AND BARBARA J. LAHMANN,
HUSBAND AND WIFE, AS TENANTS BY THE ENTIRETY

Grantor s
in consideration of \$380,000.00 Dollars,
to them paid by the Grantee s herein, do hereby grant, bargain, sell and convey unto
ED PERLENFEIN, AS TO AN UNDIVIDED ONE-HALF INTEREST AND PHYLLIS I. PERLENFEIN,
TRUSTEE UNDER THE PHYLLIS I. PERLENFEIN REVOCABLE LIVING TRUST DATED 12-21-90

Grantee s the following described real property, situated in the County of LINN and
State of Oregon, to wit:

SEE ATTACHED EXHIBIT "A"

SUBJECT TO: REGULATIONS, INCLUDING LEVIES, LIENS, ASSESSMENTS, RIGHTS OF WAY
AND EASEMENTS OF THE LINN SOIL AND WATER CONSERVATION DISTRICT. THE RIGHTS OF
THE PUBLIC IN AND TO THAT PORTION OF THE ABOVE PROPERTY LYING WITHIN THE LIMITS
OF PUBLIC ROADS AND HIGHWAYS. AN EASEMENT RECORDED APRIL 13, 1992 IN MF VOL 595
PAGE 46. AN EASEMENT RECORDED FEBRUARY 24, 1994 IN MF VOL 683 PAGE 546. TRUST
DEED, RECORDED JULY 20, 1994 IN MF VOL 706 PAGE 536 IN FAVOR OF ROBERT LYLE
BRUNSON & DONNA MAE BRUNSON, WHICH GRANTEES HEREIN ASSUME AND AGREE TO PAY.

Parcel # 42644

To Have and to Hold the granted premises unto the said Grantees their Heirs and Assigns forever.
And the Grantors do covenant that they are lawfully seized in fee simple of the above granted
premises free from all encumbrances.

and that they will and their heirs, executors and administrators, shall warrant and forever defend the granted
premises, against the lawful claims and demands of all persons, except as above stated.

Witness our hands and seal this 31ST day of March, 1998

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 ANY FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

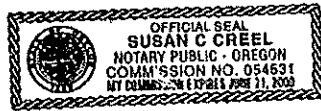
ALLAN J. LAHMANN (SEAL)
BARBARA J. LAHMANN (SEAL)
(SEAL)
(SEAL)

STATE OF OREGON } ss.
County of LINN

BE IT REMEMBERED, That on this 31ST day of March, 1998, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named ALLAN J. LAHMANN AND BARBARA J. LAHMANN

known to me to be the identical individual s 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.



Susan C Creel
Notary Public for Oregon.
My Commission expires _____

STATE OF OREGON } ss.
County of _____

I certify that the within instrument was received for record on _____ at _____ o'clock _____ and was recorded in Book _____ Page _____ Record of Deeds of said county.

Recorder of Conveyances

By _____ Deputy

Order No. 229797-L Return to: 10-3W-16/2200
First American Title Insurance Company of Oregon

UNTIL A CHANGE IS REQUESTED, ALL TAX STATEMENTS SHALL BE SENT TO THE FOLLOWING ADDRESS:

ED PERLENFEIN
2910 ALEXANDER NE
ALBANY, OR 97321

Return to:
FA/SUE #229797-L

BOOK VOL 932 PAGE 734

Beginning at a point on the East line of the Old Pacific Highway, said point being South 0° 16' West 840.18 feet and South 89° 16' East 61.3 feet from the Northeast corner of the Sarah Farlow Donation Land Claim No. 59 in Township 10 South, Range 3 West of the Willamette Meridian in Linn County, Oregon; and running thence South 89° 16' East 462.1 feet; thence North 650.12 feet to a point on the South line of said highway; thence along the Easterly right-of-way line of said highway South 54° 21' West 397.1 feet; thence on a 328.09 foot radius curve to the left (the long chord of which bears South 27° 40' West 294.68 feet) a distance of 305.6 feet; thence South 0° 59' West 152.1 feet to the place of beginning.

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

Deputy PAGE 733

40
APR 1 11 07 AM '98

LINN COUNTY, OREGON 2012-12650
D-WD
Cnt=1 Str=7 S. WILSON 08/20/2012 02:18:22 PM
\$15.00 \$11.00 \$15.00 \$19.00 \$10.00 \$70.00



00185487201200126500030039

I, Steve Druckenmiller, County Clerk for Linn County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.

Steve Druckenmiller - County Clerk



**COVER SHEET
STATUTORY WARRANTY DEED**

GRANTOR:

Edward R. Perlenfein
2910 Alexander Lane NE
Albany, Oregon 97321

GRANTEE:

Edward R. Perlenfein, Trustee
Edward R. Perlenfein Trust
2910 Alexander Lane NE
Albany, Oregon 97321

AFTER RECORDING RETURN TO:

Cordell S. Post, Attorney at Law
P.O. Box 1746
Albany, Oregon 97321

**UNTIL A CHANGE IS REQUIRED
ALL TAX STATEMENTS SHALL BE
SENT TO THE FOLLOWING ADDRESS:**

Edward R. Perlenfein, Trustee
Edward R. Perlenfein Trust
2910 Alexander Lane NE
Albany, Oregon 97321

FOR QUESTIONS CONTACT:

Cordell S. Post, Attorney at Law
P.O. Box 1746
Albany, Oregon 97321
(541)926-3199

LINN COUNTY, OREGON 2012-12928
D-WD
Cnt=1 Str=1 COUNTER 08/24/2012 10:38:00 AM
\$20.00 \$15.00 \$19.00 \$10.00 \$64.00



00185788201200129280040040

I, Steve Druckenmiller, County Clerk for Linn County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.

Steve Druckenmiller - County Clerk



Re-recorded at the request of
Cordell Post to correct
LEGAL DESCRIPTION
previously recorded as 2012-12650

TRUE AND ACTUAL CONSIDERATION:

The true and actual consideration paid for this conveyance is other property, in the form of estate planning.

STATUTORY WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that Edward R. Perlenfein ("Grantor"), for the consideration hereinafter stated, does hereby convey and warrant to Edward R. Perlenfein, Trustee of the Edward R. Perlenfein Trust ("Trust") under agreement dated August 15, 2012, or to such Successor Trustee(s) as may hereafter be appointed pursuant to the terms of the Trust ("Grantee"), all of Edward R. Perlenfein's interest in the real property ("Property") located in Linn County, Oregon and legally described in attached Exhibit A.

Grantor covenants that Grantor is seized of an indefeasible estate in the Property in fee simple, that Grantor has good right to convey the Property, that the Property is free from encumbrances, except those which are a matter of public record, and that Grantor warrants and will defend the title to the Property against all persons who claim the same, except that Grantor shall not be required to make any payment arising out of the foregoing in excess of the proceeds of any available policies of title insurance. It is the intention of Grantor to preserve, to the greatest extent possible, all existing title insurance coverage. The true and actual consideration paid for this conveyance is other property, in the form of estate planning.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Edward R. Perlenfein
Edward R. Perlenfein, Grantor

STATE OF OREGON, COUNTY OF LINN) ss.

This instrument was acknowledged before me on August 15, 2012, by Edward R. Perlenfein.

CordeLL S Post
Notary Public for Oregon
My commission expires: 12/21/12

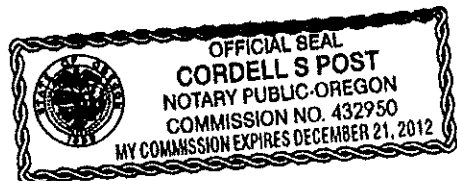


Exhibit A

Parcel I:

Lot 24, West Park, Millersburg, Linn County, Oregon.

Parcel II:

Beginning at a point on the East line of the Old Pacific Highway, said point being South 0° 15' West 640.18 feet and South 89° 16' East 51.3 feet from the Northeast corner of the Sarah Farlow Donation Land Claim No. 59 in Township 10 South, Range 3 West of the Willamette Meridian in Linn County, Oregon; and running thence South 89° 16' East 462.1 feet; thence North 650.12 feet to a point on the South line of said highway; thence along the Easterly right-of-way line of said highway South 54° 21' West 397.1 feet; thence on a 328.09 foot radius curve to the left (the long chord of which bears South 27° 40' West 294.68 feet) a distance of 305.6 feet, thence South 0° 59' West 152.1 feet to the place of beginning.

Exhibit A

Parcel I:

Lot 24, West Park, Millersburg, Linn County, Oregon.

Parcel II:

Beginning at a point on the East line of the Old Pacific Highway, said point being South 0° 15' West 840.18 feet and South 89° 16' East 61.3 feet from the Northeast corner of the Sarah Farlow Donation Land Claim No. 59 in Township 10 South, Range 3 West of the Willamette Meridian in Linn County, Oregon; and running thence South 89° 16' East 462.1 feet; thence North 650.12 feet to a point on the South line of said highway; thence along the Easterly right-of-way line of said highway South 54° 21' West 397.1 feet; thence on a 328.09 foot radius curve to the left (the long chord of which bears South 27° 40' West 294.68 feet) a distance of 305.6 feet, thence South 0° 59' West 152.1 feet to the place of beginning.

Excepting therefrom that real property described in MF 1053-793, Linn County, Oregon Deed Records.

Application for Water Right Transfer



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

Consent by Deeded Landowner

State of Oregon)
)ss
County of Linn)

I Jeffrey S. and Valerie J. Glidewell in my/our capacity as Owners (as of 2/25/2021),

mailing address 1345 Sanford St., Coos Bay, OR 97420,

telephone number (253) 261-2032, duly sworn depose and say that I/We

consent to the proposed change(s) to Water Right Certificate Number GR 1543

described in a Water Right Transfer Application (T-13697),

(transfer number, if known)

submitted by Case Family LLC

on the property in tax lot number(s) 501,

Section 16 Township 10 South Range 3 West, W.M.,

located at 2876 NE Millersburg D., Albany, OR 97321

(site address)

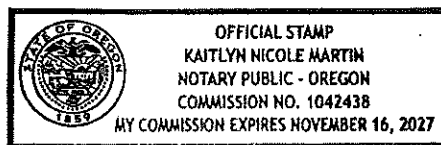
Jeffrey S. Glidewell
Signature of Affiant

5-9-24
Date

Valerie J. Glidewell
Signature of Affiant

5-9-24
Date

Subscribed and Sworn to before me this 9 day of May, 2024.



Kaitlyn Nicole Martin
Notary Public for Oregon

My commission expires 11-16-2027



320 Church St. NE, Salem, OR 97301
PHONE (503) 581-1431 FAX (503) 364-8716

STATUS OF RECORD TITLE

Grant McGill
Will McGill Surveying, LLC
15333 Pletzer Rd. SE
Turner, OR 97392
Your Reference No. Case Family LLC/T-13697 (Tax
Lot 501)

April 30, 2024
Title Number: 632952AM
Title Officer: Krista Iverson
Fee: \$200.00

We have searched the status of record title as to the following described property:

Parcel 2, PARTITION PLAT NO. 2020-34, recorded June 29, 2020, Instrument No. 2020-12376, Linn County Deed Records, Linn County, Oregon.

TOGETHER WITH a 25.00 foot private access easement as delineated on Partition Plat 2019-42.
(LEGAL AS OF FEBRUARY 25, 2021)

Vestee:

**Jeffrey S. Glidewell and Valerie J. Glidewell, as Tenants by the Entirety
(VESTING AS OF FEBRUARY 25, 2021)**

Note: The current vested owner is William Schueller and Pamala Schueller

and dated as of **April 26, 2024** at 7:30 a.m.

Said property is subject to the following on record matters:

1. City liens, if any, of the City of Millersburg
2. The property lies within and is subject to the levies and assessments of the Linn Soil and Water Conservation District
3. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:
Granted To: Mountain States Power Company, A Delaware Corporation, its successors and assigns
Recorded: April 16, 1947
Instrument No.: [Volume: 191 Page: 519](#)
4. Easements as shown on the Partition [Plat](#) No. 2019-42.
5. Easements as shown on the Partition [Plat](#) No. 2020-34.
6. Restrictions as shown on the official plat of said Land.
7. Utility Easement Agreement, including the terms and provisions thereof, Recorded: September 8, 2020
Instrument No.: [2020-18382](#)
8. Water Right Conveyance Agreement, including the terms and provisions thereof, Recorded: February 25, 2021
Instrument No.: [2021-04856](#)

9. A Deed of Trust, including the terms and provisions thereof, to secure the amount noted below and other amounts secured thereunder, if any:

Amount: \$636,500.00

Trustor/Grantor: William Schueller and Pamala Schueller, as Tenants by the Entirety

Trustee: First American Title

Beneficiary: Mortgage Electronic Registration Systems, Inc. (MERS), solely as nominee for Mortgage Express LLC

Dated: April 1, 2024

Recorded: April 4, 2024

[Instrument No.:](#) 2024-03419

Tax Information:

[Taxes](#) assessed under Code No. 0807 Account No. 946476 [Map](#) No. 10S03W16CC00501

NOTE: The 2023-2024 Taxes: \$5,008.84, are Paid

NOTE: Any map or sketch enclosed as an attachment herewith is furnished for information purposes only to assist in property location with reference to streets and other parcels. No representation is made as to accuracy and the company assumes no liability for any loss occurring by reason of reliance thereon.

THIS IS NOT A TITLE REPORT, A COMMITMENT TO ISSUE TITLE INSURANCE OR A GUARANTEE OF ANY KIND. No liability is assumed with this report. The fee charged for this service does not include supplemental reports or other services. Further dissemination of the information in this report in a form purporting to insure title to the herein described land is prohibited by law.

"Superior Service with Commitment and Respect for Customers and Employees"



320 Church St. NE, Salem, OR 97301
PHONE (503) 581-1431 FAX (503) 364-8716

STATUS OF RECORD TITLE

Grant McGill
Will McGill Surveying, LLC
15333 Pletzer Rd. SE
Turner, OR 97392
Your Reference No. Case Family LLC/T-13697 (Tax
Lot 600)

April 30, 2024
Title Number: 632953AM
Title Officer: Krista Iverson
Fee: \$200.00

We have searched the status of record title as to the following described property:

Parcel 1 of PARTITION PLAT NO. 2020-71, Record of Partition Plats, Linn County, Oregon.
(Legal as of February 25, 2021)

Vestee:

**Progressive Design Builder, Inc., an Oregon Corporation
(Vesting as of February 25, 2021)**

Note: The current vested owners are Derrick Dean Cole and Lisa Goodwin

and dated as of **April 26, 2024** at 7:30 a.m.

Said property is subject to the following on record matters:

1. City liens, if any, of the City of Millersburg
2. The property lies within and is subject to the levies and assessments of the Linn Soil and Water Conservation District
3. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:
Granted To: Mountain States Power Company, A Delaware Corporation, its successors and assigns
Recorded: April 16, 1947
Instrument No.: [Volume: 191 Page: 519](#)
4. Easements as shown on the Partition [Plat](#) No. 2019-42.
5. Terms, provisions and conditions, including but not limited to maintenance provisions, contained in appurtenant easement, Recorded: September 8, 2020 Instrument No.: [2020-18382](#)
6. Easements as shown on the Partition [Plat](#) No. 2020-71.
7. Restrictions as shown on the official plat of said Land.
8. Terms, provisions and conditions, including but not limited to maintenance provisions, contained in appurtenant easement, Recorded: February 22, 2021 Instrument No.: [2021-04441](#)

9. Water Right Conveyance Agreement, including the terms and provisions thereof,
Recorded: February 25, 2021
Instrument No.: [2021-04856](#)
10. Water Right Conveyance Agreement, including the terms and provisions thereof,
Recorded: February 25, 2021
Instrument No.: [2021-04857](#)
11. Easements and fenceline as shown on the Partition [Plat](#) No. 2022-65.
12. A Deed of Trust, including the terms and provisions thereof, to secure the amount noted below and other amounts secured thereunder, if any:
Amount: \$470,250.00
Trustor/Grantor: Lisa Goodwin and Derrick Dean Cole
Trustee: First American Title Insurance Company
Beneficiary: Mortgage Electronic Registration Systems, Inc. (MERS), solely as nominee for Caliber Home Loans, Inc.
Dated: July 1, 2022
Recorded: July 1, 2022
Instrument No.: [2022-11763](#)

Tax Information:

[Taxes](#) assessed under Code No. 0807 Account No. 357448 [Map](#) No. 10S03W16CC00600

NOTE: The 2023-2024 Taxes: \$1,975.61, are Paid

NOTE: Any map or sketch enclosed as an attachment herewith is furnished for information purposes only to assist in property location with reference to streets and other parcels. No representation is made as to accuracy and the company assumes no liability for any loss occurring by reason of reliance thereon.

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"Superior Service with Commitment and Respect for Customers and Employees"



320 Church St. NE, Salem, OR 97301
PHONE (503) 581-1431 FAX (503) 364-8716

STATUS OF RECORD TITLE

Grant McGill
Will McGill Surveying, LLC
15333 Pletzer Rd. SE
Turner, OR 97392
Your Reference No. 1Case Family LLC/T-13697 (Tax
Lot 500)

April 30, 2024
Title Number: 632950AM
Title Officer: Krista Iverson
Fee: \$200.00

We have searched the status of record title as to the following described property:

Parcel 1, PARTITION PLAT NO. 2020-34, recorded June 29, 2020, Instrument No. 2020-12376, Linn County Deed Records, Linn County, Oregon.

TOGETHER WITH a 25.00 foot private access easement as delineated on Partition Plat 2019-42.

Vestee:

Tereso DJ Santoyo and Carol M. Santoyo, as Tenants by the Entirety

and dated as of **April 26, 2024** at 7:30 a.m.

Said property is subject to the following on record matters:

1. City liens, if any, of the City of Millersburg
2. The property lies within and is subject to the levies and assessments of the Linn Soil and Water Conservation District
3. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:
Granted To: Mountain States Power Company, A Delaware Corporation, its successors and assigns
Recorded: April 16, 1947
Instrument No.: [Volume: 191 Page: 519](#)
4. Easements as shown on the Partition [Plat](#) No. 2019-42.
5. Easements as shown on the Partition [Plat](#) No. 2020-34.
6. Restrictions as shown on the official plat of said Land.
7. Utility Easement Agreement, including the terms and provisions thereof, Recorded: September 8, 2020
Instrument No.: [2020-18382](#)
8. Water Right Conveyance Agreement, including the terms and provisions thereof, Recorded: February 25, 2021
Instrument No.: [2021-04856](#)

Tax Information:

Taxes assessed under Code No. 0807 Account No. 945730 Map No. 10S03W16CC00500

NOTE: The 2023-2024 Taxes: \$5,368.06, are Paid

NOTE: Any map or sketch enclosed as an attachment herewith is furnished for information purposes only to assist in property location with reference to streets and other parcels. No representation is made as to accuracy and the company assumes no liability for any loss occurring by reason of reliance thereon.

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"Superior Service with Commitment and Respect for Customers and Employees"



320 Church St. NE, Salem, OR 97301
PHONE (503) 581-1431 FAX (503) 364-8716

STATUS OF RECORD TITLE

Grant McGill
Will McGill Surveying, LLC
15333 Pletzer Rd. SE
Turner, OR 97392
Your Reference No. Case Family LLC -T-13697 (Tax
Lot 400)

April 30, 2024
Title Number: 630626AM
Title Officer: Krista Iverson
Fee: \$200.00

We have searched the status of record title as to the following described property:

Commencing at a 31/4" aluminum cap at the Southeast corner of the John Fenn Donation Land Claim No. 69, located in the Southwest Quarter of Section 16, Township 10 South, Range 3 West, of the Willamette Meridian, City of Millersburg, Linn County, Oregon; thence South 00°43'19" East 30.00 feet to a 5/8" iron rod on the North Right of Way of Millersburg Drive NE; thence along said North Right of South 88°48'30" West 945.83 feet to a 5/8" iron rod being the true point of beginning; thence South 01°11'30" East 209.95 feet to a 5/8" iron rod; thence North 88°19'38" West 81.50 feet to a 5/8" iron rod; thence North 00°14'26" East 15.88 feet to a 5/8" iron rod; thence South 88°48'30" West 120.00 feet; thence North 01°11'30" West 190.00 feet to the South right of way of Millersburg Drive NE; thence along said South right of way North 88°48'30" East 201.00 feet to the True Point of Beginning.

Vestee:

Manuel Duran Jr. and Gloria Duran, as Tenants by the Entirety

and dated as of April 26, 2024 at 7:30 a.m.

Said property is subject to the following on record matters:

1. City liens, if any, of the City of Millersburg
2. The property lies within and is subject to the levies and assessments of the Linn Soil and Water Conservation District
3. Right, title and interest of the public in and to those portions of the Land lying within roads, streets or highways.
4. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:
Granted To: Mountain States Power Company
Recorded: April 16, 1947
Instrument No.: [Book: 191 Page: 519](#)

5. A Deed of Trust, including the terms and provisions thereof, to secure the amount noted below and other amounts secured thereunder, if any:

Amount: \$187,000.00

Trustor/Grantor: Manuel Duran Jr. and Gloria Duran, as Tenants by the Entirety

Trustee: AmeriTitle

Beneficiary: Mortgage Electronic Registration Systems, Inc. (MERS), solely as nominee for Finance of America Mortgage, LLC

Dated: September 21, 2019

Recorded: September 23, 2019

Instrument No.: 2019-16358

NOTE: Any map or sketch enclosed as an attachment herewith is furnished for information purposes only to assist in property location with reference to streets and other parcels. No representation is made as to accuracy and the company assumes no liability for any loss occurring by reason of reliance thereon.

Tax Information:

Taxes assessed under Code No. 0807 Account No. 0042529 Map No. 10S03W16CC00400

NOTE: The 2023-2024 Taxes: \$4,190.59, are Paid

NOTE: Mobile Home Taxes assessed under Account. No. 793953 The 2023-2024 Taxes: \$318.19, Paid in Full. (X-107108)

THIS IS NOT A TITLE REPORT, A COMMITMENT TO ISSUE TITLE INSURANCE OR A GUARANTEE OF ANY KIND. No liability is assumed with this report. The fee charged for this service does not include supplemental reports or other services. Further dissemination of the information in this report in a form purporting to insure title to the herein described land is prohibited by law.

"Superior Service with Commitment and Respect for Customers and Employees"



320 Church St. NE, Salem, OR 97301
PHONE (503) 581-1431 FAX (503) 364-8716

STATUS OF RECORD TITLE

Grant McGill
Will McGill Surveying, LLC
15333 Pletzer Rd. SE
Turner, OR 97392
Your Reference No. Case Family LLC/T-13697 (Tax
Lot 601)

April 30, 2024
Title Number: 632954AM
Title Officer: Krista Iverson
Fee: \$200.00

We have searched the status of record title as to the following described property:

Parcel 2 of PARTITION PLAT NO. 2020-71, Record of Partition Plats, Linn County, Oregon
(Legal as of February 25, 2021)

Vestee:

**Steven C. Helms and Elizabeth D. Helms, Trustees of The Helms Joint Revocable Living Trust dated
April 22, 2019
(Vesting as of February 25, 2021)**

and dated as of at 7:30 a.m.

Said property is subject to the following on record matters:

1. Taxes deferred, as disclosed by the tax roll, the Land herein described have been zoned or classified for farm use. At any time that said Land is disqualified for such use the property will be subject to additional taxes or penalties and interest.
2. City liens, if any, of the City of Millersburg
3. The property lies within and is subject to the levies and assessments of the Linn Soil and Water Conservation District
4. Rights of the public and governmental bodies in and to that portion of said premises now or at any time lying below the high water line of Crooks Creek, including any ownership rights which may be claimed by the State of Oregon as to any portion now or at any time lying below the ordinary high water line.

Such rights and easements for navigation and fishing as may exist over that portion of the property now or at any time lying beneath the waters of Crooks Creek.

All matters arising from any shifting in the course of Crooks Creek including but not limited to accretion, reliction and avulsion.

5. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:
Granted To: Mountain States Power Company, a Delaware corp
Recorded: April 16, 1947
Instrument No.: [Book: 191 Page: 519](#)
6. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:
Granted To: United States of America and its assigns
Recorded: May 2, 1969
Instrument No.: [Book: 339 Page: 130](#)
7. Easement(s) as shown on the [Partition Plat](#) No. 2019-42.
8. Restrictions as shown on the official plat of said Land.
9. Terms, provisions and conditions, including but not limited to maintenance provisions, contained in appurtenant easement,
Recorded: September 8, 2020
Instrument No.: [2020-18382](#)
10. Easements and fenceline as shown on the [Partition Plat](#) No. 2020-71.
11. Restrictions as shown on the official plat of said Land.
12. Access and Utility Easement, including the terms and provisions thereof,
Recorded: February 22, 2021
Instrument No.: [2021-04441](#)
13. Water Right Conveyance Agreement, including the terms and provisions thereof,
Recorded: February 25, 2021
Instrument No.: [2021-04856](#)
14. Easements as shown on the [Partition Plat](#) No. 2022-98.
15. Restrictive Covenants regarding improvements, including the terms and provisions thereof, and including among other things a waiver of right of remonstrance, Recorded: December 22, 2022 Instrument No.: [2022-19930](#)

Tax Information:

[Taxes](#) assessed under Code No. 0807 Account No. 946698 [Map](#) No. 10S03W16CC00601

NOTE: The 2023-2024 Taxes: \$51.33, are Paid

NOTE: Any map or sketch enclosed as an attachment herewith is furnished for information purposes only to assist in property location with reference to streets and other parcels. No representation is made as to accuracy and the company assumes no liability for any loss occurring by reason of reliance thereon.

THIS IS NOT A TITLE REPORT, A COMMITMENT TO ISSUE TITLE INSURANCE OR A GUARANTEE OF ANY KIND. No liability is assumed with this report. The fee charged for this service does not include supplemental reports or other services. Further dissemination of the information in this report in a form purporting to insure title to the herein described land is prohibited by law.

"Superior Service with Commitment and Respect for Customers and Employees"

CAP DETAIL #1

FOUND 3-1/4" ALUMINUM CAP SET IN CONCRETE RE-MONUMENT B. 17, P. 035 THIS MONUMENT WAS DESTROYED BY NORTH SANTIAM PAVING IN THE CONSTRUCTION OF WOODS ESTATES TO THE SOUTH.

WEST VALLEY ESTATES

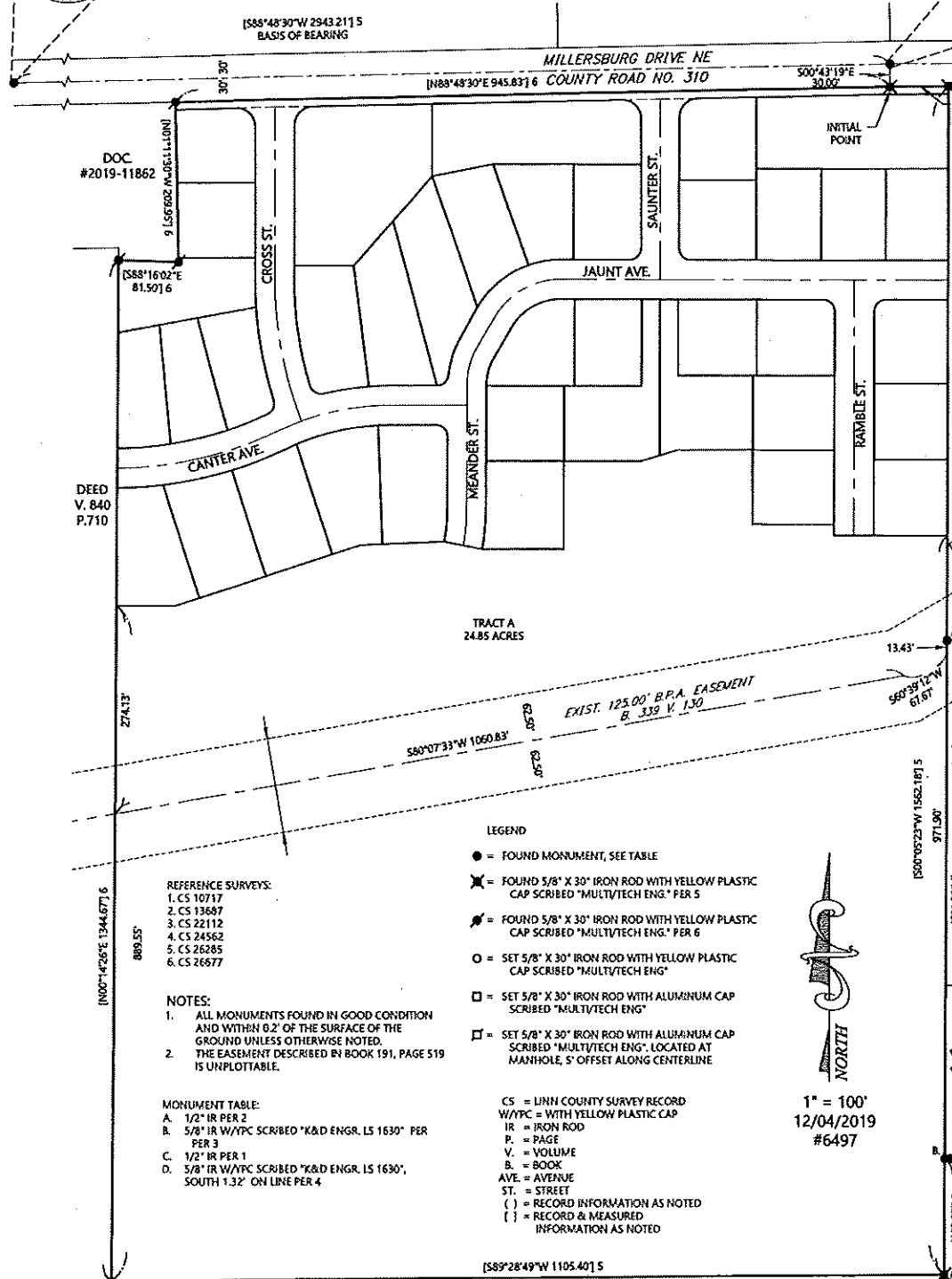
IN THE SW 1/4 SEC. 16, T. 10 S., R. 3 W., W.M.
CITY OF MILLERSBURG, LINN COUNTY, OREGON

C.S. 26746

BY:
MULTI/TECH ENGINEERING SERVICES, INC.
1155 13TH ST. S.E. SALEM, OREGON 97302
503-363-9227



CAP DETAIL #2
FOUND 3-1/4" ALUMINUM CAP SET IN CONCRETE RE-MONUMENT B. 17, P. 034



DOC. #2019-11862

DEED V. 840 P. 710

Doc. # 2010-04521

TRACT A
24.85 ACRES

PARCEL 1
P.P. 2014-15

PARCEL 2
P.P. 2014-15

- REFERENCE SURVEYS:
1. CS 10717
 2. CS 13687
 3. CS 22112
 4. CS 24562
 5. CS 26285
 6. CS 26577

- NOTES:
1. ALL MONUMENTS FOUND IN GOOD CONDITION AND WITHIN 0.2' OF THE SURFACE OF THE GROUND UNLESS OTHERWISE NOTED.
 2. THE EASEMENT DESCRIBED IN BOOK 191, PAGE 519 IS UNPLOTTABLE.

MONUMENT TABLE:

A.	1/2" IR PER 2
B.	5/8" IR W/YPC SCRIBED "K&D ENGR. LS 1630" PER 3
C.	1/2" IR PER 1
D.	5/8" IR W/YPC SCRIBED "K&D ENGR. LS 1630", SOUTH 1.32' ON LINE PER 4

- LEGEND
- = FOUND MONUMENT, SEE TABLE
 - ✕ = FOUND 5/8" X 30" IRON ROD WITH YELLOW PLASTIC CAP SCRIBED "MULTI/TECH ENG." PER 5
 - ⊙ = FOUND 5/8" X 30" IRON ROD WITH YELLOW PLASTIC CAP SCRIBED "MULTI/TECH ENG." PER 6
 - = SET 5/8" X 30" IRON ROD WITH YELLOW PLASTIC CAP SCRIBED "MULTI/TECH ENG."
 - = SET 5/8" X 30" IRON ROD WITH ALUMINUM CAP SCRIBED "MULTI/TECH ENG."
 - ⊞ = SET 5/8" X 30" IRON ROD WITH ALUMINUM CAP SCRIBED "MULTI/TECH ENG.", LOCATED AT MANHOLE, 5' OFFSET ALONG CENTERLINE
- CS = LINN COUNTY SURVEY RECORD
W/YPC = WITH YELLOW PLASTIC CAP
IR = IRON ROD
P. = PAGE
V. = VOLUME
B. = BOOK
AVE. = AVENUE
ST. = STREET
() = RECORD INFORMATION AS NOTED
[] = RECORD & MEASURED INFORMATION AS NOTED



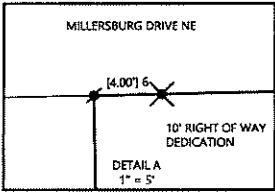
1" = 100'
12/04/2019
#6497

REGISTERED PROFESSIONAL LAND SURVEYOR

Robert D. Hamman
OREGON
JULY 13, 2004
ROBERT D. HAMMAN
64202LS
EXPIRES: 6-30-2021

I HEREBY CERTIFY THIS TO BE A TRUE AND EXACT COPY OF THE ORIGINAL PLAT
Robert D. Hamman
ROBERT D. HAMMAN

- SHEET INDEX
- SHEET 1 - OVERALL BOUNDARY
 - SHEET 2 - LOTS AND LOT EASEMENTS
 - SHEET 3 - PUBLIC EASEMENTS
 - SHEET 4 - CURVE & LINE TABLE
 - SHEET 5 - SIGNATURE PAGE
- SHEET 1 OF 5



WEST VALLEY ESTATES

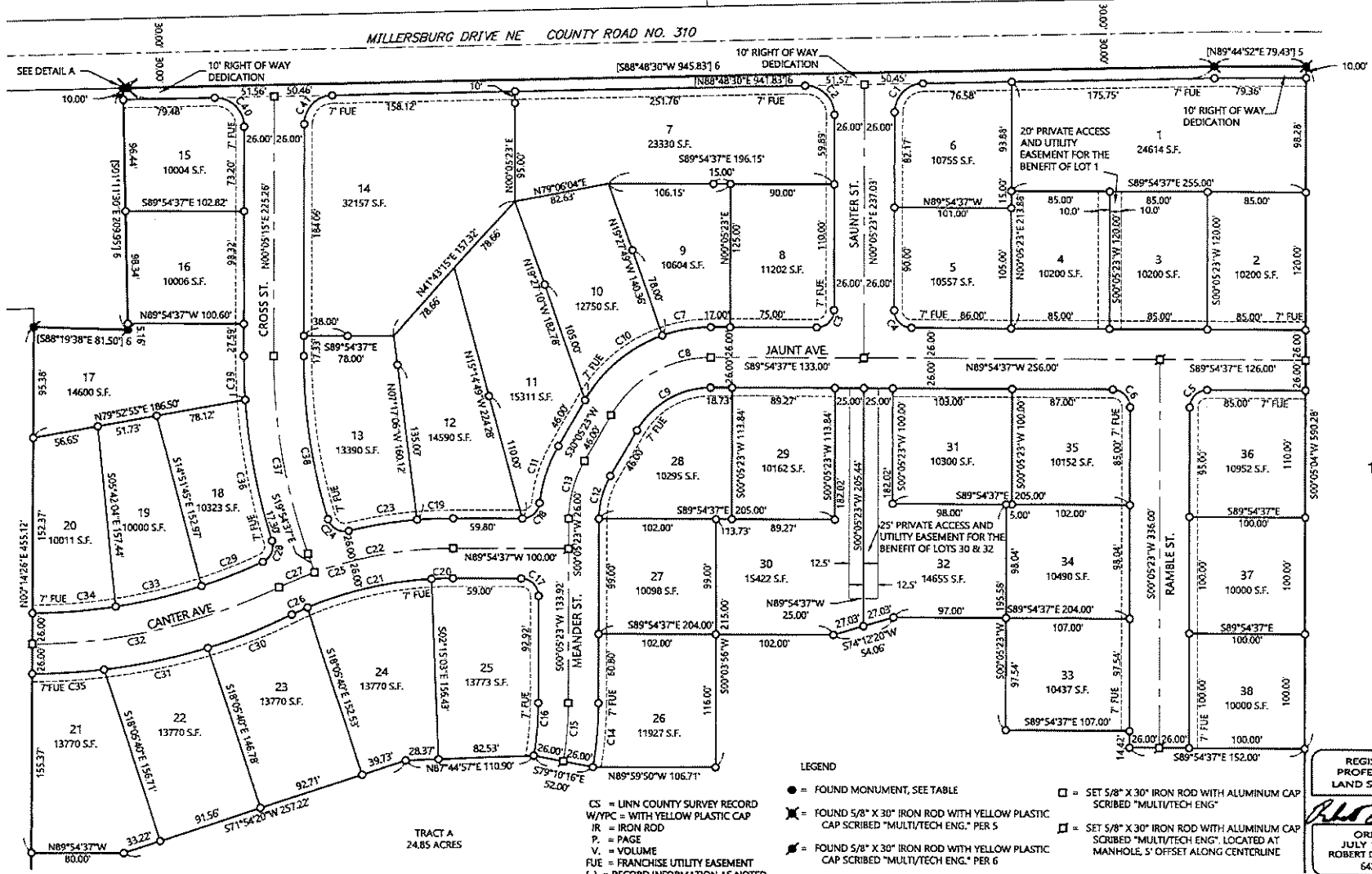
IN THE SW 1/4 SEC. 16, T. 10 S., R. 3 W., W.M.
CITY OF MILLERSBURG, LINN COUNTY, OREGON

C.S. **26746**

BY:
MULTI/TECH ENGINEERING SERVICES, INC.
1155 13TH ST. S.E. SALEM, OREGON 97302
503-363-9227

I HEREBY CERTIFY THIS TO BE A TRUE
AND EXACT COPY OF THE ORIGINAL PLAT

Robert D. Hamman
ROBERT D. HAMMAN



1" = 60'
10/17/2019
#6497

TRACT A
24.85 ACRES

CS = LINN COUNTY SURVEY RECORD
W/YPC = WITH YELLOW PLASTIC CAP
IR = IRON ROD
P. = PAGE
V. = VOLUME
FUE = FRANCHISE UTILITY EASEMENT
() = RECORD INFORMATION AS NOTED
() = RECORD & MEASURED INFORMATION AS NOTED
AVE. = AVENUE
ST. = STREET

LEGEND

- = FOUND MONUMENT, SEE TABLE
- ✕ = FOUND 5/8" X 30" IRON ROD WITH YELLOW PLASTIC CAP SCRIBED "MULTI/TECH ENG." PER 5
- ⊠ = SET 5/8" X 30" IRON ROD WITH ALUMINUM CAP SCRIBED "MULTI/TECH ENG." PER 6
- ⊠ = SET 5/8" X 30" IRON ROD WITH ALUMINUM CAP SCRIBED "MULTI/TECH ENG." LOCATED AT MANHOLE, 5' OFFSET ALONG CENTERLINE
- = SET 5/8" X 30" IRON ROD WITH YELLOW PLASTIC CAP SCRIBED "MULTI/TECH ENG."

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Robert D. Hamman

OREGON
JULY 13, 2004
ROBERT D. HAMMAN
64202LS

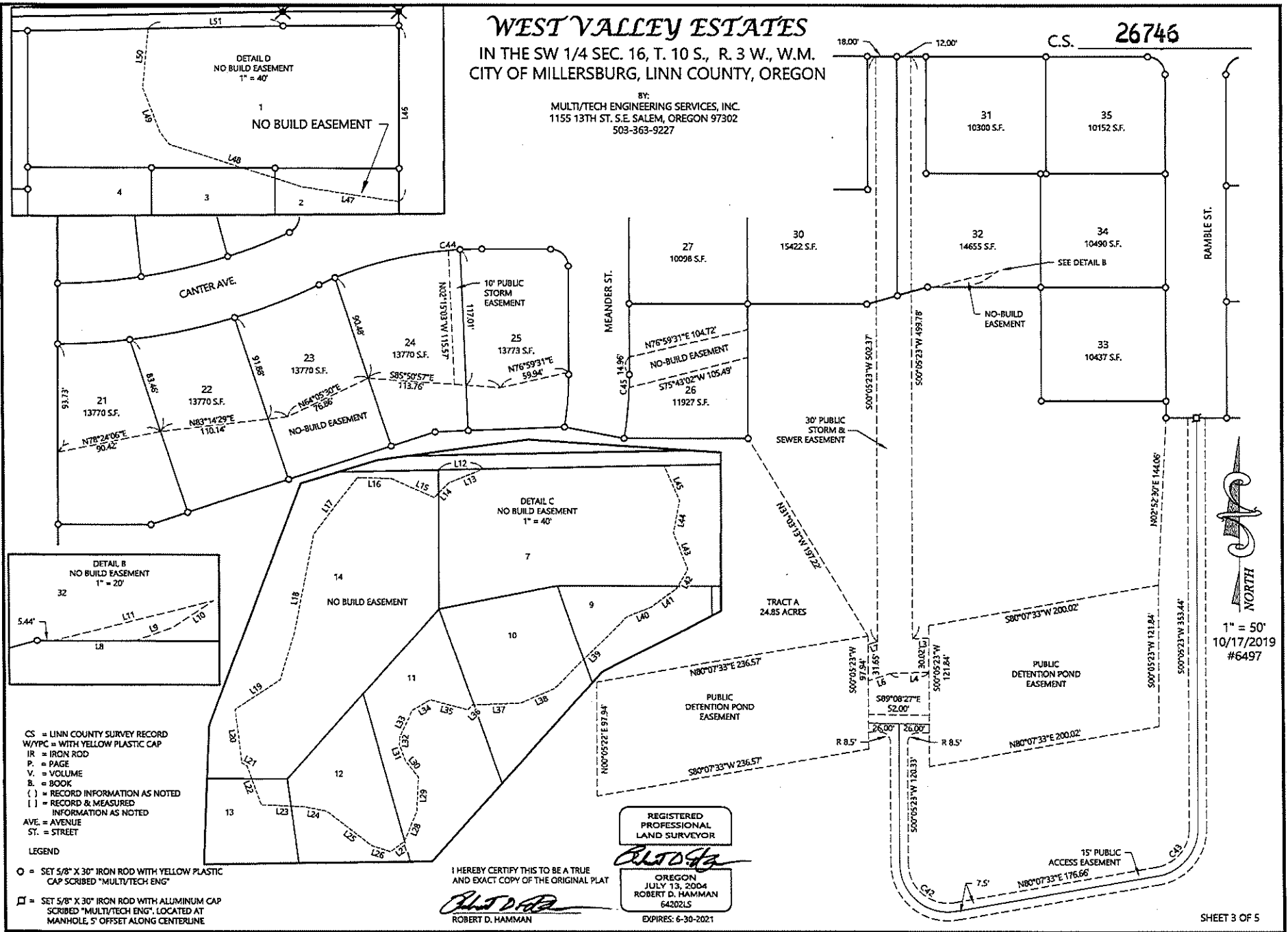
EXPIRES: 6-30-2021

WEST VALLEY ESTATES

IN THE SW 1/4 SEC. 16, T. 10 S., R. 3 W., W.M.
CITY OF MILLERSBURG, LINN COUNTY, OREGON

BY:
MULTI/TECH ENGINEERING SERVICES, INC.
1155 13TH ST. S.E. SALEM, OREGON 97302
503-363-9227

C.S. 26746



WEST VALLEY ESTATES
 IN THE SW 1/4 SEC. 16, T. 10 S., R. 3 W., W.M.
 CITY OF MILLERSBURG, LINN COUNTY, OREGON

C.S. 26746

BY:
 MULTI/TECH ENGINEERING SERVICES, INC.
 1155 13TH ST. S.E. SALEM, OREGON 97302
 503-363-9227

LINE DATA		
LINE	BEARING	DIST.
L3	S88°13'36"W	14.01'
L4	S88°13'36"W	33.33'
L6	S71°30'35"W	19.72'
L7	S71°30'35"W	8.44'
L8	S89°54'37"E	28.13'
L9	S70°13'07"W	13.89'
L10	S57°00'03"W	16.67'
L11	N75°01'12"E	56.87'
L12	N88°48'30"E	30.65'
L13	N68°10'26"E	25.69'
L14	N43°52'47"E	14.05'
L15	S65°58'51"E	32.39'
L16	S88°16'26"E	23.18'
L17	N37°57'57"E	49.02'
L18	N11°16'44"E	68.06'
L19	N56°15'44"E	37.55'
L20	N07°03'46"W	36.77'
L21	N58°47'56"W	4.10'
L22	N19°47'40"W	28.42'
L23	N87°26'35"W	29.13'

LINE DATA		
LINE	BEARING	DIST.
L24	N79°11'16"W	15.82'
L25	N52°27'43"W	39.36'
L26	N72°15'36"W	13.09'
L27	S53°29'05"W	11.78'
L28	S23°07'10"W	22.56'
L29	S02°56'32"W	23.78'
L30	S38°09'32"E	14.33'
L31	S20°26'00"E	11.89'
L32	S03°19'39"W	4.98'
L33	S25°31'51"W	20.21'
L34	S59°39'39"W	14.48'
L35	N74°42'31"W	26.43'
L36	S45°10'40"W	4.86'
L37	S87°52'56"W	32.86'
L38	S66°08'38"W	25.59'
L39	S44°56'44"W	70.36'
L40	S68°20'33"W	18.49'
L41	S54°46'00"W	21.37'
L42	S29°52'40"W	15.26'
L43	S20°56'44"E	27.08'

LINE DATA		
LINE	BEARING	DIST.
L44	S11°19'14"W	22.04'
L45	S23°27'24"E	26.38'
L46	S00°09'10"W	121.05'
L47	N81°20'00"W	67.10'
L48	N72°29'57"W	95.61'
L49	N21°13'13"W	32.40'
L50	N05°13'34"E	41.54'
L51	N88°48'32"E	92.98'

CURVE DATA					
CURVE	RADIUS	DELTA	ARC LENGTH	CHORD BEARING	DIST.
C1	25.00'	88°43'06"	38.71'	S44°26'56"W	34.96'
C2	25.00'	91°16'54"	39.83'	N45°33'04"W	35.75'
C3	15.00'	90°00'00"	23.56'	N45°05'23"E	21.21'
C4	15.00'	90°00'00"	23.56'	S44°54'37"E	21.21'
C5	15.00'	90°00'00"	23.56'	S45°05'23"W	21.21'
C6	15.00'	90°00'00"	23.56'	N44°54'37"W	21.21'
C7	126.00'	19°33'12"	43.00'	N80°18'47"E	42.79'
C8	100.00'	60°00'00"	104.72'	S60°05'23"W	100.00'
C9	74.00'	60°00'00"	77.49'	S60°05'23"W	74.00'
C10	126.00'	40°26'48"	88.95'	N50°18'47"E	87.11'
C11	126.00'	23°53'35"	52.54'	N18°08'36"E	52.16'
C12	74.00'	30°00'00"	38.75'	S15°05'23"W	38.31'
C13	100.00'	30°00'00"	52.36'	S15°05'23"W	51.76'
C14	326.75'	9°45'20"	55.63'	S45°57'23"W	55.57'
C15	300.00'	9°40'13"	50.63'	N4°55'30"E	50.57'
C16	274.00'	9°34'08"	45.76'	N4°52'27"E	45.71'
C17	15.00'	90°00'00"	23.56'	N44°54'37"W	21.21'
C18	15.00'	83°53'35"	21.96'	N48°08'36"E	20.05'
C19	376.00'	4°45'50"	31.26'	N87°42'28"E	31.25'
C20	324.00'	3°18'07"	16.67'	S88°26'20"W	16.67'

CURVE DATA					
CURVE	RADIUS	DELTA	ARC LENGTH	CHORD BEARING	DIST.
C21	324.00'	19°34'36"	110.70'	S76°59'59"W	110.17'
C22	350.00'	20°00'00"	122.17'	S80°05'23"W	121.55'
C23	376.00'	9°08'35"	60.00'	N80°45'16"E	59.94'
C24	15.00'	86°35'24"	22.67'	S60°31'19"E	20.57'
C25	350.00'	25°30'58"	155.87'	S77°19'54"W	154.58'
C26	324.00'	2°38'15"	14.92'	S65°53'33"W	14.91'
C27	350.00'	5°30'58"	33.70'	S67°19'54"W	33.68'
C28	15.00'	82°22'43"	21.57'	N23°34'07"E	19.76'
C29	473.90'	6°55'00"	57.21'	N68°23'46"E	57.17'
C30	526.00'	8°30'11"	78.06'	S68°49'31"W	77.99'
C31	526.00'	10°02'42"	92.22'	S78°05'58"W	92.10'
C32	500.00'	25°19'45"	221.04'	N77°14'18"E	219.24'
C33	473.90'	9°16'37"	76.73'	N76°29'34"E	76.65'
C34	474.34'	8°44'48"	72.41'	N85°30'31"E	72.34'
C35	526.56'	6°47'26"	62.41'	S86°31'15"W	62.37'
C36	526.00'	13°36'27"	124.92'	N10°49'01"W	124.63'
C37	500.00'	20°00'00"	174.53'	S9°54'37"E	173.65'
C38	474.00'	17°19'00"	143.26'	S8°34'07"E	142.71'
C39	526.00'	4°06'11"	37.67'	N1°57'42"W	37.66'
C40	25.00'	91°16'54"	39.83'	N45°33'04"W	35.75'

CURVE DATA					
CURVE	RADIUS	DELTA	ARC LENGTH	CHORD BEARING	DIST.
C41	25.00'	88°43'06"	38.71'	S44°26'56"W	34.96'
C42	41.00'	99°57'50"	71.53'	S49°53'32"E	62.80'
C43	41.00'	80°02'10"	57.27'	N40°06'28"E	52.73'
C44	324.00'	1°46'10"	10.01'	S85°54'12"W	10.01'
C45	333.23'	1°54'54"	11.14'	S1°04'06"W	11.14'

I HEREBY CERTIFY THIS TO BE A TRUE
 AND EXACT COPY OF THE ORIGINAL PLAT

Robert D. Hamman
 ROBERT D. HAMMAN

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

Robert D. Hamman

OREGON
 JULY 13, 2004
 ROBERT D. HAMMAN
 642021S

EXPIRES: 6-30-2021

WEST VALLEY ESTATES
 IN THE SW 1/4 SEC. 16, T. 10 S., R. 3 W., W.M.
 CITY OF MILLERSBURG, LINN COUNTY, OREGON

C.S. 26746

I HEREBY CERTIFY THIS TO BE A TRUE AND EXACT COPY OF THE ORIGINAL PLAT



 ROBERT D. HAMMAN

BY:
 MULTI/TECH ENGINEERING SERVICES, INC.
 1155 13TH ST. S.E. SALEM, OREGON 97302
 503-363-9227

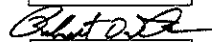
SURVEYOR'S CERTIFICATE:

I, ROBERT D. HAMMAN, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OREGON, HEREBY CERTIFY THAT I HAVE SURVEYED AND MARKED WITH PROPER MONUMENTS THE LAND SHOWN HEREON AS WEST VALLEY ESTATES, THE BOUNDARY OF WHICH IS DESCRIBED AS FOLLOWS:

BEGINNING AT THE INITIAL POINT, BEING A 5/8" IRON ROD ON THE SOUTH RIGHT OF WAY OF MILLERSBURG DRIVE NE, SAID POINT BEING SOUTH 00°43'19" EAST 30.00 FEET OF THE SOUTHEAST CORNER OF DONATION LAND CLAIM 69, LOCATED IN THE SOUTH-WEST QUARTER OF SECTION 16, TOWNSHIP 10 SOUTH, RANGE 3 WEST, OF THE WILLAMETTE MERIDIAN, CITY OF MILLERSBURG, LINN COUNTY, OREGON; THENCE ALONG SAID RIGHT OF WAY NORTH 89°44'52" EAST 79.43 FEET TO A 5/8" IRON ROD; THENCE ALONG THE WEST LINE OF DOCUMENT 2010-04521, PARTITION PLAT 2014-15, AND ITS EXTENSION SOUTH 00°05'23" WEST 1562.18 FEET TO A 5/8" IRON ROD; THENCE SOUTH 89°28'49" WEST 1105.40 FEET TO A 5/8" IRON ROD AT THE SOUTHEAST CORNER OF DEED VOLUME 840, PAGE 710, LINN COUNTY DEED RECORDS; THENCE ALONG THE EAST LINE OF SAID DEED NORTH 00°14'26" EAST 1344.67 FEET TO A 5/8" IRON ROD; THENCE SOUTH 88°16'02" EAST 81.50 FEET TO A 5/8" IRON ROD; THENCE NORTH 01°11'30" WEST 209.95 FEET TO A 5/8" IRON ROD ON THE SOUTH RIGHT OF WAY OF MILLERSBURG DRIVE NE; THENCE ALONG SAID RIGHT OF WAY NORTH 88°48'30" EAST 945.83 FEET TO THE POINT OF BEGINNING AND CONTAINING 39.06 ACRES, MORE OR LESS.


 ROBERT D. HAMMAN PLS 64202LS

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR


 OREGON
 JULY 13, 2004
 ROBERT D. HAMMAN
 64202LS
 EXPIRES: 6-30-2021

NARRATIVE:

THE PURPOSE OF THIS SURVEY IS TO SUBDIVIDE INTO LOTS AND STREETS THE LAND DESCRIBED IN DOCUMENT 2019-11861, LINN COUNTY DEED RECORDS, AS ALLOWED BY THE CITY OF MILLERSBURG PLANNING COMMISSION NOTICE OF DECISION DATED MARCH 21, 2018. THE BOUNDARY OF THIS PLAT WAS RESOLVED IN CS 26677.

FRANCHISE UTILITY EASEMENT STATEMENT:

PERPETUAL EASEMENTS ARE RESERVED FOR THE FRANCHISE UTILITY PURPOSES AS INDICATED IN THE DECLARATION AND SHOWN ON THE MAP. FOR PURPOSES OF THIS STATEMENT, FRANCHISE UTILITIES ARE DEFINED AS POWER, GAS, TELEPHONE, CABLE TELEVISION, AND ANY OTHER UTILITIES THAT HAVE FRANCHISE AGREEMENTS WITH THE CITY OR COUNTY. THE FRANCHISE UTILITY EASEMENTS SHALL BE FOR THE INSTALLATION, AND FOR MAINTENANCE AND REPLACEMENT OVER AND UNDER THE GROUND. THIS RESERVATION SHALL INCLUDE THE RIGHT TO INGRESS AND EGRESS FROM ANY AND ALL FRANCHISE UTILITY EASEMENTS IN ANY MANNER NECESSARY FOR THE PURPOSE OF CONSTRUCTION, MAINTENANCE, OR REMOVAL OF THE FRANCHISE UTILITY PROVIDED THAT, UNDER THE TERMS OF THE FRANCHISE AGREEMENT, THE UTILITY SERVICE USING THIS EASEMENT SHALL RESTORE THE PROPERTY AS NEAR AS PRACTICAL TO ITS CONDITION PRIOR TO SAID INSTALLATION OR MAINTENANCE.

PUBLIC EASEMENT STATEMENT:

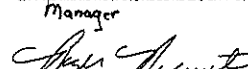
THE CITY OF MILLERSBURG EASEMENTS BEING CREATED BY THIS PLAT ARE FOR THE PURPOSE AND BENEFIT AS EXPRESSED AND SHOWN HEREON. THESE EASEMENTS SHALL RUN WITH THE LOTS UPON WHICH THEY ARE LOCATED. THE CITY OF MILLERSBURG SHALL HAVE ACCESS TO MAINTAIN ALL IMPROVEMENTS ASSOCIATED WITH SAID EASEMENTS. NO PERMANENT STRUCTURES SHALL BE CONSTRUCTED ON OR OVER THESE EASEMENTS.


PRIVATE EASEMENT STATEMENT:


THE PRIVATE EASEMENTS BEING CREATED BY THIS PLAT ARE FOR THE PURPOSE AND BENEFIT AS EXPRESSED AND SHOWN HEREON. THESE EASEMENTS SHALL RUN WITH THE LOTS UPON WHICH THEY ARE LOCATED. THE OWNERS OF THE LOTS BENEFITING FROM THOSE EASEMENTS SHALL BE RESPONSIBLE FOR THE MAINTENANCE COSTS ASSOCIATED WITH THAT EASEMENT.

**APPROVALS AND ACCEPTANCE
 PER CITY OF MILLERSBURG PLANNING COMMISSION NOTICE OF
 DECISION DATED MARCH 21, 2018**


 CITY ADMINISTRATOR/RECORDER, CITY OF MILLERSBURG
 12/18/2019
 DATE

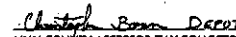

 CHAIRPERSON,
 LINN COUNTY COMMISSIONER
 12/13/2019
 DATE


 LINN COUNTY COMMISSIONER
 12/16/2019
 DATE


 LINN COUNTY COMMISSIONER
 12/15/2019
 DATE


 LINN COUNTY SURVEYOR
 12/10/2019
 DATE

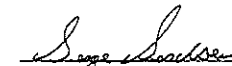
I CERTIFY THAT ALL TAXES ON THE ABOVE DESCRIBED PROPERTY ARE PAID AS OF THIS 17TH DAY OF December, 2019.


 LINN COUNTY ASSESSOR/TAX COLLECTOR

AFFIDAVIT OF CONSENT FROM Willamette Valley Bank RECORDED AS DOCUMENT 2019- 22371
 LINN COUNTY DEED RECORDS.

DECLARATION:


KNOW ALL MEN BY THESE PRESENTS THAT PACIFIC NATIONAL DEVELOPMENT LLC, AN OREGON LIMITED LIABILITY CORPORATION IS THE OWNER OF THE LAND DESCRIBED IN THE SURVEYOR'S CERTIFICATE HEREON, AND DESIRING TO DISPOSE OF THE SAME INTO LOTS, AND STREETS, HAVE CAUSED THE SAME TO BE SURVEYED AND PLATTED AS WEST VALLEY ESTATES. I HEREBY DEDICATE TO THE PUBLIC THE STREETS, RIGHT OF WAY DEDICATION, AND GRANT THE EASEMENTS SHOWN HEREON IN ACCORDANCE WITH OREGON REVISED STATUTES, CHAPTER 92.


 SERGE SERDSEV, PRESIDENT
 PACIFIC NATIONAL DEVELOPMENT LLC, AN OREGON LIMITED LIABILITY COMPANY

ACKNOWLEDGEMENT:

STATE OF OREGON }
 COUNTY OF LINN } S.S.

ON THIS 6TH DAY OF October, 2019 BEFORE ME A NOTARY PUBLIC FOR THE STATE OF OREGON, DID PERSONALLY APPEAR SERGE SERDSEV, PRESIDENT PACIFIC NATIONAL DEVELOPMENT, LLC WHO BEING DULY SWORN EXECUTED THE ABOVE DECLARATION FREELY AND VOLUNTARILY.


 SIGNATURE OF NOTARY


 NOTARY PUBLIC - STATE OF OREGON

COMMISSION NO. 967959

MY COMMISSION EXPIRES: October 22, 2021

STATE OF OREGON }
 COUNTY OF LINN } S.S.

I DO HEREBY CERTIFY THAT THE ATTACHED SUBDIVISION PLAT WAS RECEIVED AND DULY RECORDED BY ME IN THE LINN COUNTY BOOK OF PLATS IN VOLUME 25, PAGE 32, ON THIS 18TH DAY OF December, 2019 AT 1:00 O'CLOCK P.M. TARGET SHEET RECORDED IN DOCUMENT NUMBER 2019-22527

BY 
 STEVE DRUCKENMILLER, LINN COUNTY CLERK

WEST VALLEY ESTATES PHASE 2

A REPLAT OF TRACT A, WEST VALLEY ESTATES
IN THE SW 1/4 SEC. 16, T. 10 S., R. 3 W., W.M.
CITY OF MILLERSBURG, LINN COUNTY, OREGON

BY:
MULTI/TECH ENGINEERING SERVICES, INC.
1155 13TH ST. S.E. SALEM, OREGON 97302
503-363-9227

C.S. **26847**

I HEREBY CERTIFY THIS TO BE A TRUE AND EXACT
COPY OF THE ORIGINAL PLAT

Robert D. Hamman
ROBERT D. HAMMAN

NOTES:

1. ALL MONUMENTS FOUND IN GOOD CONDITION AND WITHIN 0.2' OF THE SURFACE OF THE GROUND UNLESS OTHERWISE NOTED.
2. THE EASEMENT DESCRIBED IN BOOK 191, PAGE 519 IS UNPLOTTABLE
3. TRACT A INCLUDES A BLANKET PUBLIC EASEMENT FOR THE PURPOSE OF ACCESS AND MAINTENANCE.
4. TRACT A IS FOR THE PURPOSE OF OPEN SPACE NATURAL AREAS. DEVOLVEMENT OF THESE TRACTS IS NOT PERMITTED EXCEPT AS NECESSARY TO MAINTAIN THE RIPARIAN AND WETLAND AREAS, PROMOTE GROWTH OF NATIVE VEGETATION AND USE FOR TRAILS OR PASSIVE RECREATION.

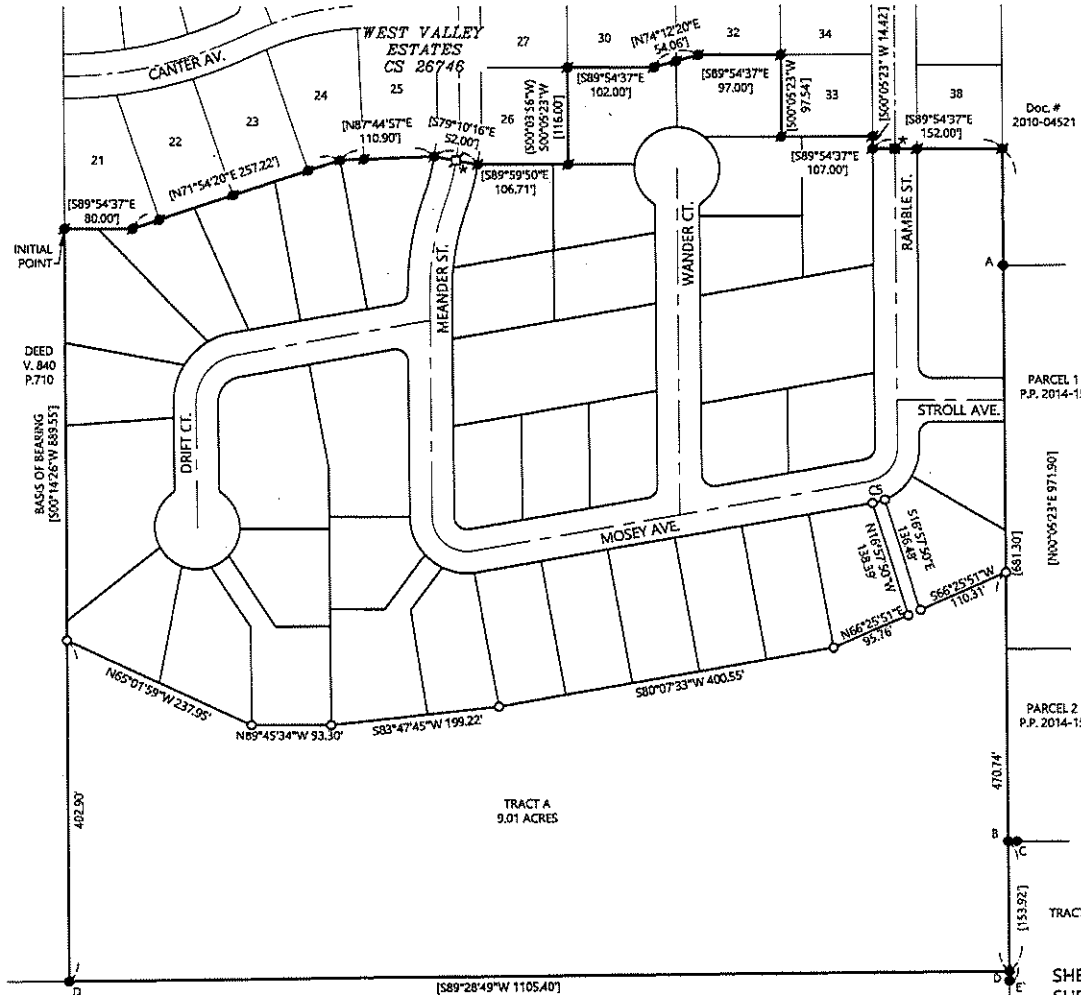
LEGEND

- = FOUND MONUMENT, SEE TABLE
- = 5/8" IRON ROD WITH YELLOW PLASTIC CAP SCRIBED "MULTI/TECH ENG." OFFSET 5' ALONG CENTERLINE PER WEST VALLEY ESTATES CS 26746
- = 5/8" IRON ROD WITH ALUMINUM CAP SCRIBED "MULTI/TECH ENG." PER WEST VALLEY ESTATES CS 26746
- = SET 5/8" X 30" IRON ROD WITH YELLOW PLASTIC CAP SCRIBED "MULTI/TECH ENG."
- = SET 5/8" X 30" IRON ROD WITH ALUMINUM CAP SCRIBED "MULTI/TECH ENG."
- = SET 5/8" X 30" IRON ROD WITH ALUMINUM CAP SCRIBED "MULTI/TECH ENG." LOCATED AT MANHOLE, 5' OFFSET ALONG CENTERLINE.

LDC = MONUMENT LOST DURING CONSTRUCTION, RESET THIS PHASE
CS = LINN COUNTY SURVEY RECORD
W/YPC = WITH YELLOW PLASTIC CAP
IR = IRON ROD
P. = PAGE
V. = VOLUME
[] = RECORD & MEASURED INFORMATION PER WEST VALLEY ESTATES CS 26746
* = NORTH OFFSET FOUND FROM ORIGINAL PLAT, SOUTHERN OFFSET SET THIS PHASE.

MONUMENT TABLE:

- | | |
|----|---|
| A. | 1/2" IR CS 13687 |
| B. | 5/8" IR W/YPC SCRIBED "K&D ENGR. LS 1630" CS 22112 |
| C. | 1/2" IR CS 10717 |
| D. | 5/8" IR W/YPC SCRIBED "MULTI/TECH ENG." PER CS 26285 |
| E. | 5/8" IR W/YPC SCRIBED "K&D ENGR. LS 1630", SOUTH 1.32' ON LINE CS 24562 |



Doc. #
2010-04521

PARCEL 1
P.P. 2014-15

PARCEL 2
P.P. 2014-15

TRACT B

SHEET INDEX
SHEET 1 - OVERALL BOUNDARY
SHEET 2 - LOTS
SHEET 3 - EASEMENTS
SHEET 4 - DETAILS, CURVE & LINE TABLE
SHEET 5 - SIGNATURE PAGE

REGISTERED
PROFESSIONAL
LAND SURVEYOR
Robert D. Hamman
OREGON
JULY 13, 2004
ROBERT D. HAMMAN
64202LS

EXPIRES: 6-30-2021

WEST VALLEY ESTATES PHASE 2

A REPLAT OF TRACT A, WEST VALLEY ESTATES
IN THE SW 1/4 SEC. 16, T. 10 S., R. 3 W., W.M.
CITY OF MILLERSBURG, LINN COUNTY, OREGON

C.S. **26847**

I HEREBY CERTIFY THIS TO BE A TRUE AND EXACT
COPY OF THE ORIGINAL PLAT

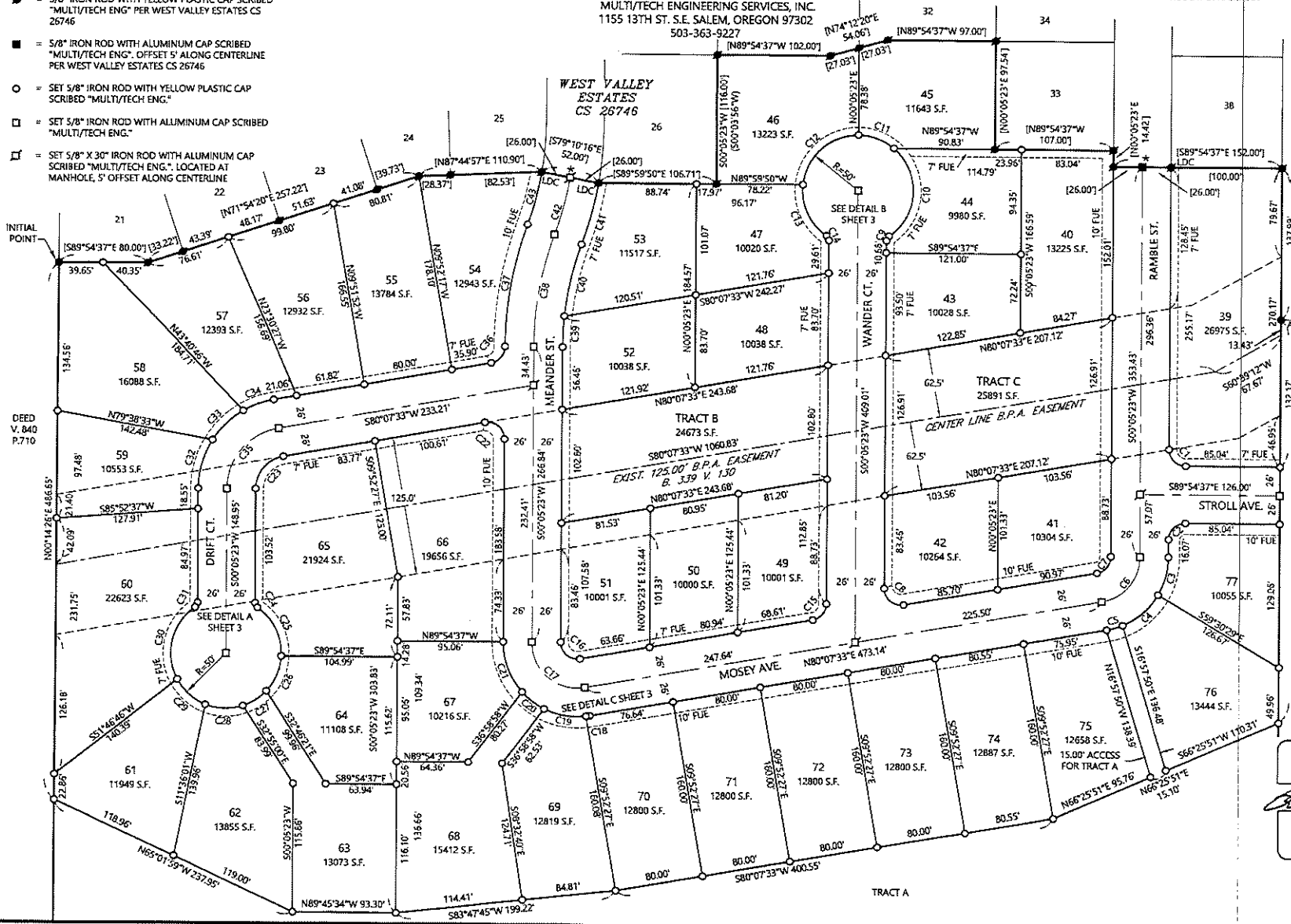
Robert D. Hamman
ROBERT D. HAMMAN

- NOTES:
1. ALL MONUMENTS FOUND IN GOOD CONDITION AND
WITHIN 0.2' OF THE SURFACE OF THE GROUND UNLESS
OTHERWISE NOTED.

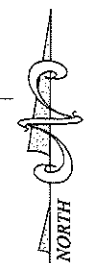
LEGEND

- = FOUND MONUMENT, SEE TABLE
- = 5/8" IRON ROD WITH YELLOW PLASTIC CAP SCRIBED
"MULTI/TECH ENG." PER WEST VALLEY ESTATES CS
26746
- = 5/8" IRON ROD WITH ALUMINUM CAP SCRIBED
"MULTI/TECH ENG.", OFFSET 5' ALONG CENTERLINE
PER WEST VALLEY ESTATES CS 26746
- = SET 5/8" IRON ROD WITH YELLOW PLASTIC CAP
SCRIBED "MULTI/TECH ENG."
- = SET 5/8" IRON ROD WITH ALUMINUM CAP SCRIBED
"MULTI/TECH ENG."
- ⊠ = SET 5/8" X 30" IRON ROD WITH ALUMINUM CAP
SCRIBED "MULTI/TECH ENG.", LOCATED AT
MANHOLE, 5' OFFSET ALONG CENTERLINE

BY:
MULTI/TECH ENGINEERING SERVICES, INC.
1155 13TH ST. S.E. SALEM, OREGON 97302
503-363-9227



Doc. #
2010-04521



1" = 60'
02/12/2020
#6753

PARCEL 1
P.P. 2014-15

REGISTERED
PROFESSIONAL
LAND SURVEYOR
Robert D. Hamman
OREGON
JULY 13, 2004
ROBERT D. HAMMAN
64202LS

EXPIRES: 6-30-2021

WEST VALLEY ESTATES PHASE 2

A REPLAT OF TRACT A, WEST VALLEY ESTATES
IN THE SW 1/4 SEC. 16, T. 10 S., R. 3 W., W.M.
CITY OF MILLERSBURG, LINN COUNTY, OREGON

C.S. **26847**

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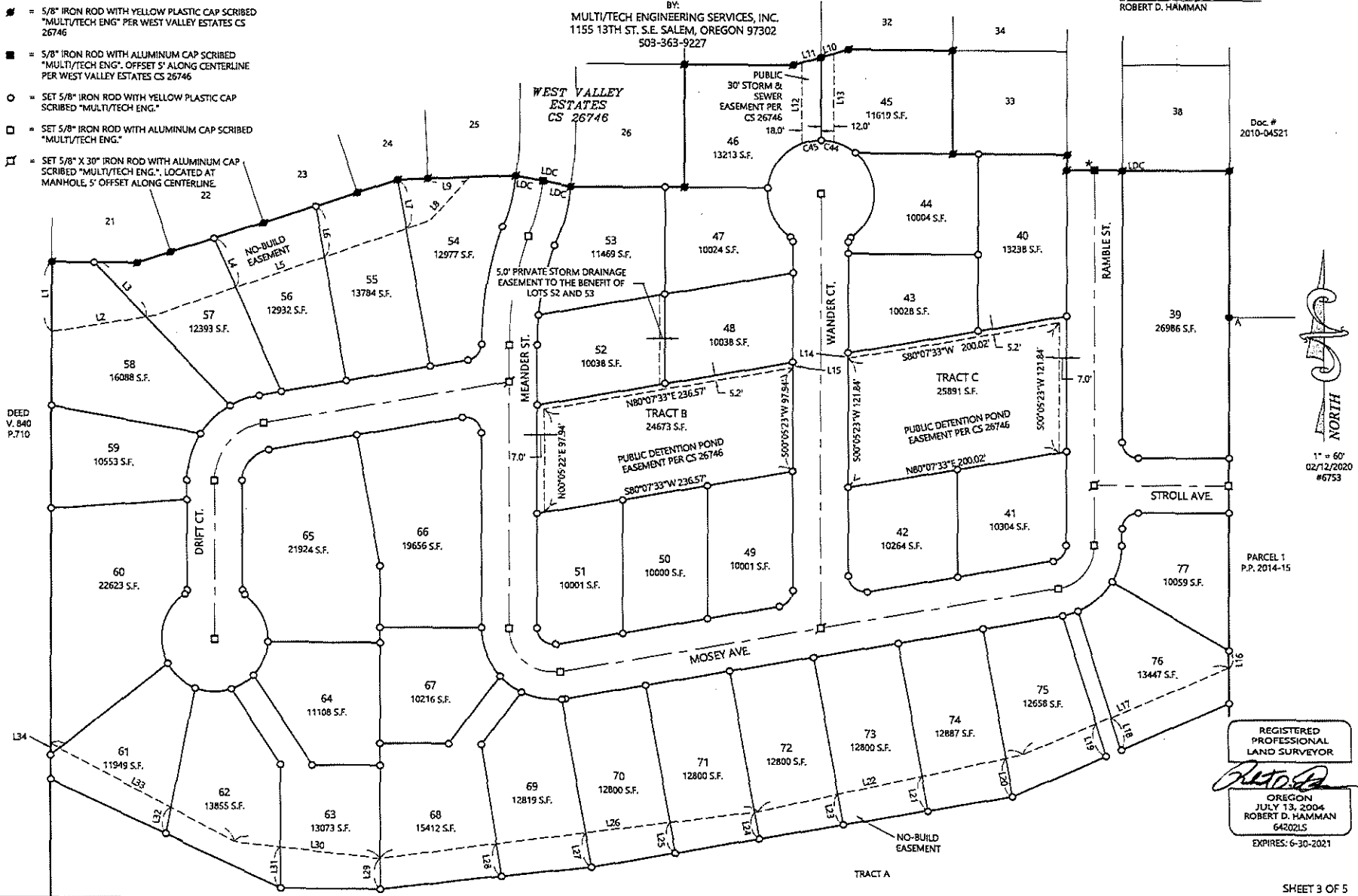
Robert D. Hamman
ROBERT D. HAMMAN

BY:
MULTI/TECH ENGINEERING SERVICES, INC.
1155 13TH ST. S.E. SALEM, OREGON 97302
503-363-9227

NOTES:
1. ALL MONUMENTS FOUND IN GOOD CONDITION AND
WITHIN 0.2' OF THE SURFACE OF THE GROUND UNLESS
OTHERWISE NOTED.

LEGEND

- = FOUND MONUMENT, SEE TABLE
- = 5/8" IRON ROD WITH YELLOW PLASTIC CAP SCRIBED
"MULTI/TECH ENG." PER WEST VALLEY ESTATES CS
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- ⊠ = SET 5/8" X 30" IRON ROD WITH ALUMINUM CAP
SCRIBED "MULTI/TECH ENG.", LOCATED AT
MANHOLE, 5' OFFSET ALONG CENTERLINE.



Doc. #
2010-04521



REGISTERED
PROFESSIONAL
LAND SURVEYOR
Robert D. Hamman
OREGON
JULY 13, 2004
ROBERT D. HAMMAN
6420215
EXPIRES: 6-30-2021

WEST VALLEY ESTATES PHASE 2

A REPLAT OF TRACT A, WEST VALLEY ESTATES
IN THE SW 1/4 SEC. 16, T. 10 S., R. 3 W., W.M.
CITY OF MILLERSBURG, LINN COUNTY, OREGON

BY:
MULTI/TECH ENGINEERING SERVICES, INC.
1155 13TH ST. S.E. SALEM, OREGON 97302
503-363-9227

C.S. **26847**

I HEREBY CERTIFY THIS TO BE A TRUE AND EXACT
COPY OF THE ORIGINAL PLAT

Robert D. Hamman
ROBERT D. HAMMAN

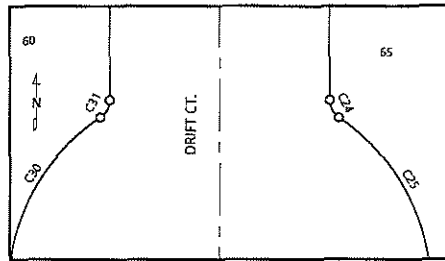
CURVE DATA					
CURVE	RADIUS	DELTA	ARC LENGTH	CHORD BEARING	DIST.
C1	15.00'	90°00'00"	23.56'	S44°54'37"E	21.21'
C2	15.00'	90°00'00"	23.56'	S45°05'23"W	21.21'
C3	67.00'	30°24'07"	35.55'	S15°17'27"W	35.14'
C4	67.00'	36°46'44"	43.01'	S48°52'53"W	42.27'
C5	67.00'	12°51'16"	15.03'	N73°41'54"E	15.00'
C6	41.00'	80°02'10"	57.27'	N40°06'28"E	52.73'
C7	15.00'	80°02'10"	20.95'	N40°06'28"E	19.29'
C8	15.00'	99°57'50"	26.17'	S49°53'32"E	22.98'
C9	5.00'	55°41'32"	4.86'	S27°56'09"W	4.67'
C10	50.00'	105°35'07"	92.14'	S2°59'22"W	79.65'
C11	50.00'	40°03'29"	34.96'	S68°49'56"E	34.25'
C12	50.00'	84°11'25"	73.47'	N48°02'37"E	67.04'
C13	50.00'	61°33'04"	53.71'	N24°49'37"W	51.17'
C14	5.00'	55°41'32"	4.86'	N27°45'23"W	4.67'
C15	15.00'	80°02'10"	20.95'	N40°06'28"E	19.29'
C16	15.00'	99°57'50"	26.17'	S49°53'32"E	22.98'
C17	41.00'	99°57'50"	71.53'	S49°53'32"E	62.80'
C18	67.00'	2°52'40"	3.37'	S81°33'53"W	3.36'
C19	67.00'	33°13'36"	38.85'	N80°22'59"W	38.31'
C20	67.00'	21°30'18"	25.15'	N53°01'02"W	25.00'

CURVE DATA					
CURVE	RADIUS	DELTA	ARC LENGTH	CHORD BEARING	DIST.
C21	67.00'	42°21'17"	49.53'	N21°05'15"W	48.41'
C22	15.00'	99°57'50"	26.17'	N49°53'32"W	22.98'
C23	30.00'	80°02'10"	41.91'	S40°06'28"W	38.58'
C24	5.00'	55°41'32"	4.86'	S27°45'23"E	4.67'
C25	50.00'	58°14'44"	50.83'	S26°28'47"E	48.67'
C26	50.00'	40°06'25"	35.00'	S22°41'47"W	34.29'
C27	50.00'	28°48'40"	25.14'	S57°09'20"W	24.88'
C28	50.00'	40°06'25"	35.00'	N88°23'08"W	34.29'
C29	50.00'	40°06'25"	35.00'	N48°16'42"W	34.29'
C30	50.00'	84°00'25"	73.31'	N13°46'43"E	66.92'
C31	5.00'	55°41'32"	4.86'	N27°56'09"E	4.67'
C32	82.00'	32°33'41"	46.60'	N16°22'14"E	45.98'
C33	82.00'	27°00'43"	38.66'	N46°09'28"E	38.30'
C34	82.00'	20°27'46"	29.29'	N69°53'40"E	29.13'
C35	56.00'	80°02'10"	78.23'	S40°06'28"W	72.02'
C36	15.00'	80°02'10"	20.95'	N40°06'28"E	19.29'
C37	326.00'	19°56'54"	113.50'	N10°03'50"E	112.93'
C38	300.00'	19°56'54"	104.45'	S10°03'50"W	103.92'
C39	274.00'	5°45'27"	27.53'	S2°58'07"W	27.52'
C40	274.00'	14°11'27"	67.86'	S12°56'34"W	67.69'

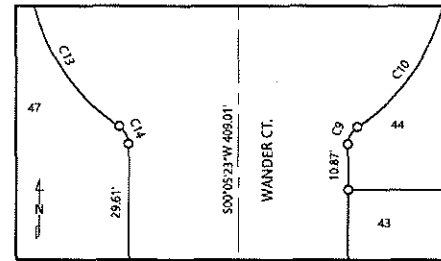
CURVE DATA					
CURVE	RADIUS	DELTA	ARC LENGTH	CHORD BEARING	DIST.
C41	326.00'	10°09'42"	57.82'	S15°01'56"W	57.74'
C42	300.00'	10°16'42"	53.82'	N14°53'57"E	53.74'
C43	274.00'	10°20'33"	49.46'	N14°57'14"E	49.39'
C44	50.00'	13°53'17"	12.12'	N82°55'02"W	12.09'
C45	50.00'	21°05'48"	18.41'	S79°35'26"W	18.31'

LINE DATA		
LINE	BEARING	DIST.
L1	S00°14'26"W	65.36'
L2	S80°50'29"W	99.44'
L3	S43°40'46"E	70.53'
L4	S23°30'27"E	50.74'
L5	S70°27'31"W	272.05'
L6	S09°51'52"E	48.79'
L7	S09°52'17"E	46.72'
L8	S42°37'41"W	55.67'
L9	S87°44'57"W	39.16'
L10	N74°12'20"E	12.48'
L11	S74°12'20"W	18.71'
L12	S00°05'23"W	76.60'
L13	S00°05'23"W	83.27'
L14	N00°05'23"E	5.28'
L15	N00°22'32"W	5.27'
L16	S00°05'23"W	16.26'
L17	N66°50'43"E	210.09'
L18	N16°57'50"W	31.95'
L19	N16°57'50"W	32.98'
L20	N09°52'27"W	36.52'

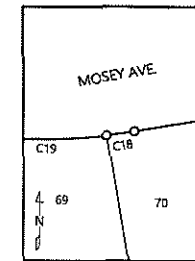
LINE DATA		
LINE	BEARING	DIST.
L21	N09°52'27"W	32.73'
L22	N77°25'34"E	253.53'
L23	N09°52'27"W	28.95'
L24	N09°52'27"W	25.51'
L25	N09°52'27"W	29.06'
L26	N82°40'05"E	357.63'
L27	N09°52'27"W	32.61'
L28	N08°32'40"W	30.92'
L29	N00°05'23"E	28.91'
L30	S83°48'35"E	137.80'
L31	N00°05'23"E	38.64'
L32	N11°36'01"E	24.93'
L33	S62°11'07"E	194.46'
L34	S00°14'26"W	10.82'



DETAIL A
1" = 20'



DETAIL B
1" = 20'



DETAIL C
1" = 10'

AS NOTED
02/12/2020
#6753

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Robert D. Hamman

OREGON
JULY 13, 2004
ROBERT D. HAMMAN
64202LS

EXPIRES: 6-30-2021

WEST VALLEY ESTATES PHASE 2

A REPLAT OF TRACT A, WEST VALLEY ESTATES
IN THE SW 1/4 SEC. 16, T. 10 S., R. 3 W., W.M.
CITY OF MILLERSBURG, LINN COUNTY, OREGON

BY:
MULTI/TECH ENGINEERING SERVICES, INC.
1155 13TH ST. S.E. SALEM, OREGON 97302
503-363-9227

C.S. 26847

I HEREBY CERTIFY THIS TO BE A TRUE AND EXACT COPY OF THE ORIGINAL PLAT



ROBERT D. HAMMAN

SURVEYOR'S CERTIFICATE:

I, ROBERT D. HAMMAN, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OREGON, HEREBY CERTIFY THAT I HAVE SURVEYED AND MARKED WITH PROPER MONUMENTS THE LAND SHOWN HEREON AS WEST VALLEY ESTATES PHASE 2, THE BOUNDARY OF WHICH IS DESCRIBED AS FOLLOWS:

TRACT A OF WEST VALLEY ESTATES, AS RECORDED IN VOLUME 25, PAGE 22, LINN COUNTY BOOK OF PLATS, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 10 SOUTH, RANGE 3 WEST, OF THE WILLAMETTE MERIDIAN, CITY OF MILLERSBURG, LINN COUNTY, OREGON.


ROBERT D. HAMMAN PLS 64202LS

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 13, 2004
ROBERT D. HAMMAN
64202LS
EXPIRES: 6-30-2021

NARRATIVE:

PURPOSE OF THIS SURVEY WAS TO RE-PLAT AND DIVIDE INTO LOTS AND STREETS TRACT A, WEST VALLEY ESTATES, AS RECORDED IN VOLUME 25, PAGE 22, OF LINN COUNTY BOOK OF PLATS. THIS BOUNDARY WAS ORIGINALLY RESOLVED BY ME IN LINN COUNTY SURVEY NUMBER 26285 AND 26677.

ORIGINAL CONTROL AND WAS USED TO CHECK THE LOCATION OF THE MONUMENTS AND ROTATION OF THIS PLAT.

FRANCHISE UTILITY EASEMENT STATEMENT:

PERPETUAL EASEMENTS ARE RESERVED FOR THE FRANCHISE UTILITY PURPOSES AS INDICATED IN THE DECLARATION AND SHOWN ON THE MAP. FOR PURPOSES OF THIS STATEMENT, FRANCHISE UTILITIES ARE DEFINED AS POWER, GAS, TELEPHONE, CABLE TELEVISION, AND ANY OTHER UTILITIES THAT HAVE FRANCHISE AGREEMENTS WITH THE CITY OR COUNTY. THE FRANCHISE UTILITY EASEMENTS SHALL BE FOR THE INSTALLATION, AND FOR MAINTENANCE AND REPLACEMENT OVER AND UNDER THE GROUND. THIS RESERVATION SHALL INCLUDE THE RIGHT TO INGRESS AND EGRESS FROM ANY AND ALL FRANCHISE UTILITY EASEMENTS IN ANY MANNER NECESSARY FOR THE PURPOSE OF CONSTRUCTION, MAINTENANCE OR REMOVAL OF THE FRANCHISE UTILITY PROVIDED THAT, UNDER THE TERMS OF THE FRANCHISE AGREEMENT, THE UTILITY SERVICE USING THIS EASEMENT SHALL RESTORE THE PROPERTY AS NEAR AS PRACTICAL TO ITS CONDITION PRIOR TO SAID INSTALLATION OR MAINTENANCE.

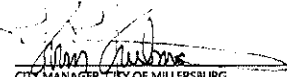
PUBLIC EASEMENT STATEMENT:

THE CITY OF MILLERSBURG EASEMENTS BEING CREATED BY THIS PLAT ARE FOR THE PURPOSE AND BENEFIT AS EXPRESSED AND SHOWN HEREON. THESE EASEMENTS SHALL RUN WITH THE LOTS UPON WHICH THEY ARE LOCATED. THE CITY OF MILLERSBURG SHALL HAVE ACCESS TO MAINTAIN ALL IMPROVEMENTS ASSOCIATED WITH SAID EASEMENTS. NO PERMANENT STRUCTURES SHALL BE CONSTRUCTED ON OR OVER THESE EASEMENTS.


PRIVATE EASEMENT STATEMENT:


THE PRIVATE EASEMENTS BEING CREATED BY THIS PLAT ARE FOR THE PURPOSE AND BENEFIT AS EXPRESSED AND SHOWN HEREON. THESE EASEMENTS SHALL RUN WITH THE LOTS UPON WHICH THEY ARE LOCATED. THE OWNERS OF THE LOTS BENEFITING FROM THOSE EASEMENTS SHALL BE RESPONSIBLE FOR THE MAINTENANCE COSTS ASSOCIATED WITH THAT EASEMENT.

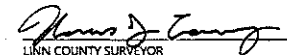
**APPROVALS AND ACCEPTANCE
CITY OF MILLERSBURG PLANNING CASE NO.**

 6/19/2020
CITY MANAGER, CITY OF MILLERSBURG DATE


Absent
CHAIRPERSON,
LINN COUNTY COMMISSIONER DATE

 23 AUG 2020
LINN COUNTY COMMISSIONER DATE

 6/22/2020
LINN COUNTY COMMISSIONER DATE

 6/23/2020
LINN COUNTY SURVEYOR DATE

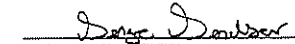
I CERTIFY THAT ALL TAXES ON THE ABOVE DESCRIBED PROPERTY ARE PAID AS OF THIS 23RD DAY OF JUNE 2020.


LINN COUNTY ASSESSOR/TAX COLLECTOR

AFFIDAVIT OF CONSENT FROM Willamette Valley Bank RECORDED AS DOCUMENT 2020-11895, LINN COUNTY DEED RECORDS.

DECLARATION:


KNOW ALL MEN BY THESE PRESENTS THAT PACIFIC NATIONAL DEVELOPMENT LLC, AN OREGON LIMITED LIABILITY COMPANY, IS THE OWNER OF THE LAND DESCRIBED IN THE SURVEYOR'S CERTIFICATE HEREON, AND DESIRING TO DISPOSE OF THE SAME INTO LOTS, TRACTS, AND STREETS, HAVE CAUSED THE SAME TO BE SURVEYED AND PLATTED AS WEST VALLEY ESTATES PHASE 2. I HEREBY DEDICATE TO THE PUBLIC THE STREETS, RIGHT OF WAY, AND GRANT THE EASEMENTS SHOWN HEREON. I HEREBY VACATE THE 10' STORM EASEMENT ACROSS LOTS 4A, & 4S.


SERGE SERDSEV, PRESIDENT
PACIFIC NATIONAL DEVELOPMENT LLC, AN OREGON LIMITED LIABILITY COMPANY

ACKNOWLEDGEMENT:

STATE OF OREGON }
COUNTY OF LINN } S.S.

ON THIS 2ND DAY OF JUNE, 2020, BEFORE ME A NOTARY PUBLIC FOR THE STATE OF OREGON, DID PERSONALLY APPEAR SERGE SERDSEV, PRESIDENT PACIFIC NATIONAL DEVELOPMENT, LLC WHO BEING DULY SWORN EXECUTED THE ABOVE DECLARATION FREELY AND VOLUNTARILY.


SIGNATURE OF NOTARY

Brian M. Green
NOTARY PUBLIC - STATE OF OREGON

COMMISSION NO. 967959

MY COMMISSION EXPIRES: October 22, 2021

STATE OF OREGON }
COUNTY OF LINN } S.S.

I DO HEREBY CERTIFY THAT THE ATTACHED SUBDIVISION PLAT WAS RECEIVED AND DULY RECORDED BY ME IN THE LINN COUNTY BOOK OF PLATS IN VOLUME 25, PAGE 28, ON THIS 25TH DAY OF JUNE, 2020 AT 9:31 O'CLOCK A.M. TARGET SHEET RECORDED IN DOCUMENT NUMBER 2020-12076


STEVE DRUCKENMILLER, LINN COUNTY CLERK

Amended 8/7/2023

Groundwater Registration Modification - GR 1703 FROM - Perlenfein

Township 10S, Range 3W



All GR 1703 1951 Priority Date

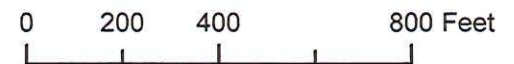
Legend

 GR 1703 FROM - Irrigation
  Tax Lot 2200

RECEIVED

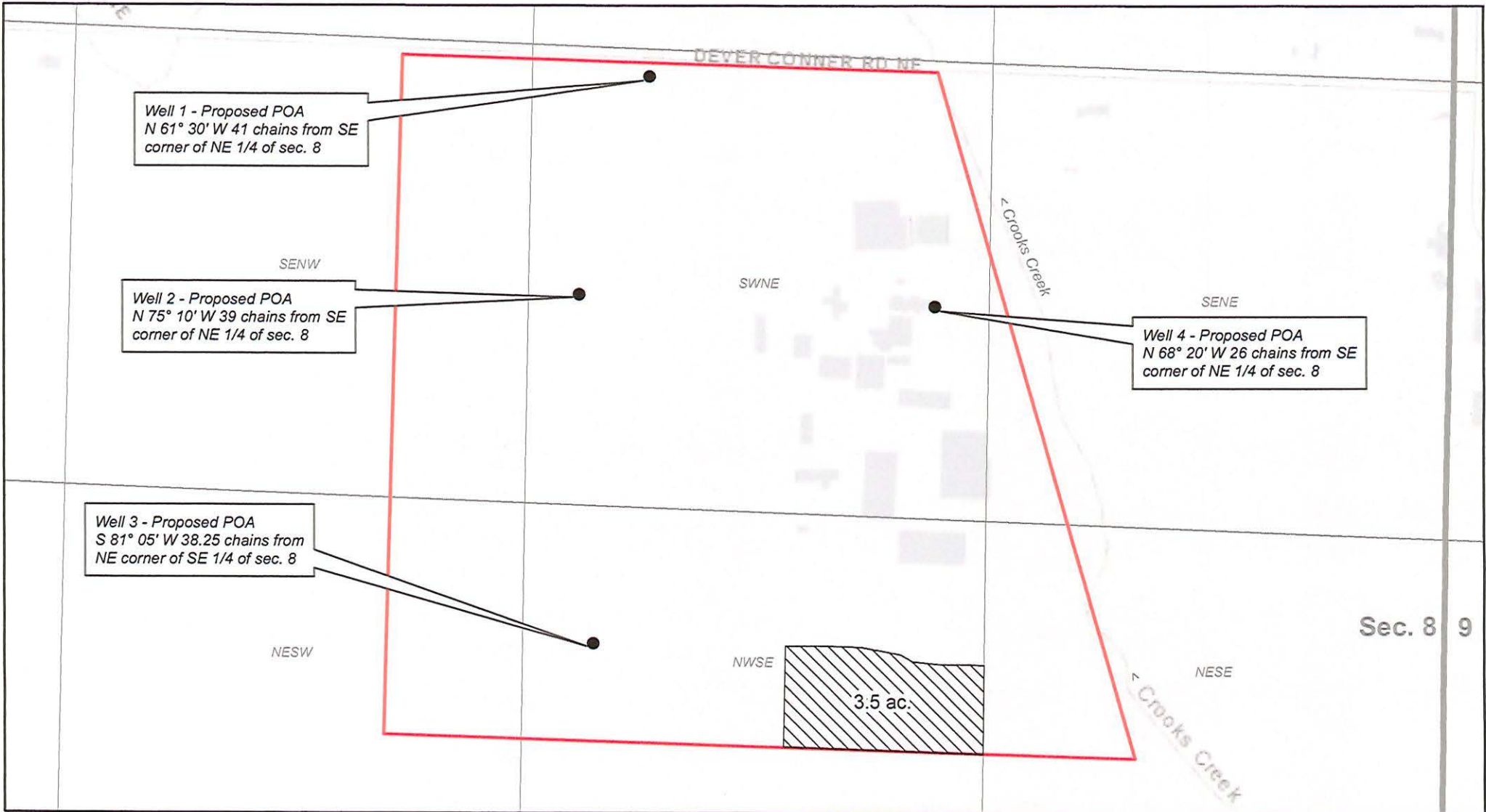
AUG 09 2023

OWRD



Groundwater Registration Modification - GR 1703 TO - Case

Township 10S, Range 3W

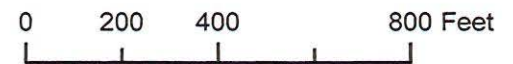


All GR 1703 1951 Priority Date

RECEIVED

AUG 09 2023

OWRD



Legend

 GR 1703 TO - Irrigation  Tax Lot 700

WILKE Laura K * WRD

From: Grant McGill <grantmcgill.wr@gmail.com>
Sent: Thursday, August 10, 2023 3:41 PM
To: WILKE Laura K * WRD
Subject: T-13626 Ownership Report
Attachments: 0042644.pdf

Attached please find the ownership report for this GR mod.

--

Grant McGill
503-931-0210
15333 Pletzer Rd. SE, Turner, OR 97392
www.mcgillwaterrights.com





Property Detail Report

Prepared For:

Grant M.

Owner Name:

Perlenfein, Ed Trust

Property Address:

6405 NE Old Salem Rd

Albany OR 97321

Tax Account #:



Thank you for the opportunity to assist you!

Joseph Garcia

Customer Service

503.581.1431

valleycs@amerititle.com

Mid-Willamette Valley Locations

Salem

320 Church St. NE
503.581.1431

South Salem

3240 Commercial St. SE, Ste. 140
971.701.2591

Silverton

105 N Water St.
503.873.7200

Albany

1393 Clay St. SE
541.928.3368

Corvallis

525 NW 2nd St. Ste. 2
541.752.3415

Lebanon

1475 S Main St
541.259.3736

Monmouth

283 N Pacific Hwy
503.838.2259



Linn County Parcel Detail

Site Address: 6405 NE Old Salem Rd
Albany OR 97321 - 7343

Parcel ID: 0042644

Tax Lot: 10S03W1602200

Owner: Perlenfein, Ed Trust

Owner2: Perlenfein, Phyllis I Trust

Owner Address: 2910 NE Alexander Ln
Albany OR 97321 - 7311

Parcel Size: 4.91 Acres (213,880 SqFt)

Neighborhood:

Subdivision:

Lot / Block:

Twn/Range/Section: 10S / 03W / 16

Legal

Assessment and Taxes

Market Land Value:	\$758,740.00	Levy Code Area:	00807	Annual Tax History
Market Improved Value:	\$150.00	Levy Rate:	15.8855	2022 : \$3,857.00
Market Total Value:	\$758,890.00	Tax Year:	2022	2021 : \$3,597.91
Assessed Value:	\$242,800.00	Exemption Desc:	N/A	2020 : \$3,560.60

Land Information

Land Use:	301 - COUNTY RESP INDUSTRIAL, LAND & B	School District:	8JZ5 - Greater Albany
Building Use:		Primary School:	Meadow Ridge Elementary
Zoning:	Millersburg-GC - General Commercial	Middle School:	Timber Ridge School
Watershed:	Muddy Creek-Willamette River	High School:	South Albany High School

Improvement Details

Year Built:	1947	Bed:	3	Garage:	40 Detached Garage
Stories:	1	Baths:	1	Exterior Walls:	Wood
Bldg SqFt:	1,452	Bsmt SqFt:		Roof Cover:	
Finished SqFt:	1,452	Attic SqFt:		Heat:	
Bldg Type:	138 - One Story With Attic Flr 1/ Flr 2 SqFt:			A/C:	

Transfer Information

Loan Date:	12/11/2017	Loan Amt:		Doc Num:	22344	Doc Type:	Deed Of Trust
Loan Type:		Finance Type:		Lender:	WILLAMETTE VLY BK		
Rec. Date:	04/01/1998	Sale Price:	\$380,000.00	Doc Num:	000932000733	Doc Type:	Deed
Owner:	Perlenfein Ed & Phyllis I Trustees			Grantor:	LAHMANN ALLAN J & BARBARA J		
Orig. Loan Amt:				Title Co:			
Finance Type:		Loan Type:		Lender:			

Sentry Dynamics, Inc. and its customers make no representations, warranties or conditions, express or implied, as to the accuracy or completeness of information contained in this report.



Listing Flow Profile

Standard Section

Building Type
Site Address 6405 NE Old Salem Rd
Albany, OR 97321
Elem School Meadow Ridge Elementary
Middle School Timber Ridge School
High School South Albany High School
Lot
Block
Subdivision
Lot Acres 4.91 Acres
Lot SqFt 213,880 SqFt
Zoning Millersburg-GC - General
Commercial
Tax Account # 0042644
Tax Amount \$3,857.00
Tax Year 2022
Escrow At AmeriTitle
Soil Type

General Section

Beds 3
Baths 1
Approx Total Sq Ft 1,452 SqFt
Year Built 1947
Garage Type Detached Garage
Garage Capacity 400 SqFt

Manufactured Home Section

MH Detitled
MH Type
MH Make Model
MH Serial#

Broker Info Section

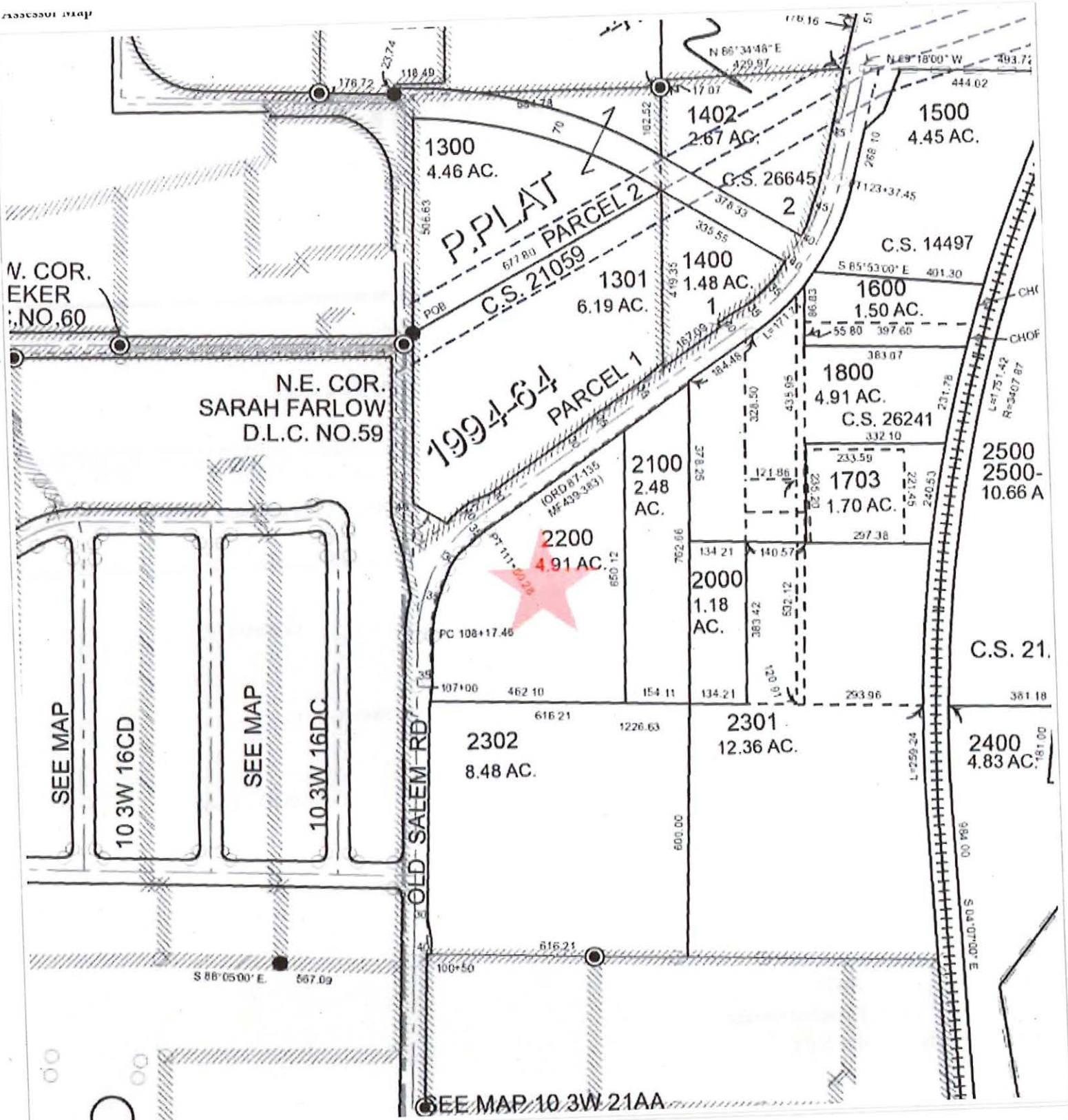
Owner Name(s) Perlenfein, Ed Trust

Features Section

Flood Plain
Foundation Concrete
Heating
Cooling
Home Style/Stories 1
Patio
Roof
Siding WOO - Wood
Swimming Pool

Listing Flow Profile. This is an efficiency tool to help you quickly find information when entering a listing on WVMLS.

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Parcel ID: 0042644

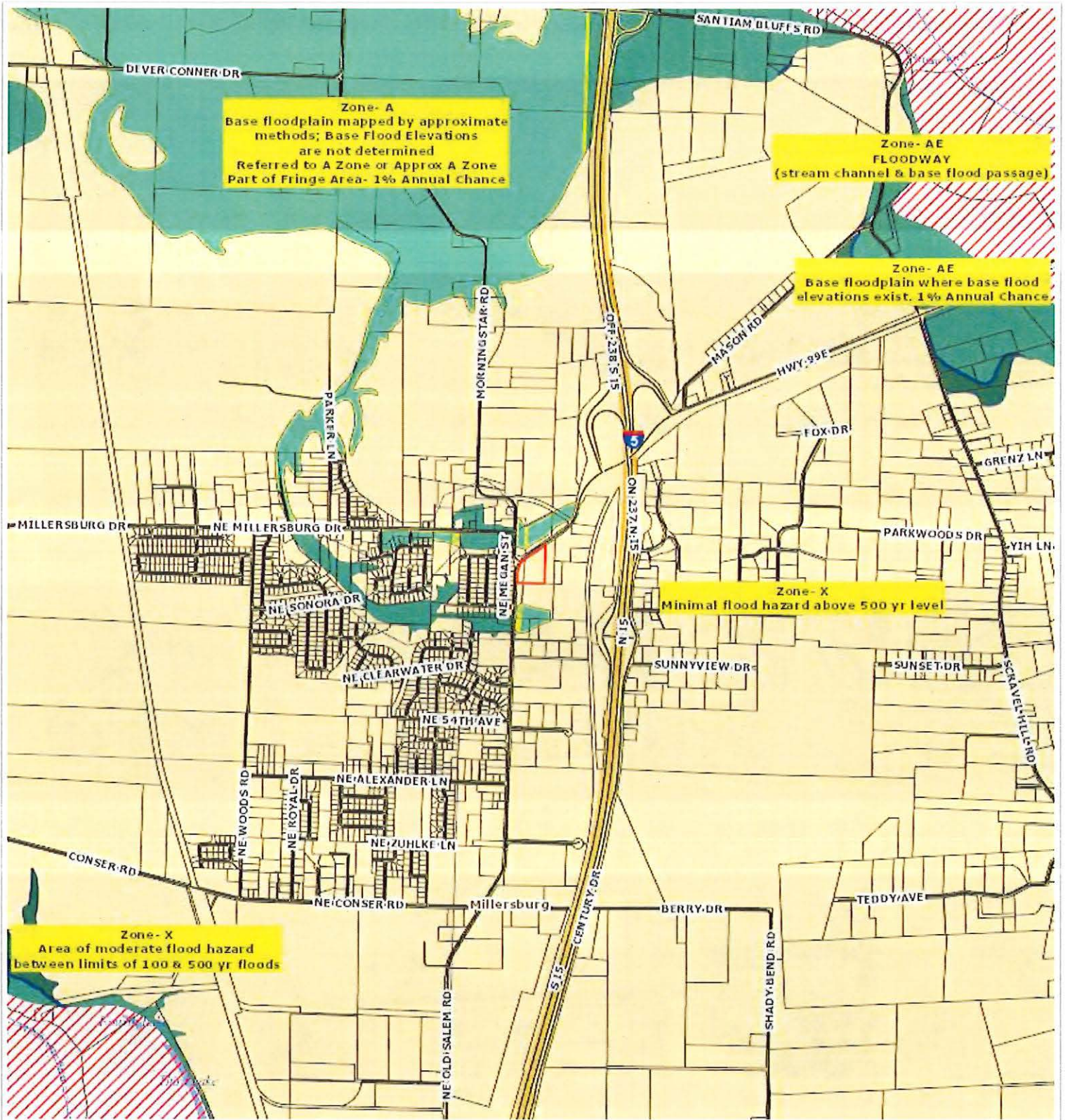
Site Address: 6405 NE Old Salem Rd

Sentry Dynamics, Inc. and its customers make no representations, warranties or conditions, express or implied, as to the accuracy or completeness of information contained in this report.



Parcel ID: 0042644

Sentry Dynamics, Inc. and its customers make no representations, warranties or conditions, express or implied, as to the accuracy or completeness of information contained in this report.



Parcel ID: 0042644

Sentry Dynamics, Inc. and its customers make no representations, warranties or conditions, express or implied, as to the accuracy or completeness of information contained in this report.

LINN COUNTY, OREGON 2012-12650
D-WD
Cnt=1 Stn=7 S. WILSON 08/20/2012 02:18:22 PM
\$15.00 \$11.00 \$15.00 \$19.00 \$10.00 \$70.00



00185487201200126500030039

I, Steve Druckenmiller, County Clerk for Linn County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.

Steve Druckenmiller - County Clerk



**COVER SHEET
STATUTORY WARRANTY DEED**

GRANTOR:

Edward R. Perlenfein
2910 Alexander Lane NE
Albany, Oregon 97321

GRANTEE:

Edward R. Perlenfein, Trustee
Edward R. Perlenfein Trust
2910 Alexander Lane NE
Albany, Oregon 97321

AFTER RECORDING RETURN TO:

Cordell S. Post, Attorney at Law
P.O. Box 1746
Albany, Oregon 97321

**UNTIL A CHANGE IS REQUIRED
ALL TAX STATEMENTS SHALL BE
SENT TO THE FOLLOWING ADDRESS:**

Edward R. Perlenfein, Trustee
Edward R. Perlenfein Trust
2910 Alexander Lane NE
Albany, Oregon 97321

FOR QUESTIONS CONTACT:

Cordell S. Post, Attorney at Law
P.O. Box 1746
Albany, Oregon 97321
(541)926-3199

TRUE AND ACTUAL CONSIDERATION:

The true and actual consideration paid for this conveyance is other property, in the form of estate planning.

LINN COUNTY, OREGON 2012-12928
D-WD
Cnt=1 Stn=1 COUNTER 08/24/2012 10:38:00 AM
\$20.00 \$15.00 \$19.00 \$10.00 \$64.00



00185798201200129280040040

I, Steve Druckenmiller, County Clerk for Linn County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.

Steve Druckenmiller - County Clerk



Re-recorded at the request of

Cordell Post to correct
LEGAL DESCRIPTION
previously recorded as 2012-12650.

STATUTORY WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that Edward R. Perlenfein ("Grantor"), for the consideration hereinafter stated, does hereby convey and warrant to Edward R. Perlenfein, Trustee of the Edward R. Perlenfein Trust ("Trust") under agreement dated August 15, 2012, or to such Successor Trustee(s) as may hereafter be appointed pursuant to the terms of the Trust ("Grantee"), all of Edward R. Perlenfein's interest in the real property ("Property") located in Linn County, Oregon and legally described in attached Exhibit A.

Grantor covenants that Grantor is seized of an indefeasible estate in the Property in fee simple, that Grantor has good right to convey the Property, that the Property is free from encumbrances, except those which are a matter of public record, and that Grantor warrants and will defend the title to the Property against all persons who claim the same, except that Grantor shall not be required to make any payment arising out of the foregoing in excess of the proceeds of any available policies of title insurance. It is the intention of Grantor to preserve, to the greatest extent possible, all existing title insurance coverage. The true and actual consideration paid for this conveyance is other property, in the form of estate planning.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Edward R. Perlenfein
Edward R. Perlenfein, Grantor

STATE OF OREGON, COUNTY OF LINN) ss.

This instrument was acknowledged before me on August 15, 2012, by Edward R. Perlenfein.

CordeLL S Post
Notary Public for Oregon
My commission expires: 12/21/12

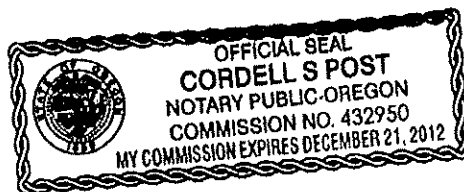


Exhibit A

Parcel I:

Lot 24, West Park, Millersburg, Linn Ccounty, Oregon.

Parcel II:

Beginning at a point on the East line of the Old Pacific Highway, said point being South 0° 15' West 640.18 feet and South 89° 16' East 51.3 feet from the Northeast corner of the Sarah Farlow Donation Land Claim No. 59 in Township 10 South, Range 3 West of the Willamette Meridian in Linn County, Oregon; and running thence South 89° 16' East 462.1 feet; thence North 650.12 feet to a point on the South line of said highway; thence along the Easterly right-of-way line of said highway South 54° 21' West 397.1 feet; thence on a 328.09 foot radius curve to the left (the long chord of which bears South 27° 40' West 294.68 feet) a distance of 305.6 feet, thence South 0° 59' West 152.1 feet to the place of beginning.

Exhibit A

Parcel I:

Lot 24, West Park, Millersburg, Linn Ccounty, Oregon.

Parcel II:

Beginning at a point on the East line of the Old Pacific Highway, said point being South 0" 15" West 840.18 feet and South 89" 16' East 61.3 feet from the Northeast corner of the Sarah Farlow Donation Land Claim No. 59 in Township 10 South, Range 3 West of the Willamette Meridian in Linn County, Oregon; and running thence South 89" 16' East 462.1 feet; thence North 650.12 feet to a point on the South line of said highway; thence along the Easterly right-of-way line of said highway South 54" 21' West 397.1 feet; thence on a 328.09 foot radius curve to the left (the long chord of which bears South 27" 40' West 294.68 feet) a distance of 305.6 feet, thence South 0" 59' West 152.1 feet to the place of beginning.

Excepting therefrom that real property described in MF 1053-793, Linn County, Oregon Deed Records.

WILKE Laura K * WRD

From: WILKE Laura K * WRD
Sent: Tuesday, August 8, 2023 11:21 AM
To: Grant McGill
Subject: RE: T-13626 Case Family LLC - DPD Response

Hi Grant – I've reviewed the updated maps for T-13626. The only thing I see missing is the delivery system features on the FROM lands map.

By rule, the map needs to include the general location of main canals, ditches, flumes, pipelines, pumps, or other water delivery features. OAR 690-380-3100 (1)(h).

Thanks, Laura

From: Grant McGill <grantmcgill.wr@gmail.com>
Sent: Monday, August 7, 2023 2:23 PM
To: WILKE Laura K * WRD <laura.k.wilke@water.oregon.gov>
Subject: T-13626 Case Family LLC - DPD Response

You don't often get email from grantmcgill.wr@gmail.com. [Learn why this is important](#)

Attached please find the amended maps.

In the DPD for T-13626, we request the following changes:

- On pg. 2, item 9, Well 1 description should be "...30 minutes..." instead of "seconds".
- On pg. 3, item 9, Well 2 description should be "...10 minutes..." instead of "seconds".
- On pg. 3, item 9, Well 4 description should be "...20 minutes..." instead of "seconds".
- On pg. 3, item 9, Well 3 description should be "...5 minutes..." instead of "seconds".

If you agree with the proposed edits, please proceed with the transfer process. We will have the ownership report to you soon. Thanks!

--
Grant McGill
503-931-0210
15333 Pletzer Rd. SE, Turner, OR 97392
www.mcgillwaterrights.com



WILKE Laura K * WRD

From: Grant McGill <grantmcgill.wr@gmail.com>
Sent: Monday, August 7, 2023 2:23 PM
To: WILKE Laura K * WRD
Subject: T-13626 Case Family LLC - DPD Response
Attachments: T-13626 To Map Amended 8-7-23.pdf; T-13626 From Map Amended 8-7-23.pdf

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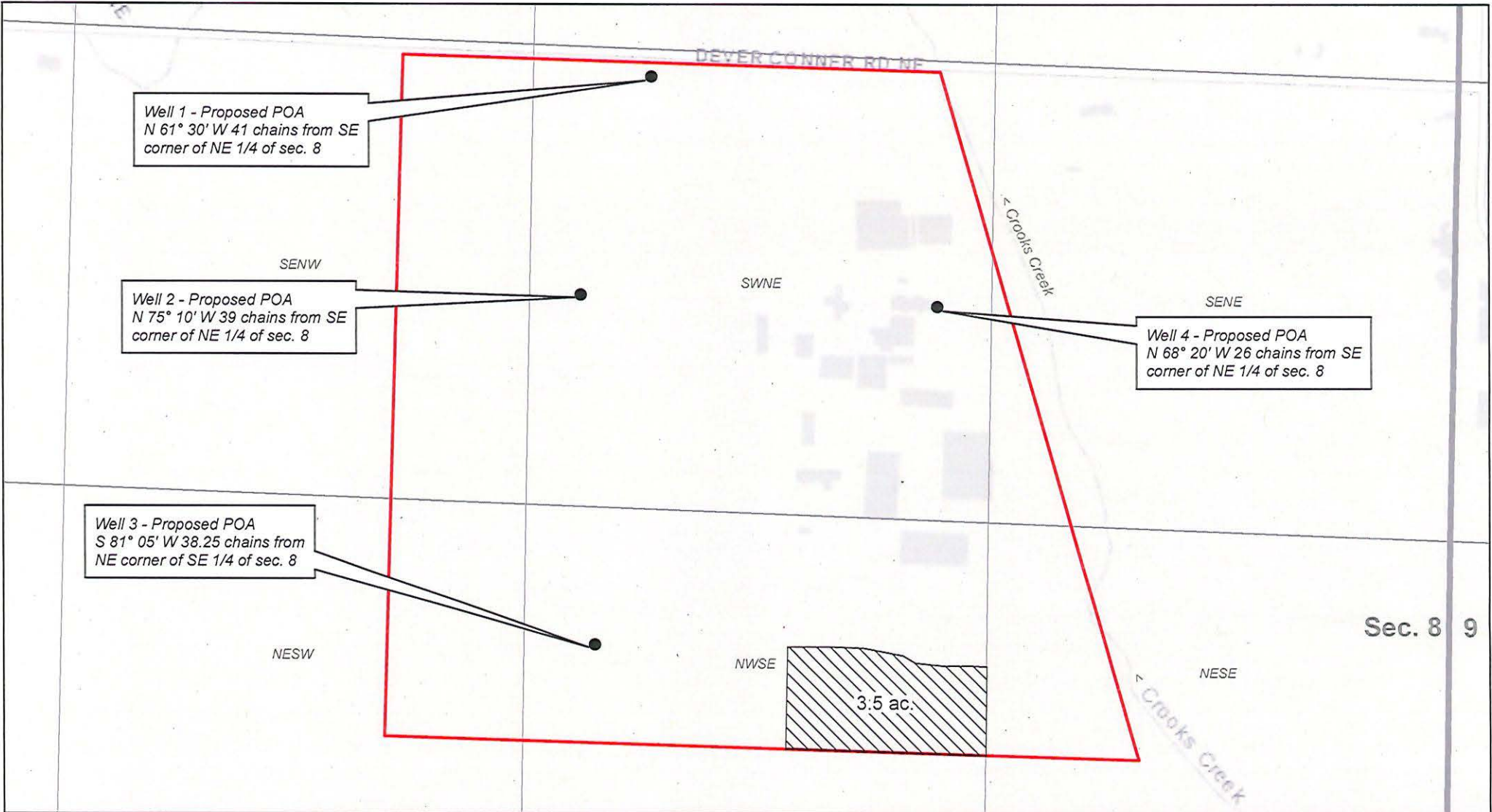


AUG 17 2023

Amended 8/7/2023



Groundwater Registration Modification - GR 1703 TO - Case

Township 10S, Range 3W



All GR 1703 1951 Priority Date

Legend

 GR 1703 TO - Irrigation  Tax Lot 700

AUG 17 2023

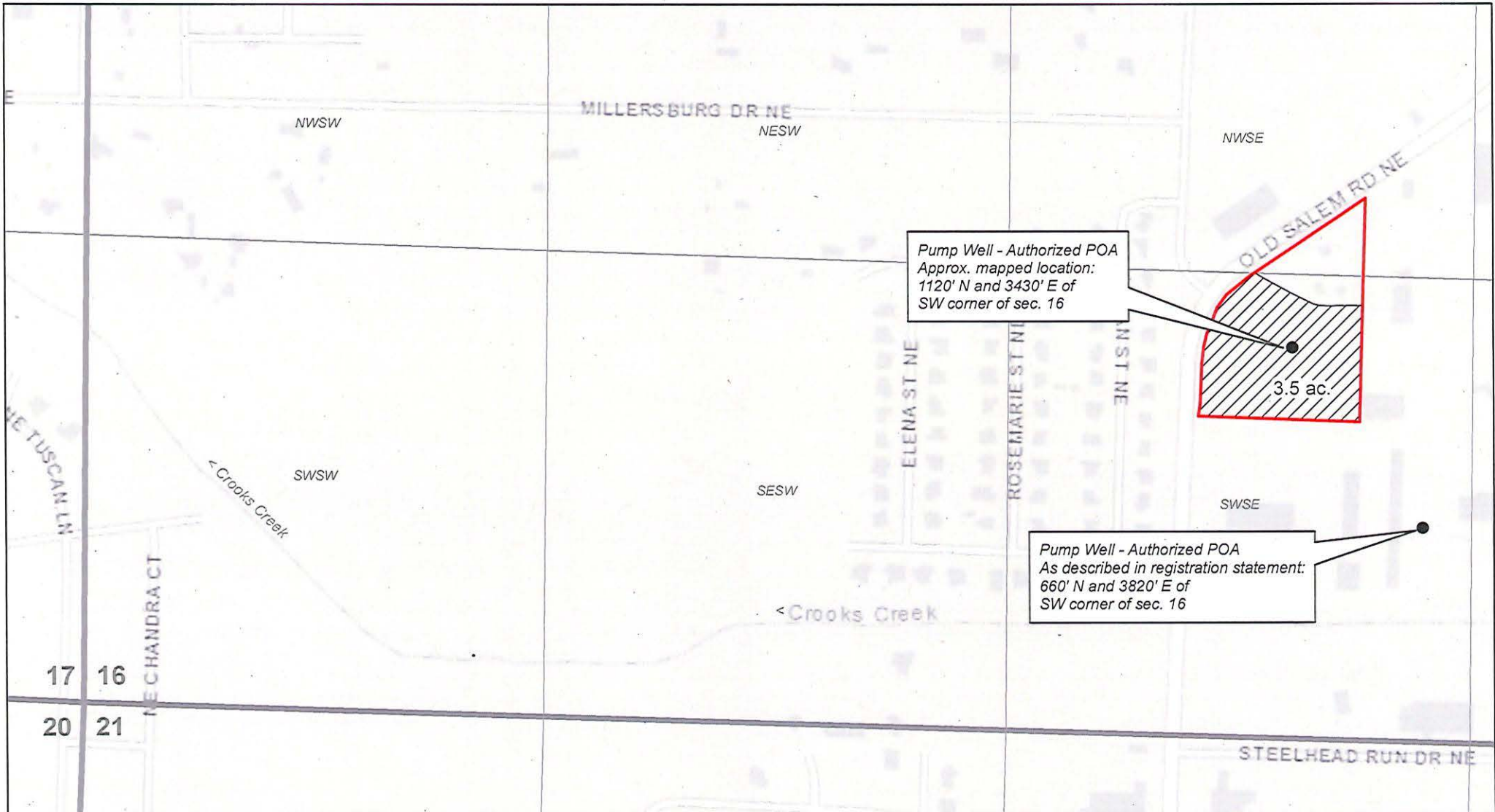
0 200 400 800 Feet



Amended 8/7/2023

Groundwater Registration Modification - GR 1703 FROM - Perlenfein

Township 10S, Range 3W



All GR 1703 1951 Priority Date

Legend

 GR 1703 FROM - Irrigation  Tax Lot 2200



AUG 17 2023

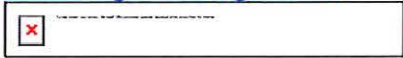
WILKE Laura K * WRD

From: Grant McGill <grantmcgill.wr@gmail.com>
Sent: Monday, August 7, 2023 2:24 PM
To: WILKE Laura K * WRD
Subject: Re: Case Family LLC - GR Mods

You don't often get email from grantmcgill.wr@gmail.com. [Learn why this is important](#)

Thanks for confirming! I just sent over the maps and DPD response via email. I forgot we don't need the CWRE stamp on GR mod maps, but we'll go ahead and mail you copies of the amended maps today anyway.

--
Grant McGill
503-931-0210
15333 Pletzer Rd. SE, Turner, OR 97392
www.mcgillwaterrights.com



On Mon, Aug 7, 2023 at 10:38 AM WILKE Laura K * WRD <Laura.K.WILKE@water.oregon.gov> wrote:

Grant – I'm just documenting in this email that the Groundwater Registration Modification applications do include identification of the newspaper in which publication of the applications should be made, being the Albany Democrat-Herald. Looking forward to getting the remaining materials for review so we can move all three applications along.

I also took care of the voice mail issue. You should be able to leave me a message now, if needed.

Laura

Transfer Specialist

Transfer and Conservation Section – OWRD

Ph: (971) 375-7492

From: Grant McGill <grantmcgill.wr@gmail.com>
Sent: Wednesday, August 2, 2023 8:25 AM
To: WILKE Laura K * WRD <laura.k.wilke@water.oregon.gov>
Subject: Case Family LLC - GR Mods

You don't often get email from grantmcgill.wr@gmail.com. [Learn why this is important](#)

Hi Laura,

Thanks for your work on this! I would love the opportunity to discuss the DPDs you recently issued on T-13626, T-13693, and T-13697. Your voicemail was full, so I could not leave a message. Give me a call when you can, thanks.

I am working on revising the maps with the info you requested and will order the ownership reports shortly.

--

Grant McGill

503-931-0210

15333 Pletzer Rd. SE, Turner, OR 97392

www.mcgillwaterrights.com



WILKE Laura K * WRD

From: Grant McGill <grantmcgill.wr@gmail.com>
Sent: Monday, August 7, 2023 2:32 PM
To: WILKE Laura K * WRD
Subject: Re: Case Family LLC - GR Mods

No worries! Better to get it fixed now to avoid confusion later. Thanks. Let us know if you have any questions on the comments.

--
Grant McGill
503-931-0210
15333 Pletzer Rd. SE, Turner, OR 97392
www.mcgillwaterrights.com



On Mon, Aug 7, 2023 at 2:26 PM WILKE Laura K * WRD <Laura.K.WILKE@water.oregon.gov> wrote:

I received your emails. Looks like I made some rookie mistakes. Thanks for catching those. I'm signing off for the day but should be able to start reviewing the updated materials and edit notes tomorrow.

Laura

From: Grant McGill <grantmcgill.wr@gmail.com>
Sent: Monday, August 7, 2023 2:24 PM
To: WILKE Laura K * WRD <Laura.K.WILKE@water.oregon.gov>
Subject: Re: Case Family LLC - GR Mods

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Transfer and Conservation Section – OWRD

Ph: (971) 375-7492

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Sent: Wednesday, August 2, 2023 8:25 AM
To: WILKE Laura K * WRD <laura.k.wilke@water.oregon.gov>
Subject: Case Family LLC - GR Mods

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I am working on revising the maps with the info you requested and will order the ownership reports shortly.

--

Grant McGill

WATER RIGHT TRANSFER COVER SHEET

Transfer: T- 13626

Transfer Specialist:

Transfer Type: GR Modification Transfer

Carroll W.

Applicant: CASE FAMILY LLC 33010 DEVER CONNER RD NE ALBANY, OR 97321 Email: _____ Phone: _____	Agent: <input type="checkbox"/> N/A WILLIAM E. MCGILL 15333 PLETZER RD SE TURNER, OR 97392 Email: _____ Phone: _____
Irrigation District: <input type="checkbox"/> N/A Email: _____	CWRE: <input type="checkbox"/> N/A Email: _____
Affected Local Gov'ts: <input type="checkbox"/> N/A Linn County Planning Department Email: _____	Affected Tribal Gov't: <input type="checkbox"/> N/A UNAVAILABLE Email: _____
Current Landowner if other than Applicant: <input type="checkbox"/> N/A Email: _____	Receiving Landowner: <input type="checkbox"/> N/A Email: _____

Water Rights Affected

File Marked	App. File # or Decree Name	Permit	Certificate	RR/CR Needed	RR/CR Nos.
<input type="checkbox"/>	GR-1703		GR-1652	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	

Key Dates & Initial Actions:

Rec'd: February 16, 2021	Proposed Action(s): POINT OF APPROPRIATION; PLACE OF USE	
Fees Pd: 1250.00	WM District: 16	ODFW District:
Initial Public Notice: March 9, 2021	WM Review sent:	ODFW Review sent:
Acknowledgement Letter Sent <input checked="" type="checkbox"/>		GW Review sent: <input type="checkbox"/> N/A
County sent cc: of Ack Letter <input type="checkbox"/>	BOR notified (date): <input type="checkbox"/> N/A	
Newspaper quote requested:	Request for news \$ sent:	News \$ received:
Request to publish sent:	Affidavit of publication received:	Last day of publication:

Document	Drafted	Peer Review	Changes Made	Coordinator	Changes Made	Signature Bin	Signature Date
DPD	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	CW Sent: <i>6/5/23</i>	N/A
PD	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____	Date: _____
FO	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____	Date: _____

Special Issues: _____

Special Order Volume: Vol. _____ Pages _____

WILKE Laura K * WRD

From: WILKE Laura K * WRD
Sent: Monday, July 31, 2023 2:07 PM
To: billcasefarms@gmail.com; willmcgill.surveying@gmail.com
Cc: WACKER Gregory J * WRD; STARNES Patrick K * WRD
Subject: Draft Preliminary Determination for Groundwater Registration Modification Application T-13626
Attachments: T-13626-dpd-deny.pdf; T-13626-DPD-cov-deny.pdf

Greetings – the Draft Preliminary Determination for Groundwater Registration Application T-13626 has been completed and is attached for your review along with a cover letter.

Please respond with the requested information by **August 30, 2023**. And if you have any question, please give me a call or email. Please be aware that I only work part time. If you are unable to reach me, you may also contact Kelly Starnes at 503-979-3511 or Patrick.K.STARNES@water.oregon.gov.

Laura Wilke
Transfer Caseworker
Ph: (971) 375-7492



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

www.oregon.gov/owrd

August 1, 2023

VIA E-MAIL

Applicant

CASE FAMILY LLC

33010 DEVER CONNER RD NE

ALBANY, OR 97321

SUBJECT: Groundwater Registration Modification T-13626

Please find enclosed a draft of our Preliminary Determination regarding Groundwater Registration Modification Application T-13626. The document reflects the Department's conclusion that, based on the information currently available, the modification will be DENIED. This draft is intended to provide you with an opportunity to comment on our findings and conclusions should you wish to do so and to withdraw or modify your application to resolve the issues that are prompting our decision to deny the application.

The draft Preliminary Determination proposes to deny the modification because the application map does not meet the requirements of OAR 690-382-0400(11). The map issues that we have identified could be resolved by amending the map to show:

- The direction of flow for Crooks Creek, and
- Labeling for the proposed use, and
- Labeling for the priority date, and
- Existing roads and delivery system for the current authorized use.

At this point, you may decide to continue processing the application (see below), or to send a letter requesting to withdraw the transfer application.

If you wish to proceed with your application, you must submit the following:

1. **Provide an amended map** by August 30, 2023, that contains the map information described above or a written statement that indicates you wish to protest a Preliminary Determination to deny the transfer.
2. **REQUIRED:** You must submit a **Report of Ownership** for the lands where the water right(s) are currently located (i.e., the FROM lands). This report:
 - a) Must be prepared by a title company;

- b) Shall include a "prepared by" statement and the date the title company prepared the report printed on the cover sheet;
- c) Must be:
 - i. Prepared within 3 months of the Draft Preliminary Determination showing current ownership; **OR**
 - ii. Prepared within 3 months of recording of a water right conveyance agreement; **OR**
 - iii. Have a prepared date showing ownership at the time a water right conveyance agreement was recorded.

If water right conveyance agreements are involved, it is helpful to provide copies of those agreements along with the Report of Ownership.

IMPORTANT: In order for the Department to clearly understand the date that the title company prepared the Report of Ownership, the title company must indicate/state the date that they prepared the report on the coversheet and/or first page of the report.

- d) Must include a list of owners at the time the report was generated; **AND**
 - e) Must include a legal description of the property where the water right to be transferred is currently located (i.e., the FROM lands).
5. You must provide a notarized statement of consent signed by any landowner listed in the Report of Ownership who is not already included in the transfer application. The Department's statement of consent form (**Consent By Deeded Landowner**) is available at:
https://www.oregon.gov/OWRD/WRDFormsPDF/consent_to_transfer_form.pdf
6. Notice of this transfer will need to be published in a newspaper with general circulation in the area where the water rights are currently located. You will be responsible for the charges. Please provide the name of the newspaper you wish the Department to use for publication of the notice of the Preliminary Determination.

What happens next...

Once the Preliminary Determination is issued a publication period is required. Because there is more than ¼ mile between the new and the authorized point of appropriation, the Department will publish notice of the modification in a local newspaper having a general circulation in the area of the water right at least once per week for two consecutive weeks. You are responsible for sending a check to cover the cost of publication prior to the issuance of the Preliminary Determination and publication of notice (see below). As outlined in OAR 690-382-0800(3), publication costs include both the direct cost of the notice and indirect processing costs (not to exceed 20% of the direct costs) for processing.

Issuance of the Preliminary Determination will occur shortly after we receive:

1. Amended application map(s) that resolves the issues that we have identified or a written request (e-mail is acceptable) that we proceed with processing of the application, and
2. The Report of ownership, and affidavits of consent from any landowners shown in the ownership report who have not signed the transfer application. The title company must indicate/state the

date that they prepared the ownership report on the coversheet and/or first page of the report; and

3. The name of the newspaper you wish the Department to use for publication of the notice of the Preliminary Determination.

If we do not receive the items listed above by August 30, 2023, a Preliminary Determination may be issued denying the application as incomplete.

Please do not hesitate to contact me at (971) 375-7492 or Laura.K.Wilke@water.oregon.gov if I may be of assistance. Please note that I only work part time. If you are unable to reach me, please contact Kelly Starnes at 503-979-3511 or Patrick.K.STARNES@water.oregon.gov.

Sincerely,



Laura Wilke
Transfer Specialist
Transfer and Conservation Section

cc: GR Modification application file T-13626
Greg Wacker, District 16 Watermaster (*via e-mail*)
Will McGill Surveying LLC, agent for the applicant (*via e-mail*)

enc

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

In the Matter of Groundwater
Registration Modification Application
T-13626, Linn County

)
)
)
)
)
)

D R A F T PRELIMINARY
DETERMINATION PROPOSING DENIAL OF
RECOGNITION OF A MODIFICATION IN
POINT OF APPROPRIATION AND A
MODIFICATION IN PLACE OF USE

Authority

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

Oregon Administrative Rules (OAR) Chapter 690, Divisions 382 and 380 implement the statutes and provide the Department's procedures and criteria for evaluating groundwater registration modification applications.

Applicant

CASE FAMILY LLC
33010 DEVER CONNER RD NE
ALBANY, OR 97321

Findings of Fact

1. On April 28, 2023, Case Family LLC filed a groundwater registration modification application to modify the point of appropriation and place of use under Groundwater Registration GR-1703 (Certificate of Registration GR-1652). The Department assigned the application number T-13626.
2. On August 16, 1968, Groundwater Registration GR-1703 (Certificate of Registration GR-1652) was assigned from Anna E. Lyon to Robert L. Brunson.
3. On March 3, 2021, Groundwater Registration GR-1703 (Certificate of Registration GR-1652) was assigned from Robert L. Brunson to Edward R. Perlenfein.
4. The Groundwater Registration Modification Application included consent to transfer and/or water right conveyance agreement Edward R. Perlenfein. This documentation will be further evaluated upon receipt of the Report(s) of Ownership required as part of this application process.

5. Notice of the application for groundwater registration modification was published on March 9, 2021, pursuant to OAR 690-382-0600. No comments were filed in response to the notice.

6. The groundwater registration to be modified is as follows:

Registration: Application GR-1703 (Certificate of Registration GR-1652), in the name of J.H. Lyon (*assigned to Edward R. Perlenfein*)

Use: Irrigation of 3.5 acres

Tentative

Priority Date: 1951

Quantity: 30.0 Gallons per Minute (GPM)

Duty: 10.0 Acre-Feet (AF) annually

Source: Pump Well within the CROOKS CREEK BASIN

Original Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
10 S	3 W	WM	16	SW SE	PUMP WELL - 660 FEET NORTH AND 3820 FEET EAST FROM THE SW CORNER OF SECTION 16

Original Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
10 S	3 W	WM	16	SW SE	3.50

7. The applicant has provided information that better describes the location of the original point of appropriation as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
10 S	3 W	WM	16	SW SE	PUMP WELL – 1120 FEET NORTH AND 3430 FEET EAST FROM THE SW CORNER OF SECTION 16

8. Groundwater Registration Modification Application T-13626 proposes to modify the location of the place of use under the ground water registration to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
10 S	3 W	WM	8	NW SE	3.50

9. Groundwater Registration Modification Application T-13626 proposes to move the authorized point of appropriation approximately 1.8 miles from the original well to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
10 S	3 W	WM	8	SW NE	WELL 1 - NORTH 61 DEGREES 30 SECONDS WEST 41 CHAINS FROM THE SE CORNER OF THE NE1/4 CORNER OF SECTION 8

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
10 S	3 W	WM	8	SW NE	WELL 2 - NORTH 75 DEGREES 10 SECONDS WEST 39 CHAINS FROM THE SE CORNER OF THE NE1/4 CORNER OF SECTION 8
10 S	3 W	WM	8	SW NE	WELL 4 - NORTH 68 DEGREES 20 SECONDS WEST 26 CHAINS FROM THE SE CORNER OF THE NE1/4 CORNER OF SECTION 8
10 S	3 W	WM	8	NW SE	WELL 3 - SOUTH 81 DEGREES 5 SECONDS WEST 38.25 CHAINS FROM THE NE CORNER OF THE SE1/4 CORNER OF SECTION 8

**Review Criteria for Groundwater Registration Modification Applications
[OAR 690-382-0100(10), 690-382-0700(2), 690-382-1000(1) and 690-380-2110(2)]**

10. The proposed modifications would not result in a state Scenic Waterway not receiving previously available water during periods in which stream flows are less than the quantities determined by the Department to be necessary to meet the requirements of ORS 390.835.
11. The proposed points of appropriation develop groundwater from the same aquifer as the authorized points of appropriation, as required by OAR 690-380-2110(2).
12. The proposed modifications would not result in enlargement of the groundwater registration.
13. The proposed modifications to the groundwater registration would not result in injury to other water rights.
14. The application is incomplete because the application map does not meet the requirements of OAR 690-382-0400(11). The application map (TO Lands Map) does not show the direction of flow for Crooks Creek. In addition, the application maps (TO and FROM Lands Maps) need to include the use type and priority date. The maps should also show existing roads and the delivery system. Therefore, all other application requirements are not met.

Determination and Proposed Action

The modification in point of appropriation and modification in place of use proposed in Groundwater Registration Modification T-13626 appear to be not consistent with the requirements of ORS 537.610, 537.705, 540.505 to 540.580 and OAR 690-382-1000. If protests are not filed pursuant to OAR 690-382-0900 or the application deficiencies are not resolved, the modification will be denied.

If the issues identified above are resolved and Groundwater Registration Modification Application T-13626 is approved, the final order will include the following:

1. *The modifications to Groundwater Registration GR-1703 (Certificate of Registration GR-1652) proposed in Groundwater Registration Modification Application T-13626 are recognized. Recognition of the modifications shall not be construed as a final*

determination of the right to appropriate groundwater under the certificate of registration or modification. Such a determination will occur in an adjudication proceeding under ORS 537.670 to 537.695.

- 2. The use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Groundwater Registration GR-1703 (Certificate of Registration GR-1652) and any related decree.*
- 3. Approval of this groundwater registration modification application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new points of appropriation and the new place of use.*
- 4. Water shall be acquired from the same aquifer (water source) as the original point of appropriation.*
- 5. Water shall no longer be appropriated from the original point of appropriation as part of this groundwater certificate of registration.*
- 6. The quantity of water diverted at the proposed points of appropriation (Wells 1, 2, 3, and 4) shall not exceed the quantity of water lawfully available at the original point of appropriation (pump well).*
- 7. The former place of use of the modified groundwater registration shall no longer receive water as part of the groundwater certificate of registration.*

Dated in Salem, Oregon on

D R A F T

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
DOUGLAS E. WOODCOCK, ACTING DIRECTOR
Oregon Water Resources Department

This draft Preliminary Determination was prepared by Laura Wilke. If you have questions about the information in this document, you may reach me at (971) 375-7492 or Laura.K.Wilke@water.oregon.gov.

WATER RIGHT TRANSFER COVER SHEET

Transfer: T- 13626

Transfer Specialist:

Transfer Type: GR Modification Transfer

Applicant: CASE FAMILY LLC 33010 DEVER CONNER RD NE ALBANY, OR 97321 Email: _____ Phone: _____	Agent: <input type="checkbox"/> N/A WILLIAM E. MCGILL 15333 PLETZER RD SE TURNER, OR 97392 Email: _____ Phone: _____
Irrigation District: <input type="checkbox"/> N/A Email: _____	CWRE: <input type="checkbox"/> N/A Email: _____
Affected Local Gov'ts: <input type="checkbox"/> N/A Linn County Planning Department Email: _____	Affected Tribal Gov't: <input type="checkbox"/> N/A UNAVAILABLE Email: _____
Current Landowner if other than Applicant: <input type="checkbox"/> N/A Email: _____	Receiving Landowner: <input type="checkbox"/> N/A Email: _____

Water Rights Affected

File Marked	App. File # or Decree Name	Permit	Certificate	RR/CR Needed	RR/CR Nos.
<input type="checkbox"/>	GR-1703		GR-1652	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	

Key Dates & Initial Actions:

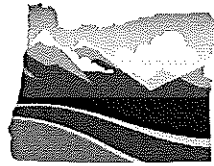
Rec'd: February 16, 2021	Proposed Action(s): POINT OF APPROPRIATION; PLACE OF USE	
Fees Pd: 1250.00	WM District: 16	ODFW District:
Initial Public Notice: March 9, 2021	WM Review sent:	ODFW Review sent:
Acknowledgement Letter Sent <input checked="" type="checkbox"/>		GW Review sent: <input type="checkbox"/> N/A
County sent cc: of Ack Letter <input type="checkbox"/>	BOR notified (date): <input type="checkbox"/> N/A	
Newspaper quote requested:	Request for news \$ sent:	News \$ received:
Request to publish sent:	Affidavit of publication received:	Last day of publication:

Document	Drafted	Peer Review	Changes Made	Coordinator	Changes Made	Signature Bin	Signature Date
DPD	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	CW Sent: _____	N/A
PD	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____	Date: _____
FO	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____	Date: _____

Special Issues: _____

Special Order Volume: Vol. _____ Pages _____

Watermaster Review Form: Water Right Transfer



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

Transfer Application: T-13626

Review Due Date: 4/3/2021

Applicant Name: Case Family LLC

Proposed Changes: POU POD POA USE OTHER

Reviewer(s): G. Wacker

Date of Review: 3/22/2021

1. Do you have evidence that the right has not been used in the last 5 years and that the presumption of forfeiture would not likely be rebuttable? Yes No If "Yes", attach evidence (e.g. dated aerial photo showing pavement or building on the land for >5 yrs.)

2. Is there a history of regulation on the source that serves this (or these) right(s) that has involved the transferred right(s) and downstream water rights? Yes No Generally characterize the frequency of any regulation or explain why regulation has not occurred:

3. Have headgate notices been issued for the source that serves the transferred right(s)?
 Yes No Records not available.

4. In your estimation, after the proposed change, would distribution of water for the right(s) result in regulation of other water rights that would not have occurred if use under the original right(s) was/were maximized? Yes No If "Yes", explain:

5. In your estimation, if the proposed change is approved, are there upstream water rights that would be affected? Yes No If "Yes", describe how the rights would be affected and list the rights most affected:



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

N/A

7. 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:

N/A

8. For instream transfers that propose protection of a reach beyond the mouth of the source stream:

N/A Would the quantity be measureable into the receiving stream consistent with OAR 690-077-0015(8)? Yes No

9. For POU changes: N/A Is it likely the original place of use would continue to receive water from the same source? Yes No If "Yes", explain:

10. For POU or USE changes: N/A In your best judgment, 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:

11. For POU changes that involve micro-irrigation: N/A

a. Has the applicant made changes (absent a transfer) to convert to micro-irrigation within the current place of use boundary of the water right proposed for transfer, and previously demonstrated to the Department through monitoring and site inspections by the Watermaster that the proposed transfer will not result in injury or enlargement?

Yes No If "Yes", explain:

b. Has a temporary transfer of this nature been previously filed and approved on the same lands (or portions thereof) as those lands involved in this transfer?

Yes No If "Yes", answer the following:

i. Were there any problems with more acres being irrigated (or wetted) than were authorized under the temporary transfer? Yes No If "Yes", explain:

ii. Did the designated areas that were to remain dry (or not wetted) under the temporary transfer actually remain dry? Yes No If "No", explain:

iii. Did the applicant comply with and meet all of the conditions of the temporary transfer? Yes No If "No", explain:

iv. Do you have any other observations regarding the temporary transfer? Yes No If "Yes", describe:

v. Did the applicant demonstrate to the Department through monitoring and site inspections by the Watermaster that neither injury nor enlargement occurred as a result of the temporary transfer? Yes No If "No", explain:

c. To the best of your knowledge, if this transfer is approved, does it appear that:

i. "Injury" will occur to other water rights that share the same source? Yes No If "Yes", explain:

ii. "Enlargement" of the water right being transferred will occur? Yes No If "Yes", explain:

12. Are there other issues not identified through the above questions that should be considered in determining whether the change "can be effected without injury to other rights"?

Yes No If "Yes", explain:

13. What alternatives may be available for addressing any issues identified above:

14. Do conditions need to be included in the transfer order to avoid enlargement of the right or injury to other rights? No Yes, as checked and provided below:

For POU changes that involve micro-irrigation, provide the monitoring and reporting conditions necessary to prevent injury/enlargement:

A Headgate should be required prior to diverting water.

Measurement Devices for POD or POA: (if this condition is selected, also fill in the top sections of Page 4)

*a. Before water use may begin under this order, the water user shall install a **totalizing flow meter***, or, with prior approval of the Director, another suitable measuring device, at each point of diversion/appropriation (new and existing) OR at each new point of diversion/appropriation with the exception that water rights issued to the Bureau of Reclamation or an irrigation district (or similar entity) are not subject to this condition.*

b. The water user shall maintain the meters or measuring devices in good working order.

c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.

Reservoir water use measurement: (if this condition is selected, also fill in the top sections of Page 4)

*a. Before water use may begin under this order, the water user shall install **staff gages***, or, with prior approval of the Director, other suitable measuring devices, that measure the entire range and stage between empty and full in each reservoir. Staff gages shall be United States Geological Survey style.*

b. Before water use may begin under this order, if the reservoir is located in channel, weirs or other suitable measuring devices must be installed upstream and downstream of the reservoir, and, an adjustable outlet valve must be installed. The water user shall maintain such devices in good working order. A written waiver may be obtained, if in the judgment of the Director, the installation of weirs or other suitable measuring devices, or the adjustable outlet valve, will provide no public benefit.

* The following alternative device(s) should be substituted for the bold, underlined device in the above selected condition:

- Weir
- Parshall Flume
- Other: _____

- Submerged Orifice
- Flow Restrictor

Groundwater Transfer Review Summary Form

Transfer/PA # T- 13626

GW Reviewer Phillip Marcy Date Review Completed: 03/12/2021

Summary of Same Source Review:

The proposed change in point of appropriation is not within the same aquifer as per OAR 690-380-2110(2).

Summary of Injury Review:

The proposed transfer will result in another, existing water right not receiving previously available water to which it is legally entitled or result in significant interference with a surface water source as per 690-380-0100(3).

Summary of GW-SW Transfer Similarity Review:

The proposed SW-GW transfer doesn't meet the definition of "similarly" as per OAR 690-380-2130.

This is only a summary. Documentation is attached and should be read thoroughly to understand the basis for determinations.



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

Ground Water Review Form:

- Water Right Transfer
- Permit Amendment
- GR Modification
- Other

Application: T-13626

Applicant Name: Case Family LLC

- Proposed Changes: POA APOA SW→GW RA
 USE POU OTHER

Reviewer(s): Phillip I. Marcy

Date of Review: 03/12/2021

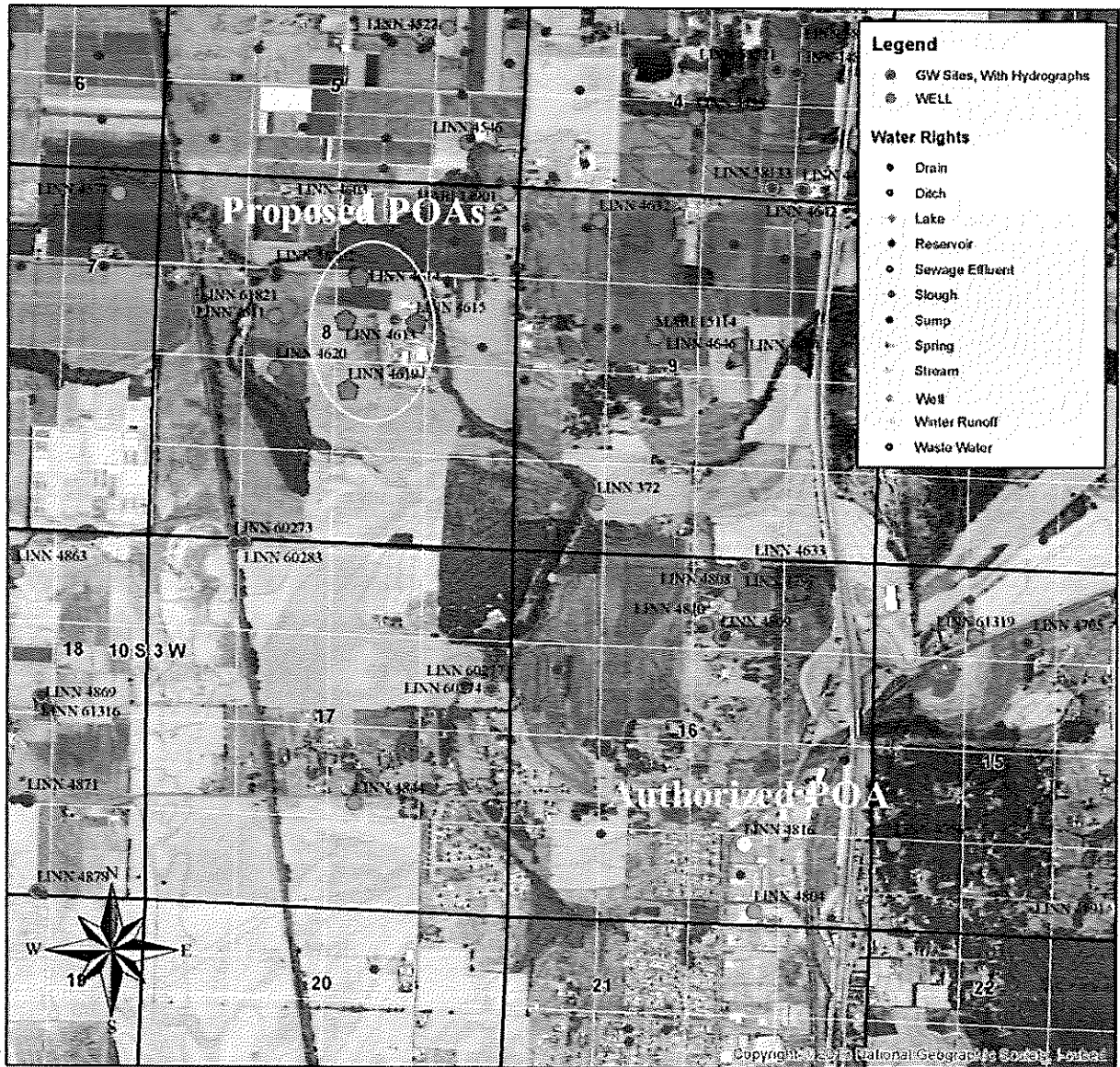
Date Reviewed by GW Mgr. and Returned to WRSD: JTI 3/12/21

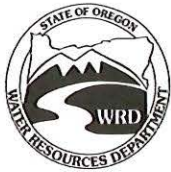
The information provided in the application is insufficient to evaluate whether the proposed transfer may be approved because:

- The water well reports provided with the application do not correspond to the water rights affected by the transfer.
- The application does not include water well reports or a description of the well construction details sufficient to establish the ground water body developed or proposed to be developed.
- Other _____

-
1. Basic description of the changes proposed in this transfer: The applicant proposes to move use (POU) from tax lot 2200 to tax lot 700, and as a result, use proposed POA wells "1-4", in place of "Pump Well", currently authorized under GR 1703.
 2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?
 Yes No Comments: All wells produce from relatively shallow alluvium, constructed with open intervals ranging from 14-30' BLS.
 3. a) Is there more than one source developed under the right (e.g., basalt and alluvium)?
 Yes No NA
 b) If yes, estimate the portion of the right supplied by each of the sources and describe any limitations that will need to be placed on the proposed change (rate, duty, etc.): NA
 4. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with another ground water right?
 Yes No Comments: It is likely that nearby rights GR-2960 and permit G-18152 to the west (~1150') of the proposed POAs will experience a minimal increase in interference due to the redistribution of pumping from the authorized POA to the SE.
 b) If yes, would this proposed change, at its maximum allowed rate of use, likely result in another groundwater right not receiving the water to which it is legally entitled?

- Yes No If yes, explain: The currently authorized combined rate of production from the four proposed POAs is 2.228 cfs under GR-2286, GR-2287, GR-2288, and GR-2289. The addition of 0.0668 cfs represents less than a 3 percent increase in authorized rate across 4 wells. Therefore, it is unlikely that the proposed changes in this application would result in any nearby right not receiving water to which it is legally entitled.
5. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another surface water source**?
- Yes No Comments: Any increase in interference to nearby surface water is anticipated to be minimal.
- b) If yes, at its maximum allowed rate of use, what is the expected change in degree of interference with any **surface water sources** resulting from the proposed change?
- Stream: Santiam River Minimal Significant
- Stream: Willamette River Minimal Significant
- Provide context for minimal/significant impact: The significant distance to these surface water sources, and the modest increase in pumping rate suggest it is not likely that the proposed change in use will measurably increase interference. The disuse of currently authorized LINN 4816 is expected to offset increased pumping from proposed POAs.
6. For SW-GW transfers, will the proposed change in point of diversion affect the surface water source similarly (as per OAR 690-380-2130) to the authorized point of diversion specified in the water use subject to transfer?
- Yes No Comments: NA
7. What conditions or other changes in the application are necessary to address any potential issues identified above: None.
8. Any additional comments: _____





State of Oregon
 Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1266
 (503) 986-0900

Application for Groundwater Registration Modification

Part 1 of 5 – Minimum Requirements Checklist

This Groundwater Registration Modification application will be returned if Parts 1 through 4 and all required attachments are not completed and included.

For questions, please call (503) 986-0900, and ask for Transfer Section.

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Check all included with this application (N/A = Not Applicable)

- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Application Map Checklist.
- Part 3 – Completed Applicant Information and Signature.
- Part 4 – Completed Groundwater Registration Modification Application – Groundwater Registration Information. (Only one Groundwater registration per application, unless the Groundwater registrations to be modified are layered).
- Completed Groundwater Registration Modification Application Map (Does not have to be prepared by a Certified Water Right Examiner).
- Groundwater registration modification fees – Amount enclosed: \$ 1,250. (\$875.00 for a place of use change only; \$1,250.00 for any other change or combination).

Attachments:

- N/A Request for Assignment Form and statutory fee. This form needs to be completed if the applicant owns the land to which the registration is appurtenant and is **not** the registration certificate holder of record. The Request for Assignment Form is available at <https://www.oregon.gov/OWRD/Forms/Pages/default.aspx>.
 Assignment is not needed for any person or entity who can demonstrate authorization to request recognition of a modification (e.g. legal representative, power of attorney, agent, etc.) **or** the applicant is named on the certificate of registration, or has been assigned to the certificate of registration.
- N/A Oregon Water Resources Department’s Land Use Information Form with approval and signature (or signed land use form receipt stub) from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if **all** of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
- N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.

(For Staff Use Only)	
WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):	
<input type="checkbox"/> Application fee not enclosed/insufficient	<input type="checkbox"/> Map not included or incomplete
<input type="checkbox"/> Land Use Form not enclosed or incomplete	<input type="checkbox"/> Assignment Form and fee not enclosed/insufficient
<input type="checkbox"/> Additional signature(s) required	<input type="checkbox"/> Part _____ is incomplete
Other/Explanation _____	
Staff: _____	Date: / /

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Part 2 of 4 – Groundwater Registration Modification Map Checklist

Your Groundwater Registration Modification application will be returned if any of the map requirements listed below are not met.

Please be sure that the map you submit includes all the items listed below and meets the requirements of OAR 690-380-3100, however, the map does not have to be prepared by a Certified Water Right Examiner. Check all boxes that apply.

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- Permanent quality printed with dark ink on good quality paper.
- The size of the map can be 8½ x 11 inches, 8½ x 14 inches, 11 x 17 inches, or up to 30 x 30 inches. For 30 x 30 inch maps, one extra copy is required.
- A north arrow, a legend, and scale.
- The scale of the map must be: 1 inch = 400 feet, 1 inch = 1,320 feet, the scale of the county assessor map if the scale is not smaller than 1 inch = 1,320 feet, or a scale that has been pre-approved by the Department.
- Township, Range, Section, ¼ ¼, DLC, Government Lot, and other recognized public land survey lines.
- Tax lot boundaries (property lines) are required. Tax lot numbers are recommended.
- Major physical features including rivers and creeks showing direction of flow, lakes and reservoirs, roads and railroads.
- Major water delivery system features from the point(s) of appropriation such as main pipelines, canals, and ditches.
- Existing place of use that includes hachuring, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions. If less than the entirety of the registration is being changed, a separate hachuring is needed for the portion of the registration left unchanged.
- N/A If you are proposing a modification in place of use, show the proposed place of use with hachuring including priority date and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions.
- Existing point(s) of appropriation with distance and bearing or coordinates from a recognized survey corner.
- N/A If you are proposing a modification in point(s) of appropriation, show the proposed location and label it clearly with distance and bearing or coordinates. If GPS coordinates are used, latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal (example – 42°32'15.5") or degrees-decimal with five or more digits after the decimal (example – 42.53764°).

13626

Part 3 of 4 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Case Family LLC		PHONE NO. (541) 979-6236	ADDITIONAL CONTACT NO.
ADDRESS 33010 Dever Conner Rd. NE		FAX NO.	
CITY Albany	STATE OR	ZIP 97321	E-MAIL billcasefarms@gmail.com
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

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FEB 16 2021
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Agent Information – The agent is authorized to represent the applicant in all matters relating to this application

APPLICANT/BUSINESS NAME Will McGill Surveying LLC		PHONE NO. (503) 510-3026	ADDITIONAL CONTACT NO. (503) 931-0210
ADDRESS 15333 Pletzer Rd. SE		FAX NO.	
CITY Turner	STATE OR	ZIP 97392	E-MAIL willmcgill.surveying@gmail.com
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

Explain in your own words what you propose to accomplish with this modification; and why:
It is proposed to move GR 1703 from TL 2200 (Perlenfein) to TL 700 (Case) for use from Wells 1-4.

Check this box if this project is fully or partially funded by the American Recovery and Reinvestment Act. (Federal stimulus dollars)

(Check one box)

- By signing this application, I (we) understand that, upon receipt of the draft preliminary determination and prior to Department approval of the Groundwater modification, I (we) will be required to provide landownership information and evidence that I am authorized to pursue the modification as identified in OAR 690-382-0400(16)(a); **OR**
- I (we) affirm 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; **OR**
- I (we) affirm that the applicant is an entity with the authority to condemn property and is acquiring the property to which the Groundwater registration proposed for modification is appurtenant by condemnation and have attached supporting documentation.

I understand that prior to Department approval of the groundwater registration modification, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the groundwater registration is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following paper: Albany Democrat-Herald.

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


Gail Case
02/12/2021
 Applicant Signature Print Name (and Title if applicable) Date

Applicant Signature Print Name (and Title if applicable) Date

Is the applicant the sole owner of the land on which the Groundwater registration modification or portion thereof, is located? Yes No *If NO, include signatures of all deeded landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent (and mailing and/or e-mail addresses) from all landowners or individuals/entities to which the Groundwater registration has been conveyed.*

13626

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FEB 16 2021

OWRD

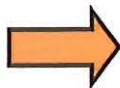
Check the appropriate box, if applicable:

Check here if the Groundwater registration proposed for modification is or will be located within or served by an irrigation or other water district.

IRRIGATION DISTRICT NAME	ADDRESS	
CITY	STATE	ZIP

Check here if water for the Groundwater registration is supplied under a water service agreement or other contract with a federal agency or other entity.

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP



To meet State Land Use Consistency Requirements, you must list all local governments (each county, city, municipal corporation, or tribal government) within whose jurisdiction water will be diverted, conveyed or used.

ENTITY NAME Linn County	ADDRESS 300 SW 4th Ave.	
CITY Albany	STATE OR	ZIP 97321

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

13626

Part 4 of 4 – Groundwater Registration Information

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CERTIFICATE OF REGISTRATION # GR 1703

FEB 16 2021

Table 1. Location of Authorized and Proposed Point(s) of Appropriation (POA)

(Note: If the POA name is not specified in the registration, assign it a name or number here.)

OWRD

POA Name or Number	Is this POA Authorized by the registration or is it Proposed?	OWRD Well Log ID# (or Well ID Tag # L-___)	Twp		Rng		Sec	¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Pump Well	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	LINN 4816	10	S	3	W	16	SW	SE	2200	660' N and 3820' E of SW corner of sec. 16
Well 1	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	LINN 4614	10	S	3	W	8	SW	NE	700	N 61° 30' W 41 chains from SE corner of NE ¼ of sec. 8
Well 2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	LINN 4613	10	S	3	W	8	SW	NE	700	N 75° 10' W 39 chains from SE corner of NE ¼ of sec. 8
Well 3	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	LINN 4619	10	S	3	W	8	NW	SE	700	S 81° 05' W 38.25 chains from NE corner of SE ¼ of sec. 8
Well 4	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	LINN 4615	10	S	3	W	8	SW	NE	700	N 68° 20' W 26 chains from SE corner of NE ¼ of sec. 8

*

Check all type(s) of modifications(s) proposed below (modification "CODES" are provided in parentheses):

- | | |
|--|---|
| <input checked="" type="checkbox"/> Place of Use (POU) | <input checked="" type="checkbox"/> Point of Appropriation (well) (POA) |
| <input type="checkbox"/> Character of Use (USE) | <input type="checkbox"/> Additional Point of Appropriation (APOA) |

Will all of the proposed changes affect the entire Groundwater registration?

- Yes Complete only the proposed ("to" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.
- No Complete all of Table 2 to describe the portion of the registration to be changed.

13626

Table 2. Description of Modifications to Registration GR-1703 (Certificate # GR-1652)

List only the part of the registration that will be modified. For the acreage in each ¼ ¼, list the modification proposed. If more than one modification, specify the acreage associated with each modification. If more than one POA, specify the acreage associated with each POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears in the registration BEFORE PROPOSED CHANGES List only that part or portion of the groundwater registration that will be changed.													Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.									
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POA(s) (name or number from Table 1)	Priority Date	Twp	Rng	Sec		¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POA(s) to be used (from Table 1)	Priority Date			
EXAMPLE																							
2	S	9	E 15 NE NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E 1 NW NW	500	1	10.0		POD #5	1901			
"	"	"	" " " "	"	"	"	EXAMPLE	"	"	"	2	S	9	E 2 SW NW	500		5.0		POD #6	1901			
										POU/POA	10	S	3	W 8 NW SE	700		3.5	Irrigation	Well 1, 2, 3, 4	1951			
TOTAL ACRES													TOTAL ACRES 3.5										

19626

Additional remarks: ***The location description from the registration statement does not coincide with the mapped location of Pump Well authorized for GR 1703. The well should be on the same property (TL 2200) as the place of use. A redescribed location is shown on the FROM map.**

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Groundwater Registration # GR-1703 (Certificate # GR-1652)

For a modification in place of use or character of use:

Are there other water right certificates, water use permits, or Groundwater registrations associated with the “from” or “to” lands? Yes No

If YES, list the other certificate, water use permit, or other Groundwater registration numbers:



Pursuant to OAR 690-382-0200, any “layered” water use, such as an irrigation right that is supplemental to a primary irrigation right proposed for transfer, must be concurrently transferred with the registration or be cancelled. Any change to a water right must be filed separately in a transfer application. Any change to a water use permit must be filed separately with a permit amendment. Any modification to a Groundwater registration on the “to” lands must be filed separately with a Groundwater registration modification.

For modifications in point(s) of appropriation (well(s) or additional point(s) of appropriation:

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- Well log(s) are attached for each well that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.
(Tip: You may search for well logs on the Department’s web page at:
http://apps.wrd.state.or.us/apps/gw/well_log/)

AND/OR

- Describe the construction of the authorized and proposed well(s) in Table 3 for any wells that do not have a well log. For *proposed wells not yet constructed or built*, provide “a best estimate” for each requested information element in the table. The Department recommends you consult a licensed well driller, geologist, or certified water right examiner to assist with assembling the information necessary to complete Table 3.

Table 3. Construction of Point(s) of Appropriation

Any well(s) in this listing must be clearly tied to corresponding well(s) described in Table 1 and shown on the accompanying application map. Failure to provide adequate information is likely to delay the processing of your modification application until it is received. The information is necessary for the department to assess whether the proposed well(s) will access the same source aquifer as the authorized point(s) of appropriation (POA). The Department is prohibited by law from approving POA changes that do not access the same source aquifer.

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well, OWRD Well ID Tag No. L-___	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well - specific rate (cfs or gpm). If less than full rate of water right

**Application for Water Right
Transfer
Consent by Deeded Landowner**



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

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OWRD

State of Oregon)
)ss
County of Linn)

I Edward R. Perlenfein in my capacity as Owner,
mailing address 2910 NE Alexander Ln., Albany, OR 97321,
telephone number (541) 979-5767, duly sworn depose and say that I
consent to the proposed change(s) to ~~Water Right Certificate Number~~ Groundwater Registration
Number 1703

described in a Transfer Application (T-) submitted by Case Family LLC,
(transfer number, if known)

on the property in tax lot number(s) 2200, Section 16, Township 10

South, Range 3 West, W.M., located at 6405 NE Old Salem Rd., Albany, OR 97321.
(site address)

Ed Perlenfein
Signature of Affiant

2-11-21
Date

Signature of Affiant

Date

Subscribed and Sworn to before me this 11 day of Feb., 2021.



Grant McGill
Notary Public for Oregon

My commission expires 11/13/23.

Business Registry Business Name Search

[New Search](#)

Business Entity Data

02-09-2021

13:27

Registry Nbr	Entity Type	Entity Status	Jurisdiction	Registry Date	Next Renewal Date	Renewal Due?
524071-95	DLLC	ACT	OREGON	05-30-2008	05-30-2021	
Entity Name	CASE FAMILY, LLC					
Foreign Name						

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FEB 16 2021

[New Search](#)

Associated Names

OWRD

Type	PPB	PRINCIPAL PLACE OF BUSINESS				
Addr 1	33010 DEVER-CONNER RD NE					
Addr 2						
CSZ	ALBANY	OR	97321	Country	UNITED STATES OF AMERICA	

Please click [here](#) for general information about registered agents and service of process.

Type	AGT	REGISTERED AGENT	Start Date	04-30-2015	Resign Date	
Name	WILLIAM	COLEMAN	CASE			
Addr 1	33010 DEVER CONNER RD NE					
Addr 2						
CSZ	ALBANY	OR	97321	Country	UNITED STATES OF AMERICA	

Type	MAL	MAILING ADDRESS				
Addr 1	33010 DEVER CONNER RD NE					
Addr 2						
CSZ	ALBANY	OR	97321	Country	UNITED STATES OF AMERICA	

Type	MEM	MEMBER			Resign Date	
Not of Record	THE WILLIAM C. CASE REVOCABLE LIVING TRUST DTD 5-21-1993					
Addr 1	33010 DEVER-CONNER RD NE					
Addr 2						
CSZ	ALBANY	OR	97321	Country	UNITED STATES OF AMERICA	

Type	MEM	MEMBER			Resign Date	
Not of Record	THE GAIL K. CASE REVOCABLE LIVING TURST DTD 5-21-1993					
Addr 1	33010 DEVER-CONNER RD NE					
Addr 2						
CSZ	ALBANY	OR	97321	Country	UNITED STATES OF AMERICA	

Type	MEM	MEMBER			Resign Date	
Name	WILLIAM	COLEMAN	CASE			
Addr 1	33010 DEVER CONNER RD NE					
Addr 2						
CSZ				Country	12626	



Phone: (503) 986-2200
Fax: (503) 378-4381

Articles of Amendment/Dissolution—Limited Liability Company

Secretary of State
Corporation Division
255 Capitol St. NE, Suite 151
Salem, OR 97310-1327
FilingInOregon.com

Check the appropriate box below:

- ARTICLES OF AMENDMENT
(Complete only 1, 2, 3, 6, 7)
- ARTICLES OF DISSOLUTION
(Complete only 4, 5, 6, 7)

REGISTRY NUMBER: 524071-95

In accordance with Oregon Revised Statute 192.410-192.490, the information on this application is public record.
We must release this information to all parties upon request and it will be posted on our website.

For office use only

Please Type or Print Legibly in Black Ink. Attach Additional Sheet if Necessary.

ARTICLES OF AMENDMENT ONLY

1) ENTITY NAME

CASE FAMILY, LLC

2) THE FOLLOWING AMENDMENT(S) TO THE ARTICLES OF ORGANIZATION IS MADE HEREBY. (State the article number(s) and set forth the article(s) as it is amended to read.)

Article VI: The names and addresses of the owners/members are:

The William C. Case Revocable Living Trust dated May 21, 1993; and

The Gail K. Case Revocable Living Trust dated May 21, 1993

33010 Dever-Conner Rd. NE

Albany, OR 97321

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3) PLEASE CHECK THE APPROPRIATE STATEMENT

This amendment was adopted by the manager(s) without member action. Member action was not required.

Date of adoption of each amendment: 06/01/2008

This amendment(s) was approved by the members. _____ percent of the members approved the amendment(s).

Date of adoption of each amendment: _____

ARTICLES OF DISSOLUTION ONLY

4) NAME OF LIMITED LIABILITY COMPANY _____

5) DATE OF DISSOLUTION _____

6) EXECUTION (Must be signed by at least one member or manager.)

Signature

William C. Case
Gail K. Case

Printed Name

William C. Case, Trustee
Gail K. Case, Trustee

Title

Operating Manager
Partner

7) CONTACT NAME (To resolve questions with this filing.)

Andrew S. Noonan

DAYTIME PHONE NUMBER (Include area code.)

(541) 926-5504

FEES

Required Processing Fee \$50
Confirmation Copy (Optional) \$5

Processing Fees are nonrefundable.

Please make check payable to
"Corporation Division."

NOTE:

Fees may be paid with VISA or MasterCard. The card number and expiration date should be submitted on a separate sheet for your protection.

STATE ENGINEER
Salem, Oregon

LINN
4816

Well Record

GR- 1652

Pump well

STATE WELL NO. *10/3W-160*
COUNTY *Linn*
APPLICATION NO. *GR-1703*

OWNER: *J. H. Lyon*

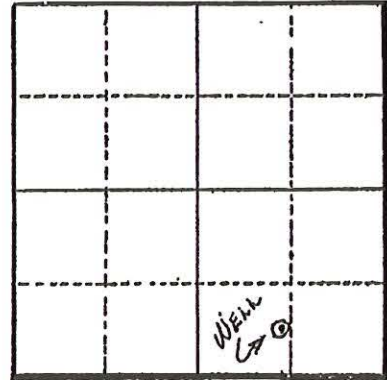
MAILING ADDRESS: *Rt. 2, Box 408*

LOCATION OF WELL: Owner's No.

CITY AND STATE: *Albany, Oregon*

XX *XX*
...SW ¼ ...SE ¼ Sec. *16*... T. *10* S., R. *3*... W., W.M.

Bearing and distance from section or subdivision
corner *660' N. & 3820' E. from SW cor. Sec. 16*



Section *16*

Altitude at well *220'*

TYPE OF WELL: *Drilled* Date Constructed *1951*

Depth drilled *30'* Depth cased *30'*

CASING RECORD:

6"

FINISH:

Slot perforations from 20 to 30 ft.

AQUIFERS:

WATER LEVEL:

10'

PUMPING EQUIPMENT: Type *Sears jet* H.P. *3*

Capacity *30* G.P.M.

WELL TESTS:

Drawdown ft. after hours G.P.M.

Drawdown ft. after hours G.P.M.

USE OF WATER *Irrigation* Temp. °F., 19

SOURCE OF INFORMATION *GR Record*

DRILLER or DIGGER *Bill Hamilton*

ADDITIONAL DATA:

Log *N.A.* Water Level Measurements Chemical Analysis Aquifer Test

REMARKS:

Irrigation of 3.5 acres.

13626

STATE ENGINEER
Salem, Oregon

LINN
4614

Well Record

Well 1

STATE WELL NO. 10/3W - 8G
COUNTY LINN
APPLICATION NO. GR-2286

OWNER: M. C. Case MAILING ADDRESS: Rt. 2, Box 393

LOCATION OF WELL: Owner's No. No. 1 CITY AND STATE: Albany, Oregon

SW 1/4 NE 1/4 Sec. 8 T. 10 N. S., R. 3 E. W., W.M.

Bearing and distance from section or subdivision corner N. 61° 30' W. 41 chains from SE corner.

Section

Altitude at well

TYPE OF WELL: Drilled Date Constructed 1946

Depth drilled 22 Depth cased 22

CASING RECORD:

8-inch

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FINISH:

Perforations from 15 to 22

AQUIFERS:

WATER LEVEL:

7-feet

PUMPING EQUIPMENT: Type Fairbanks Morse 2" Centrifugal H.P. 10
Capacity 300 G.P.M.

WELL TESTS:

Drawdown 4 ft. after hours Pumping 400 G.P.M.
Drawdown ft. after hours G.P.M.

USE OF WATER Irrigation Temp. °F., 19

SOURCE OF INFORMATION GR-2179
DRILLER or DIGGER T. J. Burkhart, 1235 W. 15th St., Albany, Oregon

ADDITIONAL DATA:

Log Water Level Measurements Chemical Analysis Aquifer Test

REMARKS:

13626

STATE ENGINEER
Salem, Oregon

LINN
4613

Well Record

Well 2

STATE WELL NO. 10/3W - 8G
COUNTY LINN
APPLICATION NO. GR-2287

OWNER: M. C. Case

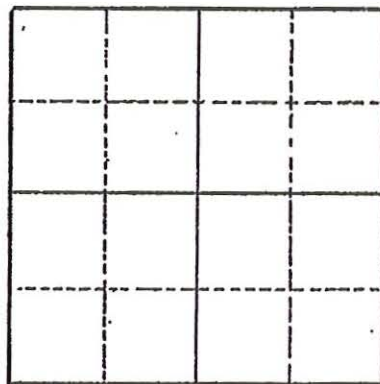
MAILING ADDRESS: Rt. 2, Box 393,

LOCATION OF WELL: Owner's No. No. 2

CITY AND STATE: Albany, Oregon

SW 1/4 NE 1/4 Sec. 8 T. 10 N. S., R. 3 W., W.M.

Bearing and distance from section or subdivision corner N. 75° 10' W. 39 chains from SE corner.



Section

Altitude at well

TYPE OF WELL: Drilled Date Constructed 1945

Depth drilled 22 Depth cased 22

CASING RECORD:

8-inch

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FINISH:

Perforations from 15 to 22

AQUIFERS:

WATER LEVEL:

7-feet

PUMPING EQUIPMENT: Type Fairbanks Morse 3" Centrifugal H.P. 15
Capacity 350 G.P.M.

WELL TESTS:

Drawdown ft. after hours Pumping 400 G.P.M.
Drawdown ft. after hours G.P.M.

USE OF WATER Irrigation Temp. °F., 19

SOURCE OF INFORMATION GR-2180
DRILLER or DIGGER T. J. Burkhart, 1235 W. 15th., Albany, Oregon

ADDITIONAL DATA:

Log Water Level Measurements Chemical Analysis Aquifer Test

REMARKS:

13626

STATE ENGINEER
Salem, Oregon

LINN
4619

Well Record

well 3

STATE WELL NO. 10/3W - 8K
COUNTY LINN
APPLICATION NO. GR-2288

OWNER: M. C. Case MAILING ADDRESS: Rt. 2, Box 393

LOCATION OF WELL: Owner's No. #3 CITY AND STATE: Albany, Oregon

NW 1/4 SE 1/4 Sec. 8 T. 10 N. 3 R. 3 W., W.M.

Bearing and distance from section or subdivision corner S. 81° 05' W. 38.25 chains.

Altitude at well

TYPE OF WELL: Driven Date Constructed 1941

Depth drilled 25 Depth cased 25

Section

CASING RECORD:

4-inch

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FINISH:

Perforations from 16 to 25

AQUIFERS:

WATER LEVEL:

9-feet

PUMPING EQUIPMENT: Type 3" Centrifugal H.P.
Capacity 300 G.P.M.

WELL TESTS:

Drawdown 10 ft. after hours Pumping 300 G.P.M.
Drawdown ft. after hours G.P.M.

USE OF WATER Irrigation Temp. °F., 19

SOURCE OF INFORMATION GR-2183
DRILLER or DIGGER M. C. Case, Rt. 2, Box 393, Albany, Oregon

ADDITIONAL DATA:

Log Water Level Measurements Chemical Analysis Aquifer Test

REMARKS:

13626

STATE ENGINEER
Salem, Oregon

LINN
4615

Well Record

well 4

STATE WELL NO. 10/3W - 8G
COUNTY LINN
APPLICATION NO. GR-2289

OWNER: M. G. Case

MAILING ADDRESS:

Rt. 2, Box 383

LOCATION OF WELL: Owner's No. #4

CITY AND STATE:

Albany, Oregon

SW 1/4 NE 1/4 Sec. 8 T. 10 N. S., R. 3 E. W., W.M.

Bearing and distance from section or subdivision corner N. 68° 20' W. 26 chains.

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Altitude at well

TYPE OF WELL: Drilled Date Constructed 1951

Depth drilled 22 Depth cased 22

Section

CASING RECORD:

8-inch

OWRD

FINISH:

Perforations from 14 to 22

AQUIFERS:

WATER LEVEL:

7-feet

PUMPING EQUIPMENT: Type Fairbanks Morse 2" Centrifugal H.P. 10
Capacity 250 G.P.M.

WELL TESTS:

Drawdown 5 ft. after hours Pumping 400 G.P.M.
Drawdown ft. after hours G.P.M.

USE OF WATER Irrigation Temp. °F., 19

SOURCE OF INFORMATION GR-2184

DRILLER or DIGGER Nicholas Klaus, Rt. 4, Albany, Oregon

ADDITIONAL DATA:

Log Water Level Measurements Chemical Analysis Aquifer Test

REMARKS:

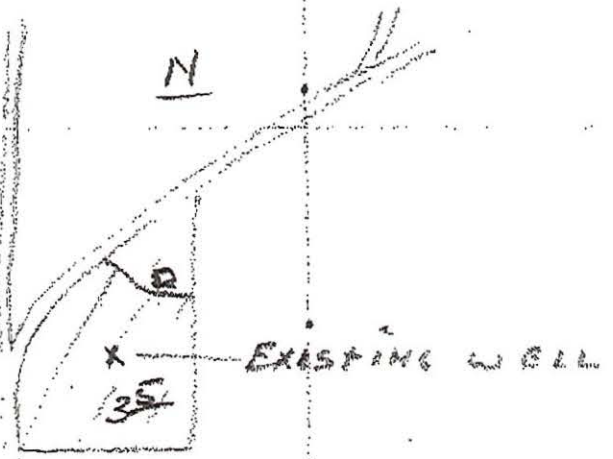
13626

GR 1703 FROM

← SURFACE 11
2640'

1/4

OLD PACIFIC HIGHWAY



J. H. LYON
PT. 2, BOX 408, ALBANY, ORE

S. 16, T. 10 S., R. 3 W.

130226

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OWRD Public Comment Management

Public Comment Query | Public Comment Detail

Request Criteria

Application
Certificate

Permit
Transfer T

First Name

Last Name

Company Name

Email

Comment

Exclude NonConsent Yes

Display Rows/Page

No Comments received
hard
or
electronic



Oregon

Kate Brown, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE Ste A

Salem, OR 97301-1266

Phone: 503-986-0900

Fax: 503-986-0904

www.Oregon.gov/OWRD

March 3, 2021

Will McGill Surveying, LLC
15333 Pletzer Rd SE
Turner, OR 97392

Reference: Application GR-1703, Registration GR- 1652

The assignment from Robert L. Brunson to Edward R. Perlenfein has been recorded in the records of the Water Resources Department.

The Departments records will now show Edward R. Perlenfein as the registration holder of record.

Our records have been changed accordingly and the original request is enclosed. Receipt number 134541 covering the recording fee is also enclosed.

A registration is not a perfected water right, and will in the future be adjudicated.

Sincerely,

Mary F. Bjork
Water Rights Program Analyst
Water Right Services Division

Enclosure: Original Request and Receipt # 134541

cc: Robert L. Brunson – Rt. 2, Box 220, Albany, OR 97321
Edward R. Perlenfein – 2910 NE Alexander Ln., Albany, OR 97321
Data Center, OWRD (cover letter & request)
File



August 16, 1968

Robert L. Brunson
Route 2, Box 220
Albany, Oregon

Dear Sir:

Please find enclosed the assignment of Registration No. GR-1703, Certificate of Registration No. GR-1652 from Anna E. Lyon to you. This has been recorded in the Records of the State Engineer, and our records have been changed accordingly.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By
William B. McCall
Geologist

WBM:pju
enclosure

August 16, 1968

Robert L. Brunson
Route 2, Box 220
Albany, Oregon

Dear Sir:

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Very truly yours,

CHRIS L. WHEELER
State Engineer

By
William B. McCall
Geologist

WBM:pju
enclosure



Oregon

Kate Brown, Governor

Water Resources Department
North Mall Office Building
725 Summer St NE Ste A
Salem, OR 97301-1266
Phone: 503-986-0900
Fax: 503-986-0904
www.Oregon.gov/OWRD

March 3, 2021

Will McGill Surveying, LLC
15333 Pletzer Rd SE
Turner, OR 97392

Reference: Application GR-1703, Registration GR- 1652

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Sincerely,

Mary F. Bjork
Water Rights Program Analyst
Water Right Services Division

Enclosure: Original Request and Receipt # 134541

cc: Robert L. Brunson – Rt. 2, Box 220, Albany, OR 97321
Edward R. Perlenfein – 2910 NE Alexander Ln., Albany, OR 97321
Data Center, OWRD (cover letter & request)
File



Land Use Information Form



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

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OWRD

Applicant(s): Case Family LLC

Mailing Address: 33010 Dever Conner Rd. NE

City: Albany

State: OR

Zip Code: 97321

Daytime Phone: (541) 979-6236

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
<u>10S</u>	<u>3W</u>	<u>8</u>	<u>SWNE</u>	<u>700</u>	<u>EFU</u>	<input checked="" type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	<u>farming</u>
<u>10S</u>	<u>3W</u>	<u>8</u>	<u>NWSE</u>	<u>700</u>	<u>EFU</u>	<input checked="" type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>farming</u>
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

Linn County

B. Description of Proposed Use

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

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

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

Estimated quantity of water needed: 10.0 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:

It is proposed to move GR 1703 to TL 700 in order to irrigate crops from Wells 1, 2, 3, and 4.

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

See bottom of Page 3. →

13626

For Local Government Use Only

WRD

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

- Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): LCC 928.310(B)(1)
- Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

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

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

Name: Alyssa Boles Title: Senior Planner
 Signature: Alyssa Boles Phone: 541-967-3816 Date: 2/11/21
 Government Entity: Linn County

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: _____

13626

RECEIVED
JAN 11 1958
STATE ENGINEER
SALEM OREGON

Registration No. GR 1703
Certificate No. GR 1652

Registration Statement

OF CLAIMANT OF RIGHT TO APPROPRIATE GROUND WATER

TO THE STATE ENGINEER OF OREGON:

I, J. H. Lyon

of Rt. 2, Box 108, Albany County of Linn
(Mailing address)

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

1. Source from which water is withdrawn is pump well
(Flowing well, pump well, infiltration trench, or tunnel)
2. Location is: 3 1/2 miles west of Jefferson, Oregon
(Approximate distance and direction from nearest city or town)

and is more particularly described as follows:

(a) 660' North and 3820' East of SW corner S. 16, T. 10 S., R. 3 W.
(Give distance and bearing to corner of section or other legal subdivision)
being within SW 1/4 of SE 1/4 of Sec. 16, Twp. 10 S, Rge. 3 W
(Smallest legal subdivision) (S. or S.) (E. or W.)

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

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

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

3. Construction Work was begun on 1951; was completed on 1951
(Date) (Date)

and the ground water claimed was first used for the purposes set out below on 1953
(Date)

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

from 1953 to present time
(Date) (Date)

4. Quantity of water claimed and used is 30 gallons per minute; 10.0 acre feet per year.

5. Purpose or Purposes for which water is used Irrigation

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

6. Description of Well: Depth 30 feet. Type Drilled
(Dug or drilled)

diameter 6 inches. Elevation of ground at well site 220 feet, mean sea level.
(As near as known)

Depth to water table 10 feet.

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

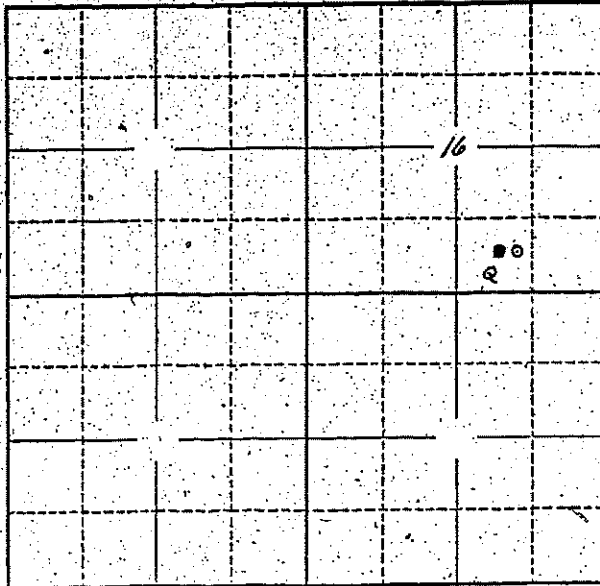
Date of test Not tested

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

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

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

Township 10 S Range 3 W W.M.
North



Locate well and acreage of irrigated land on plat.
Scale: 2" = 1 Mile

STATE OF OREGON

County of Linn

ss.

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

J. H. Lyon
(Signature of Registrant)

Subscribed and sworn to before me this 9 day of June, 1952.

My commission expires

Marion A. Hutchings
(Notary Public)
Justice of the Peace
Jefferson Dist. County of Marion
Jefferson Co. Or.

(SEAL)

CERTIFICATE OF REGISTRATION

STATE OF OREGON

County of Marion

ss.

This is to certify that the foregoing Registration Statement was received in the office of the State Engineer on the 11th day of June, 1952, at 8:00 o'clock A.M. and has been duly recorded in said office in Book No. 8 of Registration Statements on page GR-1652

Witness my hand this 7th day of January, 1959

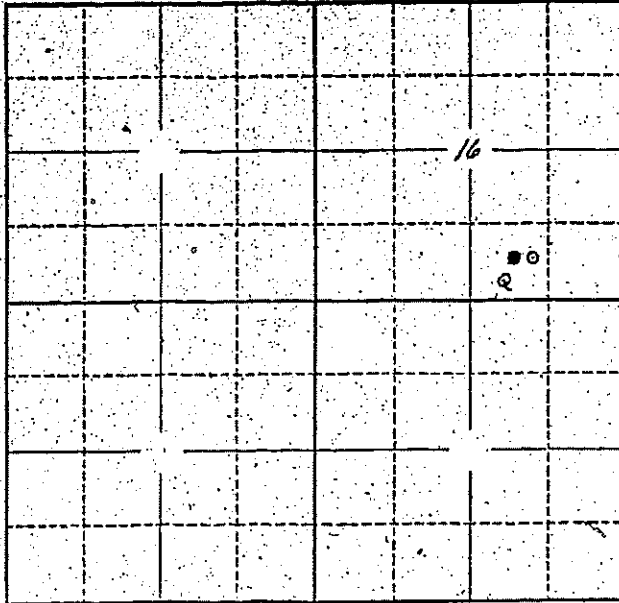
Lewis A. Stanley
(State Engineer)

By _____ (Deputy)

#1500

GR-1652

Township 10 S Range 3 W W.M.
North



Locate well and acreage of irrigated land on plat:
Scale: 2" = 1 Mile

STATE OF OREGON

County of LENN } ss.

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

J. H. Lyon
(Signature of Registrant)

Subscribed and sworn to before me this 9 day of June, 1958

My commission expires _____

(SEAL)

Marvin A. Slutchings
(State Engineer)
Justice of the Peace
Jefferson Dist. County of Marion
Jefferson Co.

CERTIFICATE OF REGISTRATION

STATE OF OREGON

County of Marion } ss.

This is to certify that the foregoing Registration Statement was received in the office of the State Engineer on the 11th day of June, 1958, at 8:00 o'clock A.M. and has been duly recorded in said office in Book No. 8 of Registration Statements on page GR-1652

Witness my hand this 7 day of January, 1959

Luvo A. Stanley
(State Engineer)

\$1500

By _____ (Deputy)



Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

March 4, 2021

CASE FAMILY LLC
33010 DEVER CONNER RD NE
ALBANY, OR 97321

Reference: Application T- 13626

On February 16, 2021, we received your water right Transfer application. The application was accompanied by \$1250.00. Our receipt number 134548 is enclosed.

By copy of this letter, we are asking the Watermaster for a report regarding the potential for injury to existing water rights which may be caused by the requested change. A review form will also be sent to our groundwater staff to determine whether the proposed well accesses the same source of water as the original well.

This application may require publication of a notice for two consecutive weeks in a newspaper with general circulation in the area where the water right is located. If it is determined that newspaper notice will be required, the Department will prepare the notice and notify you of the cost. You will be responsible for submitting payment to the Department prior to publication of the notice.

You may not use water for the new use, in the new place of use or from the new point of appropriation until a final order approving recognition of the groundwater registration modification application has been issued by the Department. If the land is sold before the modification is approved, the buyer's consent to the modification will be required unless a recorded deed or other legal document clearly established that the groundwater registration was not conveyed in the sale.

Refer to the following page for a chart showing the steps and expected timelines for the processing of your application.

If you have any questions, please contact the Transfer Section at (503) 986-0815.

Cc: Watermaster Dist. #16 (via email)
William E. McGill, Agent
Linn County

Enclosure

3
2
T-13686

Groundwater Registration Modification (GR Mod) Application Checklist

Checked by Jean Date 2/23/21

Pending Assignment!

(If OK, check box to left; if not, fill in the blank)

1. Is the name of the GR Mod applicant(s) the same as the GR claim holder(s) of record?

If not, one of the following must be included with the application:

- a) A written statement from the GR claim holder, consenting to the proposed GR Mod Application (if the GR claim holder(s) of record is the current property owner), **OR**.
- b) A concurrent "Request for Assignment" to move the GR claim into the GR Mod applicant's name must be submitted (if the GR Mod applicant(s) is the current property owner), **OR**
- c) A concurrent "Request for Assignment" to move the GR claim into the name of a third party (who now owns the property) must be submitted, **and** the third party will need to provide a written statement consenting to the proposed GR Mod Application.

If not, what is missing? _____

2. Page 1 of application: Are all attachments that have been checked actually included?

If not, what is missing? _____

3. Are fees included and correct?

If not, the correct fee would be: _____, so the amount missing is: _____

- If application proposes ONLY a change in place of use = \$875.00
- If application proposes any other change or combination of changes = \$1,250.00

4. Page 3 of application: Have all the applicants listed at the top of the page signed at the bottom?

If not, whose signature is missing? _____

5. If all #1-#4 boxes on this checklist are checked (with no remaining deficiencies identified), accept the application. Put this check sheet in the transfer folder.

If #1, #2, #3, or #4 on this checklist is deficient, the application CANNOT be accepted.

It should be returned and the deficiencies listed in the "staff" section at the bottom of Application Page 1, unless the applicant or agent can resolve the deficiencies within 2-3 days.

ok when Assignment Approved

Jean

Groundwater Registration Modification (GR Mod) Application Checklist

Checked by Jean

Date 2/23/21

← Pending Assignment

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OK when Assignment Approved

Jean



Oregon
Kate Brown, Governor

Water Resources Department
725 Summer St NE, Suite A
Salem, OR 97301
(503) 986-0900
Fax (503) 986-0904

March 4, 2021

CASE FAMILY LLC
33010 DEVER CONNER RD NE
ALBANY, OR 97321

Reference: Application T- 13626

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If you have any questions, please contact the Transfer Section at (503) 986-0815.

Cc: Watermaster Dist. #16 (via email)
William E. McGill, Agent
Linn County

Enclosure

Business Registry Business Name Search

[New Search](#)

Business Entity Data

12-15-2022

12:42

Registry Nbr	Entity Type	Entity Status	Jurisdiction	Registry Date	Next Renewal Date	Renewal Due?
524071-95	DLIC	ACT	OREGON	05-30-2008	05-30-2023	
Entity Name	CASE FAMILY, LLC					
Foreign Name						

[New Search](#)

Associated Names

Type	PPB	PRINCIPAL PLACE OF BUSINESS		
Addr 1	33010 DEVER-CONNER RD NE			
Addr 2				
CSZ	ALBANY	OR	97321	Country UNITED STATES OF AMERICA

Please click [here](#) for general information about registered agents and service of process.

Type	AGT	REGISTERED AGENT	Start Date	04-22-2022	Resign Date	
Name	GAIL	KAREN	CASE			
Addr 1	33010 DEVER CONNER RD NE					
Addr 2						
CSZ	ALBANY	OR	97321	Country	UNITED STATES OF AMERICA	

Type	MAL	MAILING ADDRESS		
Addr 1	33010 DEVER CONNER RD NE			
Addr 2				
CSZ	ALBANY	OR	97321	Country UNITED STATES OF AMERICA

Type	MEM	MEMBER		Resign Date	
Not of Record	THE WILLIAM C. CASE REVOCABLE LIVING TRUST DTD 5-21-1993				
Addr 1	33010 DEVER-CONNER RD NE				
Addr 2					
CSZ	ALBANY	OR	97321	Country	UNITED STATES OF AMERICA

Type	MEM	MEMBER		Resign Date	
Not of Record	THE GAIL K. CASE REVOCABLE LIVING TURST DTD 5-21-1993				
Addr 1	33010 DEVER-CONNER RD NE				
Addr 2					
CSZ	ALBANY	OR	97321	Country	UNITED STATES OF AMERICA

Type	MEM	MEMBER		Resign Date	
Name	WILLIAM	COLEMAN	CASE		

Addr 1	33010 DEVER CONNER RD NE				
Addr 2					
CSZ	ALBANY	OR	97321	Country	UNITED STATES OF AMERICA




New Search

Name History

Business Entity Name	Name Type	Name Status	Start Date	End Date
CASE FAMILY, LLC	EN	CUR	05-30-2008	

Please read before ordering Copies.New Search

Summary History

Image Available	Action	Transaction Date	Effective Date	Status	Name/Agent Change	Dissolved By
	AMENDED ANNUAL REPORT	04-22-2022		FI	Agent	
	ANNUAL REPORT PAYMENT	04-23-2021		SYS		
	ANNUAL REPORT PAYMENT	04-20-2020		SYS		
	ANNUAL REPORT PAYMENT	04-22-2019		SYS		
	ANNUAL REPORT PAYMENT	04-25-2018		SYS		
	ANNUAL REPORT PAYMENT	04-20-2017		SYS		
	ANNUAL REPORT PAYMENT	05-03-2016		SYS		
	AMENDED ANNUAL REPORT	04-30-2015		FI	Agent	
	ANNUAL REPORT PAYMENT	04-25-2014		SYS		
	ANNUAL REPORT PAYMENT	05-08-2013		SYS		
	ANNUAL REPORT PAYMENT	04-27-2012		SYS		
	ANNUAL REPORT	06-21-2011		FI		
	ANNUAL REPORT PAYMENT	04-20-2010		SYS		
	AMENDED ANNUAL REPORT	04-30-2009		FI		
	ARTICLES OF AMENDMENT	07-11-2008		FI		
	ARTICLES OF ORGANIZATION	05-30-2008		FI	Agent	



After recording return to:

Case Family LLC
33010 Dever Conner Rd. NE
Albany, OR 97321

I, Steve Druckenmiller, County Clerk for Linn County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.

Steve Druckenmiller - County Clerk



WATER RIGHT CONVEYANCE AGREEMENT

Edward R. Perlenfein, Trustee of the Edward R. Perlenfein Trust under agreement dated August 15, 2012, Grantor, release and quitclaim to Case Family LLC, an Oregon Corporation, Grantee, all right, title and interest in and to the water right (Groundwater Registration No. GR-1703, Certificate No. GR-1652) appurtenant to the real property as described in Linn County Recorded Deed 2012-12928.

Payment: The true consideration for this conveyance is \$ 4,200.⁰⁰/_{xy}

Payment Contingency: Payment by Grantee shall be contingent on approval by the Oregon Water Resources Department of Grantee's Groundwater Registration Modification Application. Should the modification be denied by final agency order, including after exhaustion of any right of appeal, the Agreement shall be terminated and no conveyance of the Water Right (Groundwater Registration No. GR-1703, Certificate No. GR-1652) shall occur.

RECEIVED
FEB 16 2021
OWRD

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSONS RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated this 11 day of Feb., 2021.

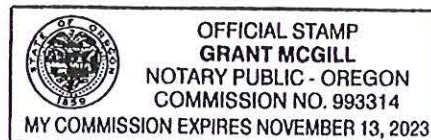
Edward R. Perlenfein
Edward R. Perlenfein (Trustee), Grantor

State of Oregon
County of Linn

This instrument was acknowledged before me on Feb. 11, 2021 by Edward R. Perlenfein as owner.

[Signature]
(Notary Public for Oregon)

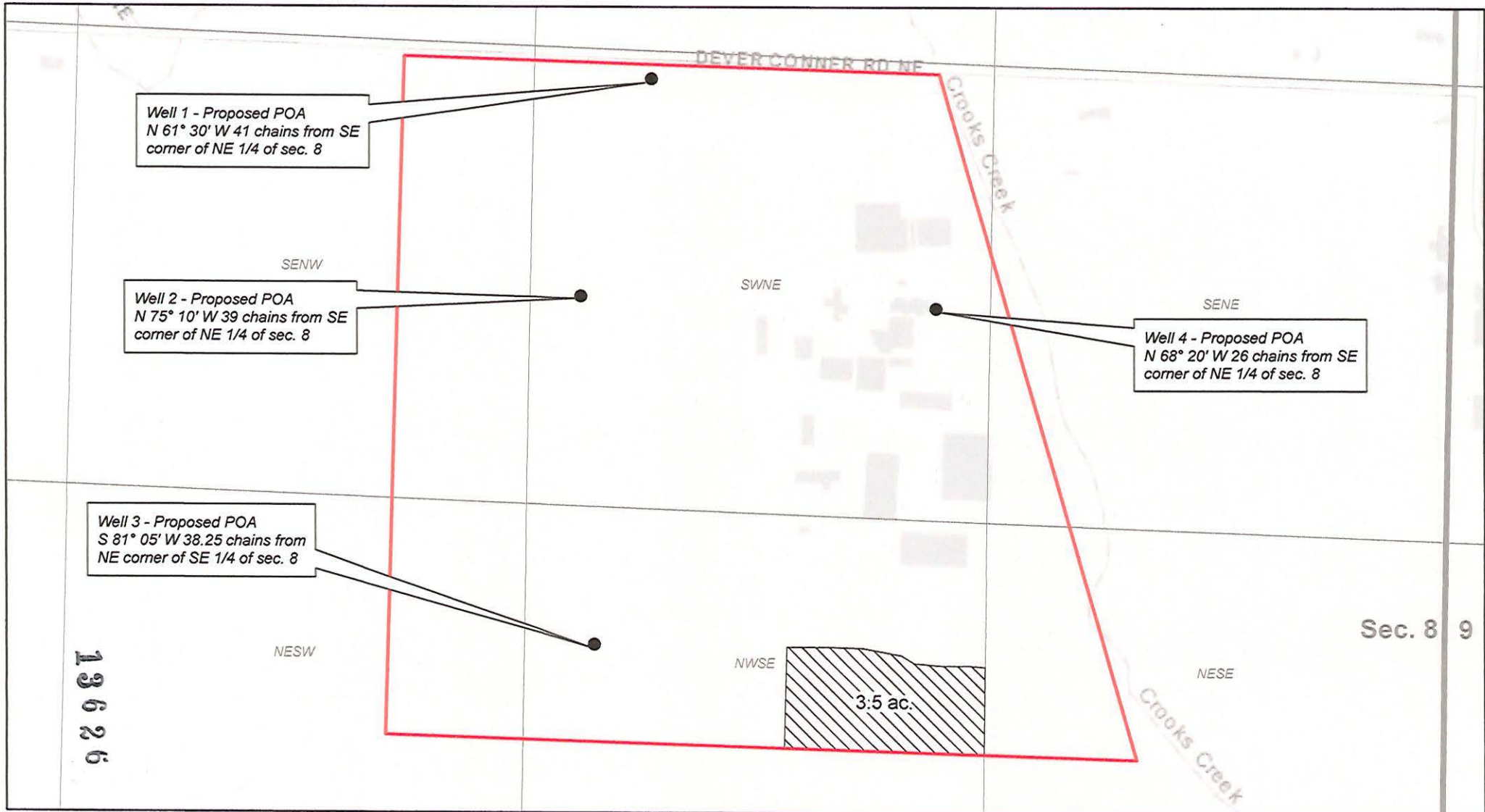
My commission expires 11/13/23.



Superseded

Groundwater Registration Modification - GR 1703 TO - Case

Township 10S, Range 3W



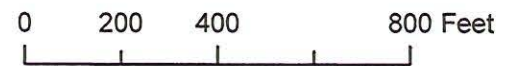
Legend

 GR 1703 TO  Tax Lot 700

RECEIVED

FEB 16 2021

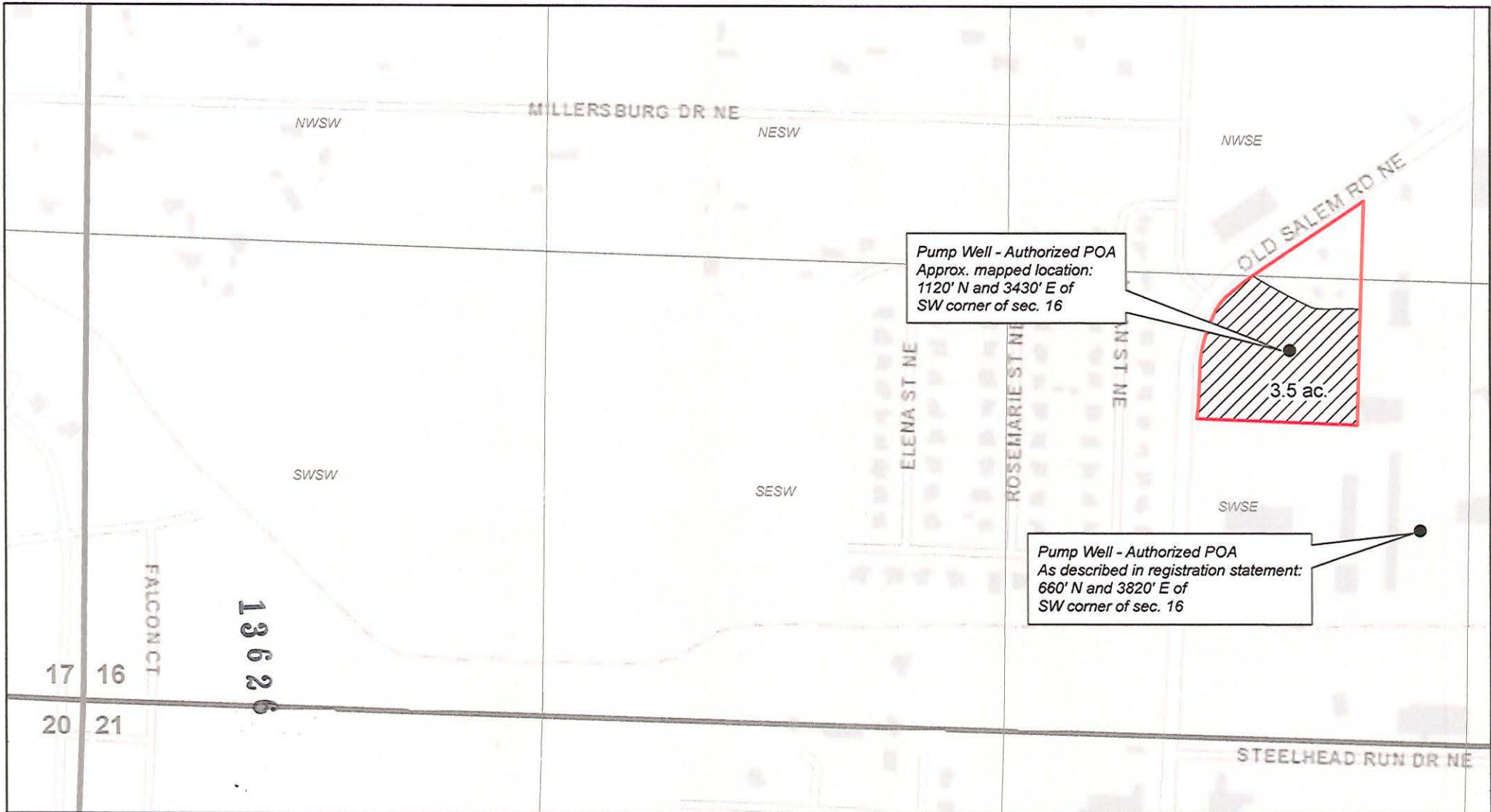
OWRD



Superseded

Groundwater Registration Modification - GR 1703 FROM - Perlenfein

Township 10S, Range 3W



Legend

 GR 1703 FROM  Tax Lot 2200

RECEIVED

FEB 16 2021

OWRD

