T-10533

T-10533

RA

Name Thomas DeArmond

Address 11463 Broadacres Road NE
Hubbard, OR 97032
503981-0319

Change in POU, USE, POA
Date Filed 2-12-2008
Initial notice date 2-19-08
DPD issued date
PD issued date
PD notice date
Date of FO 2-10-09 Vol 77 Page 214

C-Date
COBU due date
COBU Received date 7/3/2012
Certificate issued 9.16.2016 85365

DESCRIPTION OF WATER RIGHT(s)

Name of Stream Well

Trib. of Pudding River

Use Sup Ir ~~IR~~ County Marion
Quantity of water (CFS) No. of Acres
Name of ditch

App # 65331	Per # G-5281	Cert # 44644	PR Date 1970	
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 #
2/12/08	1200.00	91431
2/12/08	125.00	91430

FEES REFUNDED

Date	Amount	Receipt#

Assignments:

Irrigation District

Agent Don Knauer PO Box 5416 Salem, OR 97304 503 508-7862

CWRE Don Knauer #75
CC's list Marion County 555 Court St. NE Salem OR 97309

Reimbursement Authority Contractor: Terry Anthony

- Oversized map – Location

STATE OF OREGON

COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

THOMAS H DEARMOND
11463 BROADACRES RD NE
HUBBARD OR 97032

confirms the right to the use of water perfected under the terms of Permit G-5281. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the wells. The specific limits and conditions of the use are listed below.

SOURCE OF WATER: SEVEN WELLS IN THE PUDDING RIVER BASIN

PURPOSE OR USE: NURSERY USE ON 14.2 ACRES AND SUPPLEMENTAL IRRIGATION OF 25.6 ACRES

MAXIMUM RATE: 0.494 CUBIC FOOT PER SECOND (CFS) FOR NURSERY USE AND SUPPLEMENTAL IRRIGATION; NURSERY USE SHALL BE FURTHER LIMITED TO A RATE OF 0.176 CFS, 2.5 ACRE-FEET PER ACRE (A TOTAL OF 35.5 ACRE-FEET), OVER THE COURSE OF THE AUTHORIZED SEASON OF USE

DATE OF PRIORITY: OCTOBER 5, 1970

The wells are located as follows:

TRACT 1						
Twp	**Rng**	**Mer**	**Sec**	**Q-Q**	**DLC**	**Measured Distances**
4 S	1 W	WM	30	SE SE	59	WELL #OWRE 2 - 1000 FEET NORTH AND 50 FEET WEST FROM SE CORNER, SECTION 30
4 S	1 W	WM	31	NE NE	59	WELL #OWRE 1 - 607 FEET NORTH AND 812 FEET WEST FROM SE CORNER, DLC 59
4 S	1 W	WM	31	NE NE	59	WELL #OWRE 3 - 220 FEET NORTH AND 400 FEET WEST FROM SE CORNER, DLC 59

TRACT 2						
Twp	**Rng**	**Mer**	**Sec**	**Q-Q**	**DLC**	**Measured Distances**
4 S	1 W	WM	32	SE NE	56	WELL #9 - 540 FEET SOUTH AND 860 FEET WEST FROM NE CORNER, DLC 56
4 S	1 W	WM	32	NE NW	56	WELL #8 - 1380 FEET NORTH AND 920 FEET WEST FROM C1/4 CORNER, SECTION 32
4 S	1 W	WM	32	SE NW	56	WELL #1 - 60 FEET NORTH AND 1950 FEET EAST FROM W1/4 CORNER, SECTION 32
4 S	1 W	WM	32	SE NW	56	WELL #2 - 980 FEET NORTH AND 1650 FEET EAST FROM W1/4 CORNER, SECTION 32

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

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

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

A description of the place of use is as follows:

TRACT 1 – NURSERY USE						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	1 W	WM	29	NE SW	58	2.3
4 S	1 W	WM	29	NW SW	58	11.9

TRACT 2 – SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	1 W	WM	32	NW NE	56	5.3
4 S	1 W	WM	32	SW NE	56	20.3

The quantity of water diverted at the new points of appropriation shall not exceed the quantity of water lawfully available at the original point of appropriation described as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
5 S	2 W	WM	12	SE SW	98	1540 FEET NORTH AND 1070 FEET EAST FROM SW CORNER, DLC 98

The water user shall maintain and operate the measuring device as required by the Department.

Water shall be acquired from the same aquifer (water source) as the original point of appropriation.

The right to the use of the water for the above purpose is restricted to beneficial use on the place of use described and is subject to the existing minimum flow policies established by the Water Policy Review Board.

This certificate is issued to confirm a change in CHARACTER OF USE, PLACE OF USE, AND POINT OF APPROPRIATION approved by an order of the Water Resources Director entered February 10, 2009, at Special Order Volume 77, Page 214, approving Transfer Application 10533, and together with Certificate 85365, supercedes Certificate 44644, State record of Water Right Certificates.

Issued SEP 16 2016.

Dwight French
Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

Mailing List for Transfer Certificate

Application: T-10533

Certificate: 91752 (C44644)

Certificate/Transfer Holder: (include copy of map)

THOMAS H DEARMOND
11463 BROADACRES RD NE
HUBBARD OR 97032

Copies Mailed
By: CH
(SUPPORT STAFF)
on: 9.16.16
(DATE)

Copies of final Certificate to be sent to:

1. Watermaster #16 (Include map)
2. Data Center
3. Water Availability
4. Vault
5. File

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

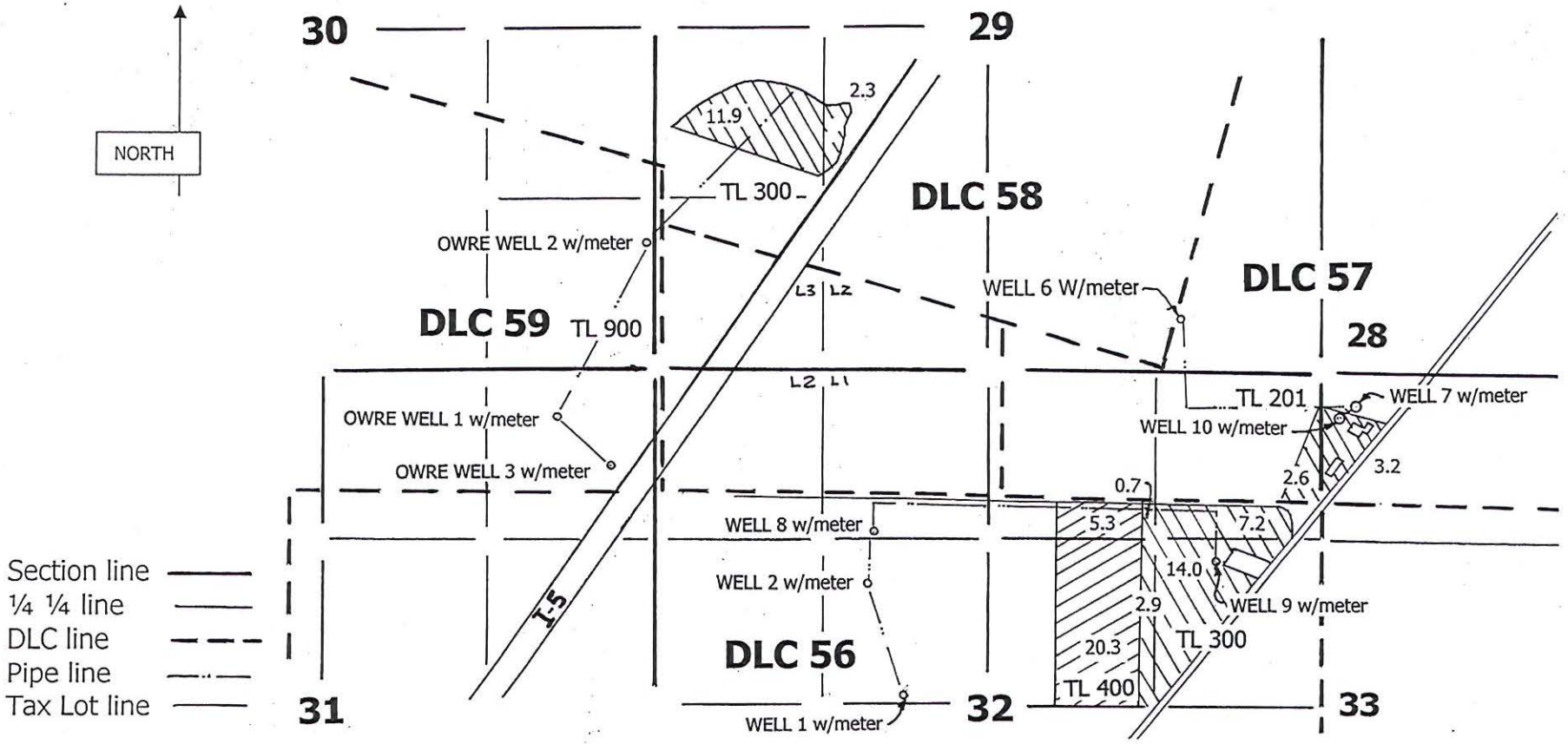
1.

Record Marking(s):

1. Original Application# G-5331
2. Old Certificate# 44644

FINAL PROOF SURVEY MAP IN THE NAME OF
THOMAS H. DeARMOND
T-9414, G-15990, T-10533
T 4 S, R 1 W, W.M. Section 29,30,31,32,33

RECEIVED
JUL 0 3 2012
WATER RESOURCES DEPT
SALEM, OREGON



OWRE WELL 1: 607' N & 812' W, OWRE WELL 3: 220' N & 400' W both from the SE cor DLC 59, OWRE WELL 2: 1000' N & 50' W from the SE cor sec 30. WELL 1: 60' N & 1950' E, WELL 2: 980' N & 1650' E both from the W 1/4 cor sec 32, WELL 8: 1380' N & 920' W from the center sec 32. WELL 7: 770' N & 250' E, WELL 9: 540' S & 860' W, WELL 10: 680' N & 100' E, WELL 6: 1430' N & 1110' W, all from the NE cor DLC 56.

Scale 1" = 1320'

This map is not intended to provide dimensions or locations of property ownership lines.

Certified Water Rights Examiner
#75
DONALD E. KNAUER
Nov. 19, 1987
STATE OF OREGON

RENEWAL DATE: 6/30/2013

MEMO –Proof to Satisfaction (March 17, 2014)

Application #	Permit #	Transfer # T-10533
WRD Reviewer Jessica Joye		Date 7.26.16
WRD Peer Reviewer Mary Bjorge		Date 7-28-16

Research

✓ Organize file in chronological order
✓ Pull CBU Report & Map(s), Application Map, relevant Permit, Certificate, or Transfer Order, most recent Assignments, T-10535, T-9414, G-15990
Extension Orders, SWL Measurements, Fish Screen Certification Documents, Water Use Reports & Pump Tests
✓ Search for Water Right Location using Interactive Mapper. Identify Tax Lots & check for Area of Interest (AOI)
✓ Water Organization identified using AOI? ✓ No ___ Yes
If "Yes" cc: _____ & Add to Mailing List
✓ Print Tax Lot Map from ormap.net for the original Place of Use, and confirm Current Ownership & Address with County Assessor
If there is a new owner, Add to Mailing List, including the owner(s) name & tax lot number
✓ Print Platcard & check for Place of Use Conflict? ✓ No ___ Yes
If "Yes", provide copy of certificate & relevant map
✓ Print BLM Cadastral Survey
✓ Does Claim Map identify correct DLC, Gov't Lots, QQ's? ✓ No ✓ Yes
If "No", either _____WRD amend map OR _____ prepare Order of Certification

Reviewing Claim

Have conditions on relevant permit, certificate, or transfer order been complied with? Yes, No, OR N/A

N/A Fish Conditions
YES Meter/measuring device (shall flow meter) Fall 1998
N/A Water Use Reporting
✓ Pump Test (post December 19, 1988)
___ Other Conditions _____
✓ SWL
YES C-Date 10.1.2010 (Fall 2009)

OWRD #1 = 0.88CFS
#2 = 1.65CFS
#3 = 2.97CFS
> Tract 1

YES Run Capacity Calculator and Print Findings (for pump, sprinklers, pipes, ditches, as appropriate)

Well 1 = 1.19CFS
2 = 1.31CFS
8 = 1.96CFS
9 = 0.95CFS
> Tract 2

NOTES:
Sp. Ord. Vol 77 Pg. 214

Cert 44644 = 14 ± AC IR → ΔNSE Nursery → ΔPOU → ΔPOA's
25 ± AC IS (Tract 2) underlying 1° 85760

Determination

___/ I've determined that the permit/transfer was fully developed as authorized and that a **FINAL** Certificate should be issued. Proof Made

___ I've determined that the permit/transfer was <u>not</u> fully developed as authorized and that a **PROPOSED** Certificate should be issued. A proposed Certificate should be issued for the following reason(s):

___ I've determined that beneficial use was NOT made within the terms and conditions and that a **Proposed Order of Certification** (denial) should be issued. A proposed Order of Certification should be issued for the following reason(s):

Processing

___ Stamp PROPOSED or Assign CERT# _____ or ORDER OF CERTIFICATION (circle one)

___ Draft Certificates or Proposed Order of Certifications are available in the Application directory.

___ Prepare Mailing List. Include Applicant(s); Receiving Landowner(s); Current Owner(s); Water Organizations; CWRE. Indicate records to be marked.

___ Record marking: App _____ Permit _____ Cert _____
App _____ Permit _____ Cert _____
App _____ Permit _____ Cert _____
App _____ Permit _____ Cert _____

NOTES:

_____

_____

_____

_____

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_____

_____

S:groups\wr\certs\2014 Certificate Project\Proof to Satisfaction Memo March 17-2016

Oregon Water Resources Department
Water Rights Mapping Tool

Main Help
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OWRD Only | 725 Summer St NE, Sal

Search

Identify Non-Water Right Features

Tax Lots

Identify Tax Lots OR Map

- Off
- On

County:	Marion
Taxlot:	041W29 00300
Owner1:	DEARMOND FAMILY LLC
Owner2:	
Owner Address:	11463 BROADACRES RD NE HUBBARD OR 9
Site Address:	
Acres:	64.2
TRSQQ:	WM4.00S1.00W29XXXX
Effective Date:	January 1, 2014

Note: Tax lot information provided here is for general query purposes. It may n date or may not be an official record. Please contact the respective county tax a office for more current and specific information.

It is recommended to zoom to a detailed extent before query.

Tools

Layers

Bookmarks



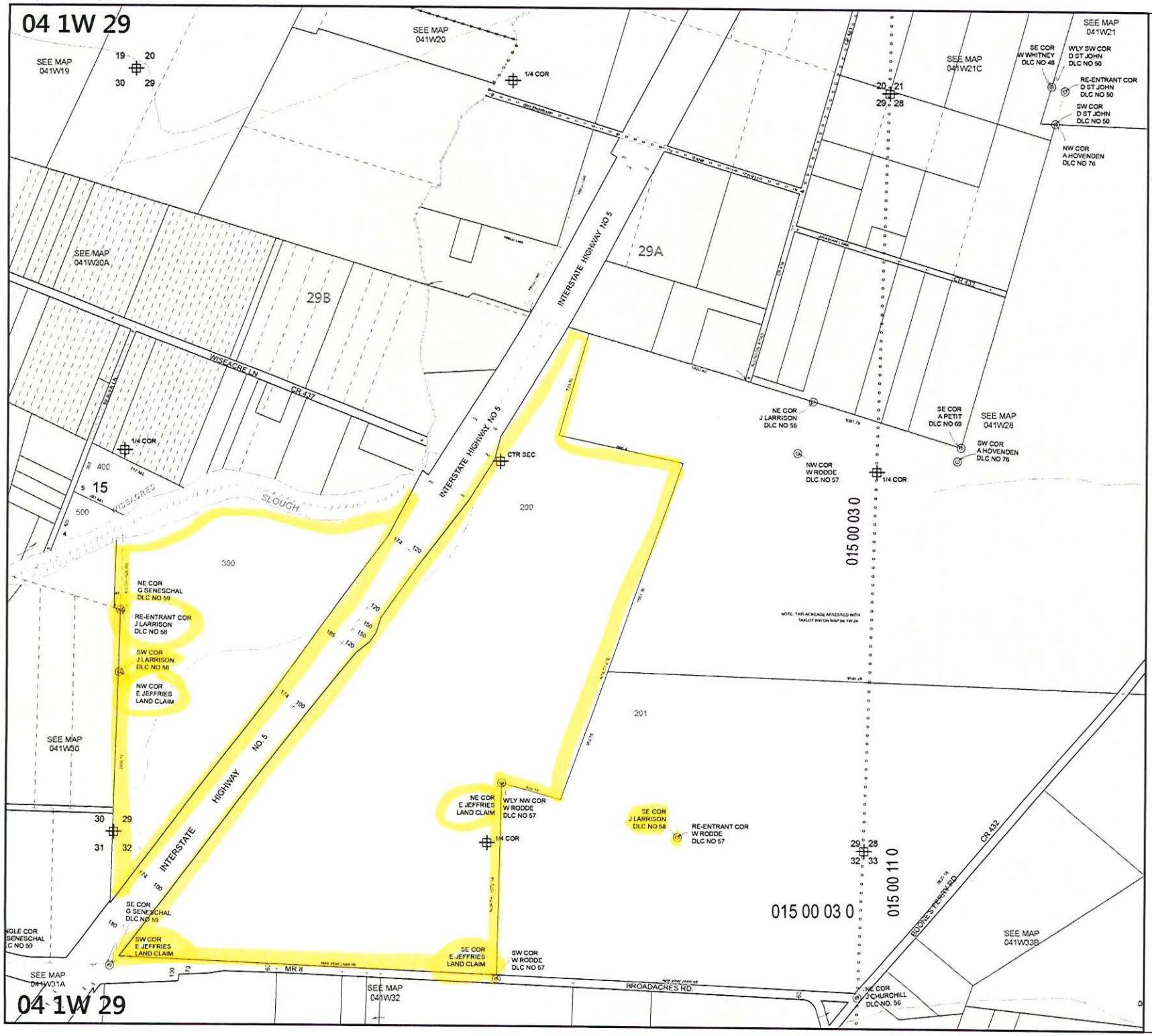
Oregon Water Resources Department
Water Rights Mapping Tool

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- Search
- Identify Non-Water Right Features
- Tax Lots
- Tools
- Layers
  - Water Rights by Use
  - Water Rights by Type
  - Water Rights by Type-Use
  - Water Rights by Prim./Supp'l
  - Irrigation Districts AOI
  - Other Irrigation Districts
  - Administrative Boundaries
  - Rules
  - Surface Water
  - Hydrography
  - Transportation
  - Stream Gages
  - Dams
  - Exempt Use Wells (partial)
  - PODs by Source Type
  - Taxlots
    - Tax Lots - White
      - Tax Lot Roads
      - Tax Lots
    - Tax Lots - Orange
    - Tax Lots -Coral
      - Tax Lot Roads
      - Tax Lots
  - PLSS
- Bookmarks





04 1W 29

MARION COUNTY, OREGON

SEC 29 T4S R1W W.M.
SCALE 1" = 400'

LEGEND

LINE TYPES

Taxlot Boundary	Historical Boundary
Road Right-of-Way	Easement
Railroad Right-of-Way	Railroad Centerline
Private Road ROW	Taxcode Line
Subdivision/Plat Bndry	Map Boundary
Waterline - Taxlot Bndry	Waterline - Non Bndry

SYMBOL TYPES

- Survey Monument
- Road Station
- DLC Corner
- 1/16TH Section Cor.
- 1/4 Section Cor.
- 16 15 / 21 22 Section Corner

NUMBERS

Tax Code Number
000 00 00 0

Acreage 0.25 AC — All acres listed are Net Acres, excluding any portions of the taxlot within public ROWs

NOTES

Tick Marks: If a tick mark is indicated on the end of a line, then the dimension goes to the tick mark. This is used when dimensions extend into public right-of-ways.

CANCELLED NUMBERS

DISCLAIMER: THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY

Assessors Office Cartography Dept

FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT www.co.marion.or.us

PLOT DATE: 7/5/2016

04 1W 29

Marion County Assessor's Property Records
Property Summary

Property Identification

Account No.:	[redacted]	**Manufactured Home ID:**	
Situs Address:		**Legal Description:**	ACRES 64.24
Map Tax Lot:	041W29 00300		

Owner Information

Owner: DEARMOND FAMILY LLC
11463 BROADACRES RD NE
HUBBARD, OR 97032

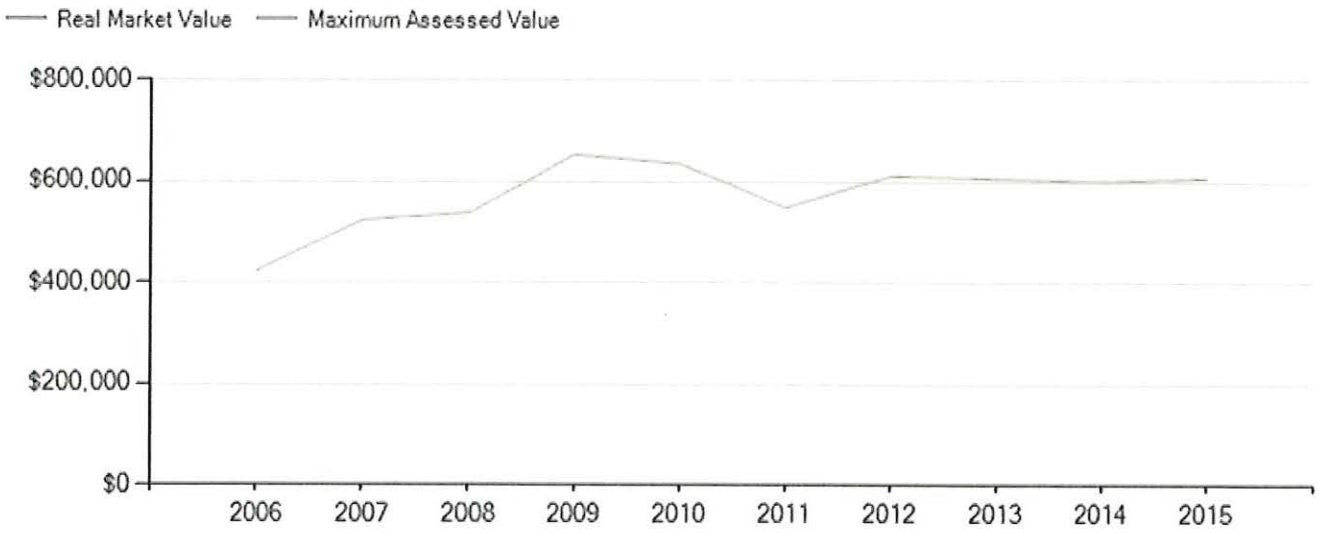
Property Details

Year Built:		**Property Code:**	A90
Living Area:		**Property Class:**	551
Bedrooms:		**Levy Code Area:**	01500030
Bathrooms:		**Zoning:**	Contact Local Jurisdiction
Legal Acreage:	64.24	**Apex Sketches:**	None Available

Value Information

RMV Land Market:	$0		
RMV Land Spec. Assess.:	$607,860		
RMV Structures:	$0		
RMV Total:	$607,860		
SAV:	$145,750		
Exception RMV:	$0		
Exemption RMV:	$0	**Exemption Description:**	None
M5 Taxable:	$145,750		
MAV:	$0		
MSAV:	$74,280		
AV:	$74,280		

Graph shows tax roll Real Market Value and Maximum Assessed Value of this property for past 10 years.
For a detailed explanation, please see definition of Assessed Value above (hover over the "i").



Tax Information

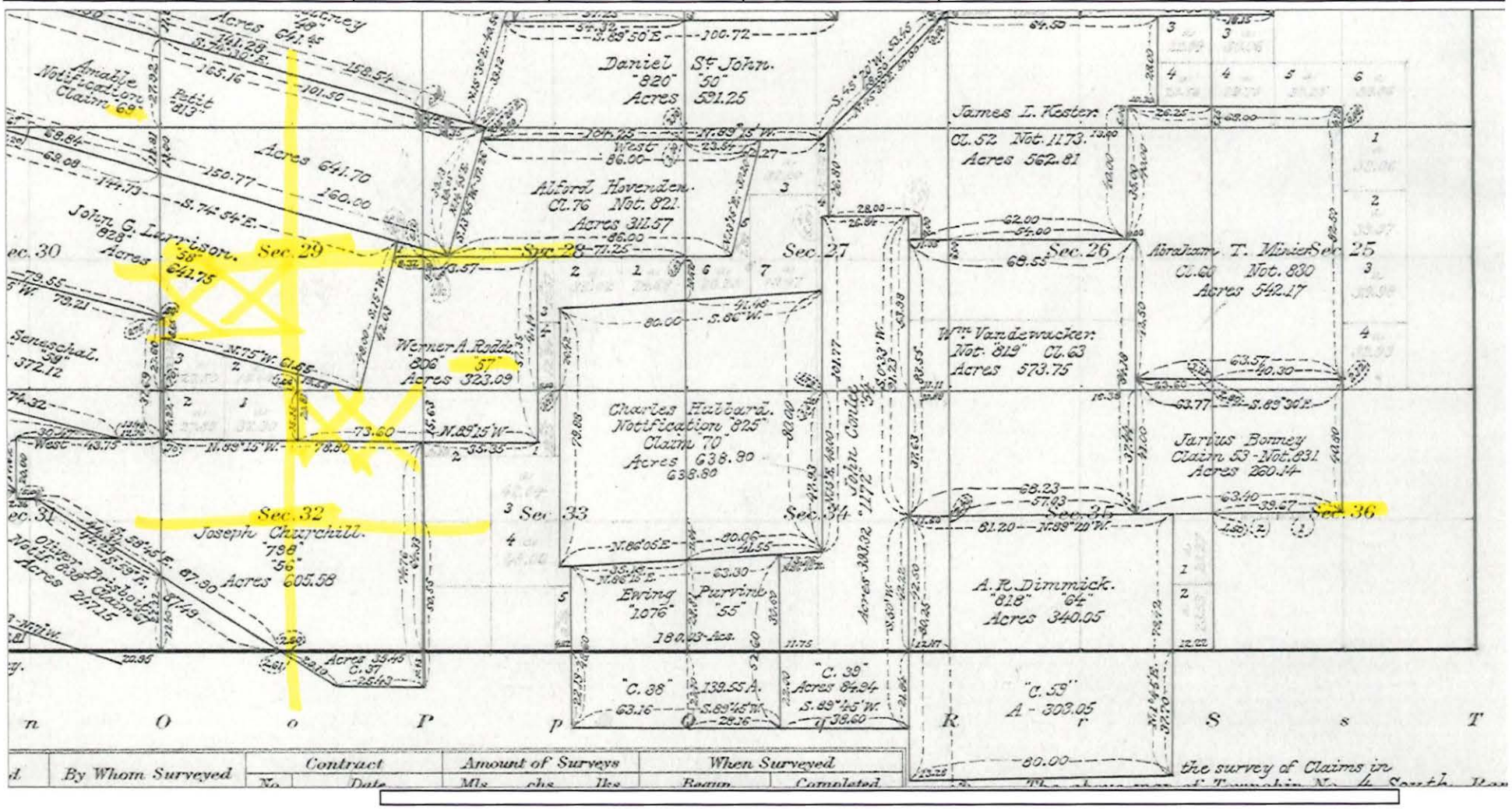
Taxes Levied 2015-16:	$818.47	**Tax Payoff Amount:**	$0.00
Tax Rate:	11.0189	**Tax Statement:**	2015-16 Tax Statement

Sales Information

Sales Date:	1/24/2005	**Deed Number:**	24310281

Sales Price:	$1,200,000	**Deed Type:**	WD
Sale Type:	27	**Property IDs Included in Sale:**	R11414 R47443 R47442 R47441

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Oregon Water Resources Department
Water Rights Platcard Report

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Search Criteria NCR

Meridian: Willamette | Township: 4 South | Range: 1 West | Section: 29 | Records per Page: 999 | Search

Platcards Maps!
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	Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40): NE Q(160): NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unkown QQ
Select	**Inchoate: T 10414 CF (REG) WD** Additional Info: JB INSTANT LAWN App: G12473 Permit: G12113		4/4/1991	IRRIGATION	**WD**		1				(3.6)													
Select	**Inchoate: T 10414 CF (REG) WD** Additional Info: JB INSTANT LAWN App: G12473 Permit: G12113		4/4/1991	IRRIGATION	**WD**	69			(0.3)	(6.4)														
Select	**Inchoate: T 10414 CF (REG) WD** Additional Info: JB INSTANT LAWN App: G4460 Permit: G4203		6/24/1968	IRRIGATION	**WD**	57					(0.9)									(24)			(4.2)	
Select	**Inchoate: T 10414 CF (REG) WD** Additional Info: JB INSTANT LAWN App: G4460 Permit: G4203		6/24/1968	IRRIGATION	**WD**	58				(13.6)	(9.3)									(16)	(8.6)	(2.2)	(1.4)	
Select	**App: P 77517 *** Additional Info: ROBERT L GIBSON App: P77517		1/3/1995	LIVESTOCK											*									
Select	**App: P 77571 *** Additional Info: GOLDIE GIBSON App: P77571		1/3/1995	LIVESTOCK													*							
Select	**Claim:GR 1352 *** Additional Info: GEORGE H MCNEAL Claim: GR1352		10/31/1952	IRRIGATION				5																
Select	**Claim:GR 3863 *** Additional Info: R C LENHARDT Claim: GR3863		7/12/1951	IRRIGATION									3.16	1.5										
Select	**Cert:22655 OR *** Additional Info: O C LESTER JR App: S24089	T12309	9/8/1949	IRRIGATION			58							8.6			2.4							

NCR

	Permit: S18969 Cert: 22655																							
Select	**Cert:26560 OR *** Additional Info: LEO V OLSON App: S24265 Permit: S19045 Cert: 26560		11/8/1949	IRRIGATION	58					0.1			9											
NCR Select	**Cert:65345 RR *** Additional Info: THOMAS DEARMOND App: G5806 Permit: G5567 Cert: 65345		5/23/1972	IRRIGATION	58									3						22.6	1.3			
NCR Select	**Cert:65347 RR *** Additional Info: THOMAS DEARMOND App: G9006 Permit: G8387 Cert: 65347		11/8/1978	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	58									3						22.6	1.3			
Select	**Inchoate: T 9414 CF (REG) *** Additional Info: THOMAS DEARMOND App: G3407 Permit: G3196		3/4/1966	IRRIGATION	57																(4.6)	(29.1)		
Select	**Inchoate: T 9414 CF (REG) *** Additional Info: THOMAS DEARMOND App: G3407 Permit: G3196		3/4/1966	IRRIGATION	58																(13.9)	(4.9)		
Select	**Inchoate: T 9414 CF (REG) *** Additional Info: THOMAS DEARMOND App: G8237 Permit: G7574		6/27/1977	IRRIGATION	57																(0.6)			
Select	**Inchoate: T 9414 CF (REG) *** Additional Info: THOMAS DEARMOND App: G8237 Permit: G7574		6/27/1977	IRRIGATION	58																(10)			
Select	**Inchoate: T 9414 CF (REG) *** Additional Info: THOMAS DEARMOND App: G8237 Permit: G7574		6/27/1977	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	57																(5.2)	(29.1)		
Select	**Inchoate: T 9414 CF (REG) *** Additional Info: THOMAS DEARMOND App: G8237 Permit: G7574		6/27/1977	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	58																(23.9)	(4.9)		
Select	**Cert:82924 CF *** Additional Info: PAUL JENSON App: G4460 Permit: G4203 Cert: 82924	T10414	6/24/1968	IRRIGATION	57				0.9									24				4.2		

	Select **Cert:82924 CF *** Additional Info: PAUL JENSON App: G4460 Permit: G4203 Cert: 82924	T10414	6/24/1968	IRRIGATION	58			13.6	9.3									16	8.6	2.2	1.4	
	Select **Cert:83240 OR *** Additional Info: PAUL JENSEN App: G12473 Permit: G12113 Cert: 83240	T10414	4/4/1991	IRRIGATION	1				3.6													
	Select **Cert:83240 OR *** Additional Info: PAUL JENSEN App: G12473 Permit: G12113 Cert: 83240	T10414	4/4/1991	IRRIGATION	69		0.3	6.4														
FOI	Select **Inchoate: T 10533 CF (REG) *** Additional Info: DONALD KNAUER App: G5331 Permit: G5281		10/5/1970	NURSERY USES										(2.3)	(11.9)							
	Select **Inchoate: T 10535 CF (REG) *** Additional Info: DONALD KNAUER App: G12423 Permit: G12536			NURSERY USES	3											(6.2)						
NCK	Select **Inchoate: T 10535 CF (REG) *** Additional Info: DONALD KNAUER App: G12423 Permit: G12536			NURSERY USES	58									(2.3)	(23.1)	(6.9)						
	Select **Inchoate: T 10535 CF (REG) *** Additional Info: DONALD KNAUER App: G12423 Permit: G12536			NURSERY USES	59										(0.3)	(0.7)						
	Select **Inchoate: T 10535 CF (REG) *** Additional Info: DONALD KNAUER App: G12423 Permit: G12536			IRRIGATION	3											(5.4)						
	Select **Inchoate: T 10535 CF (REG) *** Additional Info: DONALD KNAUER App: G12423 Permit: G12536			IRRIGATION	59											(0.8)						
	Select **Cert:84199 OR *** Additional Info: THOMAS DEARMOND App: G12275 Permit: G11355 Cert: 84199		10/29/1990	IRRIGATION				7											6			
	Select **Cert:85761 CF ***		5/23/1972	IRRIGATION	2												16.2			1.2		

	Additional Info: THOMAS DEARMOND App: G5806 Permit: G5567 Cert: 85761																						
Select	**Cert:85761 CF ***	5/23/1972	IRRIGATION	57															0.8				
	Additional Info: THOMAS DEARMOND App: G5806 Permit: G5567 Cert: 85761																						
NCR	Select **Cert:85761 CF ***	5/23/1972	IRRIGATION	58										2			17.5			3.8			
	Additional Info: THOMAS DEARMOND App: G5806 Permit: G5567 Cert: 85761																						
Select	**Cert:85763 CF ***	11/8/1978	IRRIGATION	2													1.6						
	Additional Info: THOMAS DEARMOND App: G9006 Permit: G8387 Cert: 85763																						
Select	**Cert:85763 CF ***	11/8/1978	IRRIGATION	3												4.1							
	Additional Info: THOMAS DEARMOND App: G9006 Permit: G8387 Cert: 85763																						
Select	**Cert:85763 CF ***	11/8/1978	IRRIGATION	58													0.4						
	Additional Info: THOMAS DEARMOND App: G9006 Permit: G8387 Cert: 85763																						
Select	**Cert:85763 CF ***	11/8/1978	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	2													16.2			1.2			
	Additional Info: THOMAS DEARMOND App: G9006 Permit: G8387 Cert: 85763																						
Select	**Cert:85763 CF ***	11/8/1978	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	57																0.8			
	Additional Info: THOMAS DEARMOND App: G9006 Permit: G8387 Cert: 85763																						
NCR	Select **Cert:85763 CF ***	11/8/1978	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	58										2			17.5			3.8			
	Additional Info: THOMAS DEARMOND App: G9006 Permit: G8387 Cert: 85763																						
NCR	Select **Claim:GR 53 ***	5/30/1950	NURSERY USES												11.2	13.1							
	Additional Info: DONALD KNAUER Claim: GR53																						

NCR	Select **Claim:GR 53 *** Additional Info: DONALD KNAUER Claim: GR53	5/30/1950	NURSERY USES	59										0.3	0.7							
	Select **Inchoate: T 11422 CF (REG) *** Additional Info: KEVIN CROSBY App: G14329 Permit: G13143	6/12/1996	IRRIGATION	58						(2.5)	(1)											
	Select **Inchoate: T 11422 CF (REG) *** Additional Info: KEVIN CROSBY App: G14329 Permit: G13143	6/12/1996	IRRIGATION	69						(14.6)												
	Select **Cert:89268 RR *** Additional Info: THOMAS DEARMOND App: G16608 Permit: G16181 Cert: 89268	1/23/2006	NURSERY USES	3											11.6							
NCR; Similar POU	Select **Cert:89268 RR *** Additional Info: THOMAS DEARMOND App: G16608 Permit: G16181 Cert: 89268	1/23/2006	NURSERY USES	58									2.3	23.1	6.9							
NCR	Select **Cert:89268 RR *** Additional Info: THOMAS DEARMOND App: G16608 Permit: G16181 Cert: 89268	1/23/2006	NURSERY USES	59										0.3	1.5							
	Select **Cert:89568 OR *** Additional Info: NORTHWEST FARM CREDIT SERVICES FLCA App: G15230 Permit: G13988 Cert: 89568	10/16/2000	NURSERY USES	58					0.5	4	13	23										
	Select **Cert:89701 OR *** Additional Info: ROSE PIRELLI App: G13828 Permit: G12554 Cert: 89701	9/19/1994	IRRIGATION	69		10.24			3.72													
NCR	Select **App: G 18007 *** Additional Info: KEVIN CROSBY App: G18007	3/4/2015	IRRIGATION								9.9			2.6								
	Select **App: G 18007 *** Additional Info: KEVIN CROSBY App: G18007	3/4/2015	SUPPLEMENTAL IRRIGATION (Suppl'mtl)								8.6			2.4								
	Select **Permit: G 11851 CN** Additional Info: PAUL JENSON	4/4/1991	IRRIGATION	CN		~~0.3~~	~~6.4~~	~~3.6~~														

	App: G12473 Permit: G11851																								
Select	**Cert:39151 OR CN** Additional Info: THOMAS DEARMOND App: G3407 Permit: G3196 Cert: 39151	T9414	3/4/1966	IRRIGATION	CN	57															~~4.6~~	~~29.1~~			
Select	**Cert:39151 OR CN** Additional Info: THOMAS DEARMOND App: G3407 Permit: G3196 Cert: 39151	T9414	3/4/1966	IRRIGATION	CN	58															~~13.9~~	~~4.9~~			
Select	**Cert:42313 OR CN** Additional Info: CIRCLE FOUR RANCH INC. App: G4460 Permit: G4203 Cert: 42313		6/24/1968	IRRIGATION	CN	57				~~0.9~~								~~24~~				~~4.2~~			
Select	**Cert:42313 OR CN** Additional Info: CIRCLE FOUR RANCH INC. App: G4460 Permit: G4203 Cert: 42313		6/24/1968	IRRIGATION	CN	58			~~13.6~~	~~9.3~~								~~16~~	~~8.6~~	~~2.2~~	~~1.4~~			
Select	**Cert:45551 OR CN** Additional Info: THOMAS DEARMOND App: G5806 Permit: G5567 Cert: 45551	T6438	5/23/1972	IRRIGATION	CN	2											~~16.2~~			~~1.2~~					
Select	**Cert:45551 OR CN** Additional Info: THOMAS DEARMOND App: G5806 Permit: G5567 Cert: 45551	T6438	5/23/1972	IRRIGATION	CN	57														~~0.8~~					
Select	**Cert:45551 OR CN** Additional Info: THOMAS DEARMOND App: G5806 Permit: G5567 Cert: 45551	T6438	5/23/1972	IRRIGATION	CN	58							~~5~~			~~17.5~~		~~22.6~~	~~5.1~~					
Select	**Cert:56753 OR CN** Additional Info: THOMAS DEARMOND App: G8237 Permit: G7574 Cert: 56753	T9414	6/27/1977	IRRIGATION	CN	57														~~0.6~~					
Select	**Cert:56753 OR CN** Additional Info: THOMAS DEARMOND App: G8237 Permit: G7574 Cert: 56753	T9414	6/27/1977	IRRIGATION	CN	58														~~10~~					
Select		T9414	6/27/1977		CN	57														~~5.2~~	~~29.1~~				

	Cert:56753 OR CN Additional Info: THOMAS DEARMOND App: G8237 Permit: G7574 Cert: 56753			SUPPLEMENTAL IRRIGATION (Suppl'mtl)																				
Select	**Cert:56753 OR CN** Additional Info: THOMAS DEARMOND App: G8237 Permit: G7574 Cert: 56753	T9414	6/27/1977	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	CN	58																~~23.9~~	~~4.9~~	
Select	**Cert:82928 OR CN** Additional Info: THOMAS DEARMOND App: G12423 Permit: G12536 Cert: 82928		2/20/1991	IRRIGATION	CN		3											~~11.6~~						
Select	**Cert:82928 OR CN** Additional Info: THOMAS DEARMOND App: G12423 Permit: G12536 Cert: 82928		2/20/1991	IRRIGATION	CN	58										~~2.3~~	~~23.1~~	~~6.9~~						
Select	**Cert:82928 OR CN** Additional Info: THOMAS DEARMOND App: G12423 Permit: G12536 Cert: 82928		2/20/1991	IRRIGATION	CN	59											~~0.3~~	~~1.5~~						
Select	**Cert:83086 CR CN** Additional Info: THOMAS DEARMOND App: G12423 Permit: G12536 Cert: 83086	T10535	2/20/1991	IRRIGATION	CN		3											~~11.6~~						
Select	**Cert:83086 CR CN** Additional Info: THOMAS DEARMOND App: G12423 Permit: G12536 Cert: 83086	T10535	2/20/1991	IRRIGATION	CN	58										~~2.3~~	~~23.1~~	~~6.9~~						
Select	**Cert:83086 CR CN** Additional Info: THOMAS DEARMOND App: G12423 Permit: G12536 Cert: 83086	T10535	2/20/1991	IRRIGATION	CN	59											~~0.3~~	~~1.5~~						
Select	**Cert:87468 OR CN** Additional Info: KEVIN CROSBY App: G14329 Permit: G13143 Cert: 87468	T11422	6/12/1996	IRRIGATION	CN	58							~~2.5~~	~~1~~										
Select	**Cert:87468 OR CN** Additional Info: KEVIN CROSBY	T11422	6/12/1996	IRRIGATION	CN	69							~~14.6~~											

App: G14329 Permit: G13143 Cert: 87468																						
Select **Cert:88407 OR CN** <u>Additional Info:</u> THOMAS DEARMOND App: G16608 Permit: G16181 Cert: 88407	T11657	1/23/2006	NURSERY USES	**CN**	3											~~11.6~~						
Select **Cert:88407 OR CN** <u>Additional Info:</u> THOMAS DEARMOND App: G16608 Permit: G16181 Cert: 88407	T11657	1/23/2006	NURSERY USES	**CN**	58									~~2.3~~	~~23.1~~	~~6.9~~						
Select **Cert:88407 OR CN** <u>Additional Info:</u> THOMAS DEARMOND App: G16608 Permit: G16181 Cert: 88407	T11657	1/23/2006	NURSERY USES	**CN**	59										~~0.3~~	~~1.5~~						

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

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	Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40): Q(160):	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unkown QQ
Select	**App: P 77517 *** Additional Info: ROBERT L GIBSON App: P77517		1/3/1995	LIVESTOCK													*								
Select	**Claim:GR 100 *** Additional Info: EMMETT T ROSE Claim: GR100		4/10/1951	IRRIGATION					8			12													
Select	**Cert:16906 OR *** Additional Info: FLORENCE EVANS App: S20747 Permit: S16237 Cert: 16906		3/21/1945	IRRIGATION		56										5.1							8.6		
Select	**Cert:22322 OR *** Additional Info: MARVIN J BARRETT App: S23998 Permit: S19333 Cert: 22322		8/10/1949	IRRIGATION		56																	8.2	10.8	
Select	**Cert:26980 OR *** Additional Info: IVAN GHOSOPH App: G140 Permit: G41 Cert: 26980		9/28/1955	IRRIGATION		56															13.8	1.2			
Select	**Cert:49285 RR *** Additional Info: GEORGE GRIMPS App: S15600 Permit: S12593 Cert: 49285		10/25/1934	IRRIGATION		56																		1.4	
Select	**Cert:59001 OR *** Additional Info: LEONARD BIZON App: G9014 Permit: G8389 Cert: 59001		11/14/1978	IRRIGATION		56															0.9	2.4	10.3	17.1	
Select	**Cert:65346 RR *** Additional Info: THOMAS DEARMOND App: G5807		5/23/1972	IRRIGATION		56				4.5	19		5.3			21.1									

NCR

	Permit: G5568 Cert: 65346																				
Select	**Cert:70397 OR *** Additional Info: LEONARD BIZON App: R76459 Cert: 70397	1/1/1993	RECREATION																		*
Select	**Permit: G 15466 *** Additional Info: JAY NELSON App: G15771 Permit: G15466	5/30/2002	NURSERY USES													5.5			25.4	15.8	
Select	**Inchoate: T 9414 CF (REG) *** Additional Info: THOMAS DEARMOND App: G3407 Permit: G3196	3/4/1966	IRRIGATION	57	(26.9)	(25.3)															
Select	**Inchoate: T 9414 CF (REG) *** Additional Info: THOMAS DEARMOND App: G8237 Permit: G7574	6/27/1977	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	57	(26.9)	(25.3)															
Select	**Permit: G 15593 *** Additional Info: THOMAS DEARMOND App: G16011 Permit: G15593	5/21/2003	NURSERY USES								0.6		0.3	16.4							
Select	**Permit: G 15868 *** Additional Info: THOMAS DEARMOND App: G15990 Permit: G15868	4/24/2003	NURSERY USES		14.8	0.7	2.9	14.3													
Select	**Inchoate: T 9890 CF (REG) *** Additional Info: LOUIS DOUBRAVA App: G5511 Permit: G4925	5/13/1971	IRRIGATION								(0.6)			(11.4)							
Select	**Permit: G 15943 *** Additional Info: BIZON NURSERY App: G16277 Permit: G15943	7/19/2004	NURSERY USES	56									19.8	22	7.5	24.4		2	2.2		
Select	**Permit: G 15944 *** Additional Info: BIZON NURSERY App: G16278 Permit: G15944	7/19/2004	NURSERY USES	56									19.8	22	7.5	24.4		2	2.2		
Select	**Inchoate: T 10071 CF (REG) *** Additional Info: THOMAS DEARMOND App: G565 Permit: G460	2/25/1957	IRRIGATION	59						(0.3)											
Select	**Inchoate: T 10532 CF (REG) *** Additional Info: THOMAS DEARMOND	3/18/1968	NURSERY USES										(0.3)	(5)							

		Permit: G8387 Cert: 85763																						
	Select	**Cert:85763 CF *** Additional Info: THOMAS DEARMOND App: G9006 Permit: G8387 Cert: 85763		11/8/1978	IRRIGATION		2						17.5											
NCR	Select	**Cert:85763 CF *** Additional Info: THOMAS DEARMOND App: G9006 Permit: G8387 Cert: 85763		11/8/1978	SUPPLEMENTAL IRRIGATION (Suppl'mtl)		1		2.6			28.1												
	Select	**Cert:85763 CF *** Additional Info: THOMAS DEARMOND App: G9006 Permit: G8387 Cert: 85763		11/8/1978	SUPPLEMENTAL IRRIGATION (Suppl'mtl)		2						0.7											
NCR	Select	**Cert:85763 CF *** Additional Info: THOMAS DEARMOND App: G9006 Permit: G8387 Cert: 85763		11/8/1978	SUPPLEMENTAL IRRIGATION (Suppl'mtl)		57		1.8															
	Select	**Cert:89188 CF *** Additional Info: BIZON NURSERY App: G6754 Permit: G6275 Cert: 89188		12/9/1974	IRRIGATION		56									18	22	7.5	20.4					
	Select	**Cert:89268 RR *** Additional Info: THOMAS DEARMOND App: G16608 Permit: G16181 Cert: 89268		1/23/2006	NURSERY USES		2						1.7											
	Select	**Cert:89268 RR *** Additional Info: THOMAS DEARMOND App: G16608 Permit: G16181 Cert: 89268		1/23/2006	NURSERY USES		59						0.3											
	Select	**App: G 15941 DN** Additional Info: STEVE BIZON App: G15941		3/5/2003	NURSERY USES	DN	56									~~19.8~~	~~22~~	~~7.5~~	~~24.4~~		~~2~~	~~2.2~~		
	Select	**Cert:27319 OR CN** Additional Info: JESSE OWRE App: G565 Permit: G460 Cert: 27319	T6488	2/25/1957	IRRIGATION	CN							~~0.3~~											
	Select	**Cert:30409 OR CN** Additional Info:		10/25/1934	IRRIGATION	CN	56																~~1.4~~	

	App: G4286 Permit: G4035																				
Select	**Inchoate: T 10533 CF (REG) *** Additional Info: DONALD KNAUER App: G5331 Permit: G5281	10/5/1970	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	56		(5.3)	(20.3)													
Select	**Inchoate: T 10535 CF (REG) *** Additional Info: DONALD KNAUER App: G12423 Permit: G12536		IRRIGATION	2						(1.7)										
Select	**Cert:84199 OR *** Additional Info: THOMAS DEARMOND App: G12275 Permit: G11355 Cert: 84199	10/29/1990	IRRIGATION						0.5			8								
Select	**Claim:GR 19 *** Additional Info: MIKE BRONEC Claim: GR19		IRRIGATION					21												
Select	**Cert:85760 OR *** Additional Info: THOMAS DEARMOND App: G13872 Permit: G12409 Cert: 85760	11/7/1994	IRRIGATION	56	7.8	5.6	21	12.2												
Select	**Cert:85761 CF *** Additional Info: THOMAS DEARMOND App: G5806 Permit: G5567 Cert: 85761	5/23/1972	IRRIGATION	1		2.6			28.1											
Select	**Cert:85761 CF *** Additional Info: THOMAS DEARMOND App: G5806 Permit: G5567 Cert: 85761	5/23/1972	IRRIGATION	2						0.7										
Select	**Cert:85761 CF *** Additional Info: THOMAS DEARMOND App: G5806 Permit: G5567 Cert: 85761	5/23/1972	IRRIGATION	57		1.8														
Select	**Cert:85762 CF *** Additional Info: THOMAS DEARMOND App: G5807 Permit: G5568 Cert: 85762	5/23/1972	IRRIGATION	56					2.5	8.4	38.8	9.4								
Select	**Cert:85763 CF *** Additional Info: THOMAS DEARMOND App: G9006	11/8/1978	IRRIGATION	1					0.2											

	WOODBURN HUBBARD DRAINAGE DISTRICT App: S15600 Permit: S12593 Cert: 30409																								
Select	**Cert:39151 OR CN** Additional Info: THOMAS DEARMOND App: G3407 Permit: G3196 Cert: 39151	T9414	3/4/1966	IRRIGATION	CN	57	~~26.9~~	~~25.3~~																	
Select	**Cert:45551 OR CN** Additional Info: THOMAS DEARMOND App: G5806 Permit: G5567 Cert: 45551	T6438	5/23/1972	IRRIGATION	CN	1		~~2.6~~			~~28.1~~														
Select	**Cert:45551 OR CN** Additional Info: THOMAS DEARMOND App: G5806 Permit: G5567 Cert: 45551	T6438	5/23/1972	IRRIGATION	CN	2						~~0.7~~													
Select	**Cert:45551 OR CN** Additional Info: THOMAS DEARMOND App: G5806 Permit: G5567 Cert: 45551	T6438	5/23/1972	IRRIGATION	CN	57		~~1.8~~																	
Select	**Cert:45552 OR CN** Additional Info: THOMAS DEARMOND App: G5807 Permit: G5568 Cert: 45552	T5723	5/23/1972	IRRIGATION	CN	56		~~4.5~~	~~19~~		~~7.8~~	~~8.4~~	~~38.8~~	~~30.5~~											
Select	**Cert:47637 OR CN** Additional Info: LEONARD BIZON App: G6754 Permit: G6275 Cert: 47637	T9367	12/9/1974	IRRIGATION	CN	56									~~18~~	~~22~~	~~7.5~~	~~20.4~~							
Select	**Cert:54710 CF CN** Additional Info: THOMAS DEARMOND App: G5807 Permit: G5568 Cert: 54710	T6438	5/23/1972	IRRIGATION	CN	56		~~4.5~~	~~19~~		~~7.8~~	~~8.4~~	~~38.8~~	~~30.5~~											
Select	**Cert:56753 OR CN** Additional Info: THOMAS DEARMOND App: G8237 Permit: G7574 Cert: 56753	T9414	6/27/1977	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	CN	57	~~26.9~~	~~25.3~~																	
Select	**Permit: G 15509 CN** Additional Info: STEVE BIZON App: G15784 Permit: G15509		6/28/2002	NURSERY USES	CN	56				~~15~~									~~0.5~~						

Select	**Permit: G 15786 CN** Additional Info: THOMAS DEARMOND App: G15990 Permit: G15786		4/24/2003	NURSERY USES	**CN**			~~14.8~~	~~0.7~~	~~2.9~~	~~14.3~~																
Select	**Cert:81760 CF CN** Additional Info: THOMAS DEARMOND App: G565 Permit: G460 Cert: 81760	T10071	2/25/1957	IRRIGATION	**CN**	59							~~0.3~~														
Select	**Cert:82928 OR CN** Additional Info: THOMAS DEARMOND App: G12423 Permit: G12536 Cert: 82928		2/20/1991	IRRIGATION	**CN**	2							~~1.7~~														
Select	**Cert:83086 CR CN** Additional Info: THOMAS DEARMOND App: G12423 Permit: G12536 Cert: 83086	T10535	2/20/1991	IRRIGATION	**CN**	2							~~1.7~~														
Select	**Cert:88407 OR CN** Additional Info: THOMAS DEARMOND App: G16608 Permit: G16181 Cert: 88407	T11657	1/23/2006	NURSERY USES	**CN**	2							~~1.7~~														
Select	**Cert:88407 OR CN** Additional Info: THOMAS DEARMOND App: G16608 Permit: G16181 Cert: 88407	T11657	1/23/2006	NURSERY USES	**CN**	59							~~0.3~~														

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

Pump Capacity Calculator

using Department designed formula:

OWRE WELL #1

(hp)(efficiency) / (lift + psi head) = capacity in cfs

Efficiency:

Centrifugal = 6.61
Turbine = 7.04

Data Entry (fill in underlined blanks)

HP =	25
Efficiency =	7.04
Lift =	74
PSI =	50

Results Calculated

(hp)(efficiency) =	176
Head based on psi =	127.0
Total dynamic head = (head + lift)	201.0

Pump Capacity = 0.876 cubic feet per second

Pump Capacity Calculator

using Department designed formula:

OWRE WELL #2

(hp)(efficiency) / (lift + psi head) = capacity in cfs

Efficiency:

Centrifugal = 6.61
Turbine = 7.04

Data Entry (fill in underlined blanks)

HP =	50
Efficiency =	7.04
Lift =	86
PSI =	50

Results Calculated

(hp)(efficiency) =	352
Head based on psi =	127.0
Total dynamic head = (head + lift)	213.0

Pump Capacity = 1.652 cubic feet per second

Pump Capacity Calculator

using Department designed formula:

OWRE WELL #3

(hp)(efficiency) / (lift + psi head) = capacity in cfs

Efficiency:

Centrifugal = 6.61
Turbine = 7.04

Data Entry (fill in underlined blanks)

HP =	125
Efficiency =	7.04
Lift =	60
PSI =	144

Results Calculated

(hp)(efficiency) =	880
Head based on psi =	365.8
Total dynamic head = (head + lift)	425.8

Pump Capacity = 2.067 cubic feet per second

Pump Capacity Calculator

using Department designed formula:

WELL #1

(hp)(efficiency) / (lift + psi head) = capacity in cfs

Efficiency:

Centrifugal = 6.61
Turbine = 7.04

Data Entry (fill in underlined blanks)

HP =	30
Efficiency =	7.04
Lift =	82
PSI =	40

Results Calculated

(hp)(efficiency) =	211.2
Head based on psi =	101.6
Total dynamic head = (head + lift)	183.6

Pump Capacity = 1.150 cubic feet per second

Pump Capacity Calculator

using Department designed formula:

WELL #8

(hp)(efficiency) / (lift + psi head) = capacity in cfs

Efficiency:

Centrifugal = 6.61
Turbine = 7.04

Data Entry (fill in underlined blanks)

HP =	75
Efficiency =	7.04
Lift =	119
PSI =	60

Results Calculated

(hp)(efficiency) =	528
Head based on psi =	152.4
Total dynamic head = (head + lift)	271.4

Pump Capacity = 1.945 cubic feet per second

Pump Capacity Calculator

using Department designed formula:

WELL #9

(hp)(efficiency) / (lift + psi head) = capacity in cfs

Efficiency:

Centrifugal = 6.61
Turbine = 7.04

Data Entry (fill in underlined blanks)

HP =	20
Efficiency =	7.04
Lift =	55
PSI =	40

Results Calculated

(hp)(efficiency) =	140.8
Head based on psi =	101.6
Total dynamic head = (head + lift)	156.6

Pump Capacity = 0.899 cubic feet per second

Sprinkler Capacity Calculator

OWRE WELL #1

Data Entry (fill in underlined blanks)

Sprinkler group 1	Nozzle size =	11/64	inch	(type an apostrophe before the size)
	Pressure =	50	PSI	
	Number of heads =	65		
Sprinkler group 2 (if applicable)	Nozzle size =	5/32	inch	(type an apostrophe before the size)
	Pressure =	50		
	Number of heads =	80		
Sprinkler group 3 (if applicable)	Nozzle size =		inch	(type an apostrophe before the size)
	Pressure =		PSI	
	Number of heads =			

Results calculated

Sprinkler group 1 capacity =	390	gpm, or	0.869 cfs
Sprinkler group 2 capacity =	400	gpm, or	0.891 cfs
Sprinkler group 3 capacity =	0	gpm, or	0.000 cfs
Total sprinkler capacity =	790	gpm, or	1.760 cfs

Note: If entered values return a result of 0 gpm or "#N/A", then the sprinkler capacity chart does not contain a rate for that nozzle size and PSI.
A rough alternate calculation can be made using this formula:
28.93 × (orifice size in decimal, squared) × (square root of pressure)
(Source: rainbird.com)

Rainbird Nozzle Size Reference

Nozzle #	Size (in)
4	1/16
5	5/64
6	3/32
7	7/64
8	1/8
9	9/64
10	5/32
11	11/64
12	3/16
13	13/64
14	7/32
15	15/64
16	1/4
17	17/64
18	9/32
20	5/16
22	11/32
24	3/8
26	13/32
28	7/16
30	15/32
32	1/2
34	17/32
36	9/16
40	5/8
44	11/16

Sprinkler Capacity Calculator

OWRE WELL #2

Data Entry (fill in underlined blanks)

Sprinkler group 1	Nozzle size =	11/64	inch	(type an apostrophe before the size)
	Pressure =	50	PSI	
	Number of heads =	120		
Sprinkler group 2 (if applicable)	Nozzle size =	5/32	inch	(type an apostrophe before the size)
	Pressure =	50		
	Number of heads =	150		
Sprinkler group 3 (if applicable)	Nozzle size =		inch	(type an apostrophe before the size)
	Pressure =		PSI	
	Number of heads =			

Results calculated

Sprinkler group 1 capacity =	720	gpm, or	1.604 cfs
Sprinkler group 2 capacity =	750	gpm, or	1.671 cfs
Sprinkler group 3 capacity =	0	gpm, or	0.000 cfs
Total sprinkler capacity =	1470	gpm, or	3.275 cfs

Note: If entered values return a result of 0 gpm or "#N/A", then the sprinkler capacity chart does not contain a rate for that nozzle size and PSI.
A rough alternate calculation can be made using this formula:
28.93 x (orifice size in decimal, squared) x (square root of pressure)
(Source: rainbird.com)

Rainbird Nozzle Size Reference

Nozzle #	Size (in)
4	1/16
5	5/64
6	3/32
7	7/64
8	1/8
9	9/64
10	5/32
11	11/64
12	3/16
13	13/64
14	7/32
15	15/64
16	1/4
17	17/64
18	9/32
20	5/16
22	11/32
24	3/8
26	13/32
28	7/16
30	15/32
32	1/2
34	17/32
36	9/16
40	5/8
44	11/16

Sprinkler Capacity Calculator

OWRE WELL #3

Data Entry (fill in underlined blanks)

Sprinkler group 1	Nozzle size =	11/64	inch	(type an apostrophe before the size)
	Pressure =	60	PSI	
	Number of heads =	220		
Sprinkler group 2 (if applicable)	Nozzle size =	5/32	inch	(type an apostrophe before the size)
	Pressure =	60		
	Number of heads =	270		
Sprinkler group 3 (if applicable)	Nozzle size =		inch	(type an apostrophe before the size)
	Pressure =		PSI	
	Number of heads =			

Results calculated

Sprinkler group 1 capacity =	1452	gpm, or	3.235 cfs
Sprinkler group 2 capacity =	0	gpm, or	0.000 cfs
Sprinkler group 3 capacity =	0	gpm, or	0.000 cfs
Total sprinkler capacity =	1452	gpm, or	3.235 cfs

Note: If entered values return a result of 0 gpm or "#N/A", then the sprinkler capacity chart does not contain a rate for that nozzle size and PSI.
A rough alternate calculation can be made using this formula:
28.93 × (orifice size in decimal, squared) × (square root of pressure)
(Source: rainbird.com)

Rainbird Nozzle Size Reference

Nozzle #	Size (in)
4	1/16
5	5/64
6	3/32
7	7/64
8	1/8
9	9/64
10	5/32
11	11/64
12	3/16
13	13/64
14	7/32
15	15/64
16	1/4
17	17/64
18	9/32
20	5/16
22	11/32
24	3/8
26	13/32
28	7/16
30	15/32
32	1/2
34	17/32
36	9/16
40	5/8
44	11/16

Sprinkler Capacity Calculator

Data Entry (fill in underlined blanks)

Sprinkler group 1	Nozzle size =	3/16	inch	(type an apostrophe before the size)
	Pressure =	40	PSI	**WELL #1, 2**
	Number of heads =	80		
Sprinkler group 2 (if applicable)	Nozzle size =	3/16	inch	(type an apostrophe before the size)
	Pressure =	60		**WELL #8**
	Number of heads =	100		
Sprinkler group 3 (if applicable)	Nozzle size =	3/16	inch	(type an apostrophe before the size)
	Pressure =	40	PSI	**WELL #9**
	Number of heads =	65		

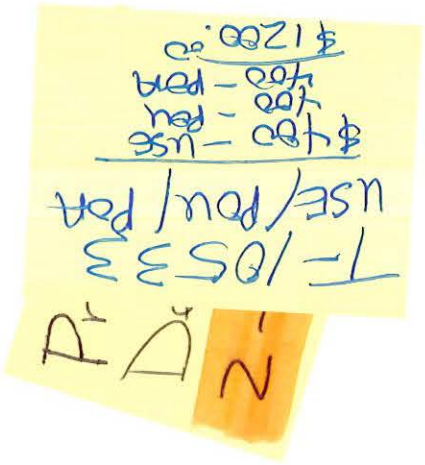
Results calculated

Sprinkler group 1 capacity =	512 gpm, or	1.141 cfs	WELLS #1,2
Sprinkler group 2 capacity =	780 gpm, or	1.738 cfs	WELL# 8
Sprinkler group 3 capacity =	416 gpm, or	0.927 cfs	WELL #9
Total sprinkler capacity =	1708 gpm, or	3.805 cfs	

Note: If entered values return a result of 0 gpm or "#N/A", then the sprinkler capacity chart does not contain a rate for that nozzle size and PSI.
A rough alternate calculation can be made using this formula:
28.93 x (orifice size in decimal, squared) x (square root of pressure)
(Source: rainbird.com)

Rainbird Nozzle Size Reference

Nozzle #	Size (in)
4	1/16
5	5/64
6	3/32
7	7/64
8	1/8
9	9/64
10	5/32
11	11/64
12	3/16
13	13/64
14	7/32
15	15/64
16	1/4
17	17/64
18	9/32
20	5/16
22	11/32
24	3/8
26	13/32
28	7/16
30	15/32
32	1/2
34	17/32
36	9/16
40	5/8
44	11/16

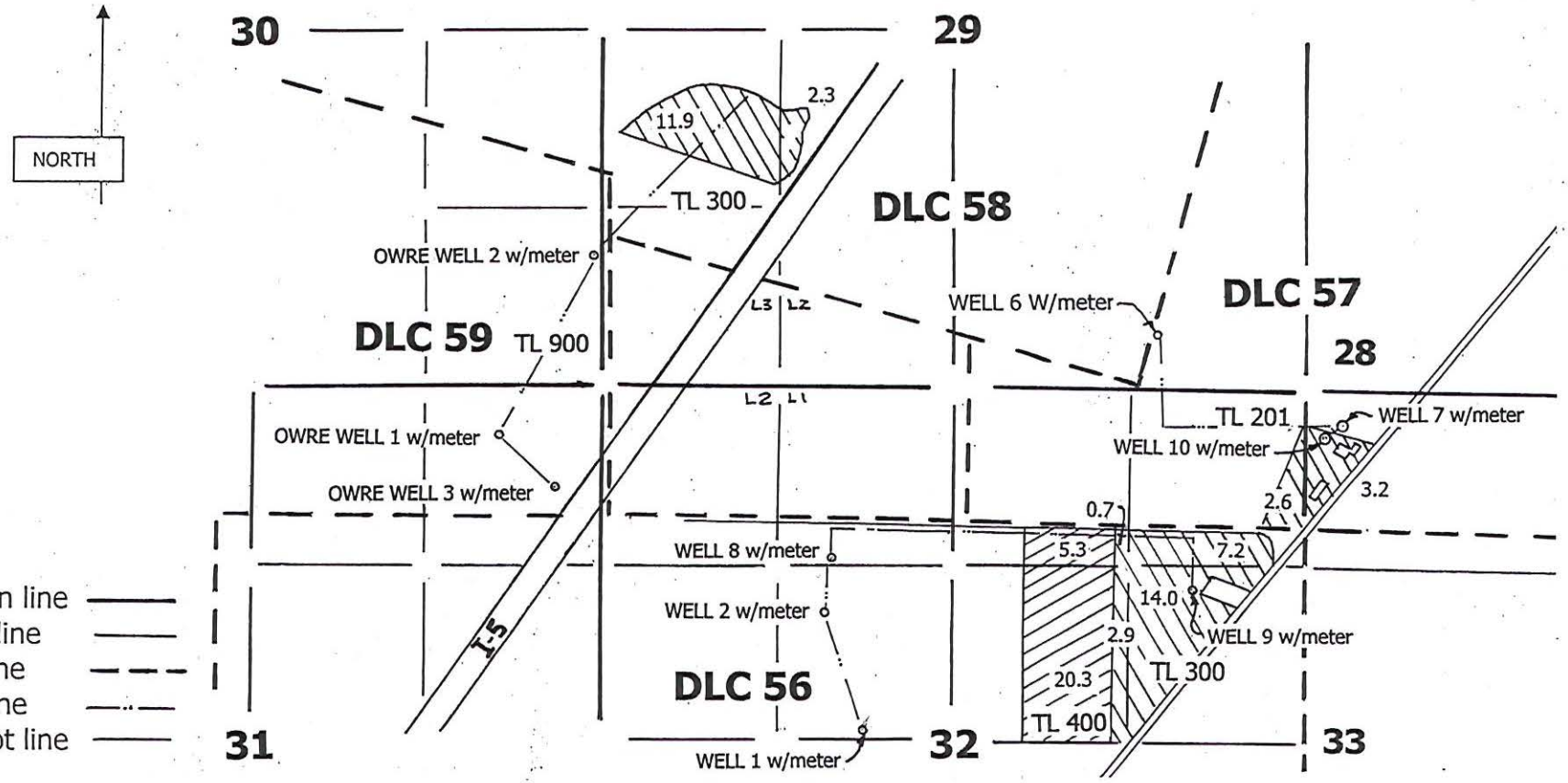


Original Polyester map in file G-15990

FINAL PROOF SURVEY MAP IN THE NAME OF THOMAS H. DeARMOND

T-9414, G-15990, T-10533

T 4 S, R 1 W, W.M. Section 29,30,31,32,33



OWRE WELL 1: 607' N & 812' W, OWRE WELL 3: 220' N & 400' W both from the SE cor DLC 59, OWRE WELL 2: 1000' N & 50' W from the SE cor sec 30. WELL 1: 60' N & 1950' E, WELL 2: 980' N & 1650' E both from the W 1/4 cor sec 32, WELL 8: 1380' N & 920' W from the center sec 32. WELL 7: 270' N & 250' E, WELL 9: 540' S & 860' W, WELL 10: 680' N & 100' E, WELL 6: 1430' N & 1110' W, all from the NE cor DLC 56.

Scale 1" = 1320'

This map is not intended to provide dimensions or locations of property ownership lines.

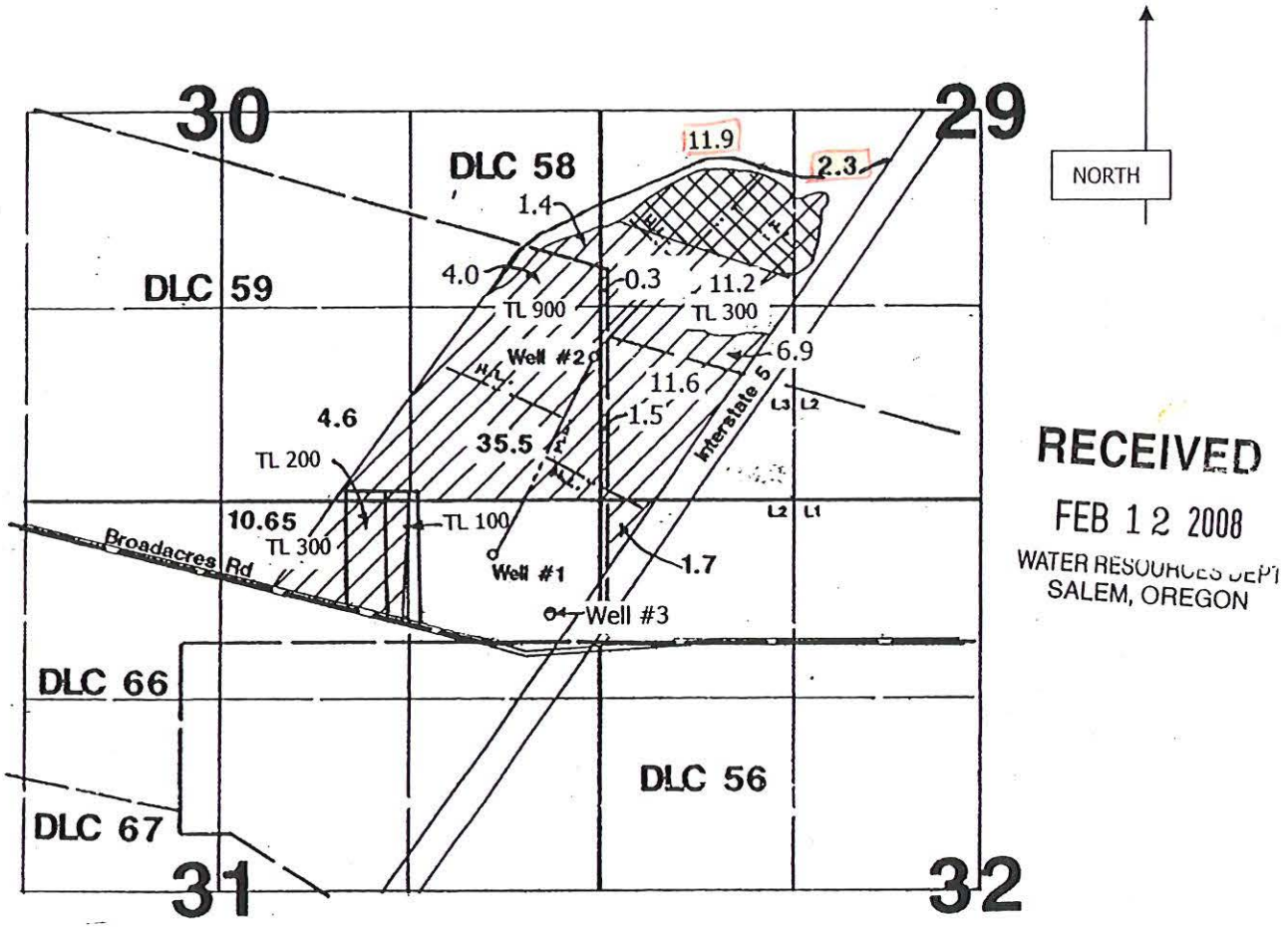
Certified Water Rights Examiner
#75
DONALD E. KNAUER
Nov. 19, 1987
STATE OF OREGON

RENEWAL DATE: 6/30/2013

TRANSFER APPLICATION MAP IN THE NAME OF

THOMAS H. DeARMOND

T 4 S, R 1 W, W.M. Section 29



TRANSFERRED TO

RECEIVED
FEB 12 2008
WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED
OCT 02 2008
WATER RESOURCES DEPT.
SALEM, OREGON

PROPOSED POINTS OF APPROPRIATION

Well #1: 607′ N & 812′ W from the SE corner of DLC 59
Well #2: 1000′ N & 50′ W from the SE corner of section 30
Well #3: 220′ N & 400′ W from the SE corner of DLC 59

Scale 1″ = 1320′

This map is for water right purposes only.

Certified Water Rights Examiner
#75
DONALD E. KNAUER
Nov. 19, 1987
STATE OF OREGON

T 10533

RENEWAL DATE: 6/30/2009

Oregon
John A. Kitzhaber, MD, Governor

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

July 10, 2012

Thomas DeArmond
11463 Broadacres RD NE
Hubbard OR 97032

On July 3, 2012, the Water Resources Department received the Claim of Beneficial Use (COBU) for the following file(s):

T-10533 and T-9414

The COBU included a report and map. The Department hopes to review your submittal within approximately 2 - 4 years. At that time we will review these items and provide a final certificate, proposed certificate, or a request for additional information.

If you are interested in having your COBU reviewed sooner, you may pay to have your file processed immediately, using the Reimbursement Authority program, which is described at: http://www.wrd.state.or.us/OWRD/mgmt_reimbursement_authority.shtml

For all other questions please call our Customer Service phone: (503) 986-0811.

If you sell the property, please contact the Department, or have the new owners contact the Department about the need to file an assignment.

Cc: file

Completion Checklist for CWRE Claims of Beneficial Use

Application # T-10553

Date Received 7/3/12
CWRE Name Knauer
Claim Logged ✓
File Marked
Oversized Map #
Read the file and attach a copy of the permit or transfer final order.

Map Review:

✓ Map on polyester film (OAR 690-014-0170(1) & 310-0050(1)(b) Original polyester map in file G-15990
✓ Application & permit #; or transfer # (OAR 690-014-0100(1)
✓ Disclaimer (OAR 690-014-0170(5)
✓ North arrow (OAR 690-310-0050(2)(c)
✓ CWRE stamp and signature (OAR 690-014 & 310-0050)
✓ Appropriate scale (1" = 1320', 1" = 400', or the original full-size scale of the county assessor map) (014 & 310)
✓ Township, range, section, and tax lot numbers (OAR 690-310-0050(4)
_____ Source illustrated if surface water (OAR 690-014-0170(3)
_____ Point(s) of diversion or appropriation (illustrated) (OAR 690–014(4) & 690-310-0050)
_____ Point(s) of diversion or appropriation (coordinates)(OAR 690–014(4) & 690-310-0050)
_____ Conveyance structures illustrated (pump, pipelines, ditches, etc.) (OAR 690-310-0050)
_____ Description of the location, in relation to the point of diversion or appropriation, of any fish screens, by-pass devices, and measuring devices required (OAR 690–014(4)
_____ Place of use (1/4 1/4, or projected 1/4 1/4 lines within DLCs, or Gov Lots; if irrigation, # of acres in each subdivision; if for domestic or human consumption, location of dwelling or spigot) (OAR 690-310-0050, 690-014, 690-380-6010)

Report Review:

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

✓ CWRE stamp and signature (OAR 690-014-0100)
✓ Signature(s) of permittee of transfer holder (OAR 690-014-0100)

DEF = deficient
N/A = Not Applicable

Certificate Issuance Processing Checklist

_____Map and COBU reviewed
_____Conflict check (include copy of plat card printout) Any Conflicts? _____
_____Check for ownership

Staff Recommendations:

_____ Proof to the Satisfaction has been established to the full extent as described in the permit or transfer order.

_____ Proof to the Satisfaction has been not been established to the full extent as described in the permit or transfer order and the right should be limited as follows: _____

_____ Proof to the Satisfaction has not been established for the following reasons: _____
Proposed Actions:
Send letter requesting the following items/information:_____
_____ Send letter recommending extension to cure deficiencies:_____

Can certificate be processed further?
_____Yes

If "Yes":
_____Proposed
_____Final Certificate #_____

Mailing list:

Proposed:

Final:

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

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

A separate form shall be completed for each permit.

In cases where a permit has been amended through the permit amendment process, a separate claim for the permit amendment is not required. Incorporate the permit amendment into the claim for the permit.

This form is subject to revision. **Begin each new claim** by checking for a new version of this form at: http://www.wrd.state.or.us/OWRD/WR/cwre_info.shtml#.

The completion of this form is required by OAR 690-014-0100(1) and 690-014-0110(4).

Please type or print in dark ink. If this form is found to contain errors or omissions, it may be returned to you. **Every item must have a response.** If any requested information does not apply to the claim, insert "NA." **Do not delete or alter any section of this form unless directed by the form.** The Department may require the submittal of additional information from any water user or authorized agent.

If you have questions regarding the completion of this form, please call 503-986-0900 and ask for the Certificate Section.

The Department has a program that allows it to enter into a voluntary agreement with an applicant for expedited services. Under such an agreement, the applicant pays the cost to hire additional staff that would not otherwise be available. This program means a certificate may be issued in about a month. For more information on this program see http://www.wrd.state.or.us/OWRD/mgmt_reimbursement_authority.shtml.

SECTION 1
GENERAL INFORMATION

1. File Information

APPLICATION # (G, R, S OR T)	PERMIT # (IF APPLICABLE)	PERMIT AMENDMENT # (IF APPLICABLE)
T-10533		

2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME		PHONE NO.	ADDITIONAL CONTACT NO.
Thomas H. DeArmond		5039810319	
ADDRESS			
11463 Broadacres Road NE			
CITY	STATE	ZIP	E-MAIL
Hubbard	OREGON	97032	

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

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3. Permit or transfer holder of record (this may, or may not, be the current property owner)

PERMIT OR TRANSFER HOLDER OF RECORD same		
ADDRESS		
CITY	STATE	ZIP

ADDITIONAL PERMIT OR TRANSFER HOLDER OF RECORD		
ADDRESS		
CITY	STATE	ZIP

4. Date of Site Inspection: 4/14/2011

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

NAME	DATE	ASSOCIATION WITH THE PROJECT
Thomas DeArmond	4/14/2011&6/19/2012	Owner

6. County: Marion

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

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

OWNER OF RECORD N/A		
ADDRESS		
CITY	STATE	ZIP

ADDITIONAL OWNER OF RECORD		
ADDRESS		
CITY	STATE	ZIP

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SECTION 2

SYSTEM DESCRIPTION

A. Points of Diversion/Appropriation

1. Point of diversion/appropriation name or number:

POINT OF DIVERSION/APPROPRIATION (POD/POA) NAME OR NUMBER (CORRESPOND TO MAP)	WELL LOG ID # FOR ALL WORK PERFORMED ON THE WELL (IF APPLICABLE)	WELL TAG # (IF APPLICABLE)
Well #1		
Well #2		
Well #8		
Well #9		
OWRE Well #1		
OWRE Well #2		
OWRE Well #3		

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

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

POD/POA NAME OR NUMBER	SOURCE	TRIBUTARY

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

POD/POA NAME OR NUMBER	USES	IF IRRIGATION, LIST CROP TYPE	SEASON OR MONTHS WHEN WATER WAS USED	RATE OR VOLUME FOR USE (CFS, GPM, OR AF)
Well #1	NU & Suppl IR	Grass, turf, trees	March 1 – Oct 31	1.15 cfs
Well #2	NU & Suppl IR	Grass, turf, trees	March 1 – Oct 31	1.31 cfs
Well #8	NU & Suppl IR	Grass, turf, trees	March 1 – Oct 31	1.95 cfs
Well #9	NU & Suppl IR	Grass, turf, trees	March 1 – Oct 31	0.90 cfs
OWRE Well #1	NU & Suppl IR	Grass, turf, trees	March 1 – Oct 31	0.88 cfs
OWRE Well #2	NU & Suppl IR	Grass, turf, trees	March 1 – Oct 31	1.65 cfs
OWRE Well #3	NU & Suppl IR	Grass, turf, trees	March 1 – Oct 31	2.97cfs
Total Quantity of Water Used				10.81cfs

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

These wells/pumps are piped into a large system delivering water from these and other wells/pumps for beneficial use.

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SECTION 2

SYSTEM DESCRIPTION (B through H)

Are there multiple PODs or POAs? NO

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

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

Well #1

B. Place of Use

1. Is the right for municipal use? NO

TWP	RNG	MER	SEC	QQ	GLOT	DLC	USE	IF IRRIGATION, # PRIMARY ACRES	IF IRRIGATION, # SUPPLEMENTAL ACRES
4S	1W	WM	32	NWNE		56	Suppl IR		5.3
				SWNE		56	Suppl IR		20.3
Total Acres Irrigated									25.6

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

C. Diversion and Delivery System Information

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

1. Is a pump used? YES

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

2. Pump Information

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
Western			TURBINE		

3. Motor Information

MANUFACTURER	HORSEPOWER
	30

4. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *IF A WELL, THE WATER LEVEL DURING PUMPING	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
30	40	78	4	1.15 CFS

5. Provide pump calculations:

7.04 x 30 = 1.15 cfs
82 + 101.6

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

Initial Meter Reading	Ending Meter Reading	Duration of Time Observed	Total Pump Output (in cfs)

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

7. Is the distribution system piped? **YES**

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

8. Mainline Information

Mainline Size	Length	Type of Pipe	Buried or Above Ground
6"	4000'	Alum & PVC	BURIED

9. Lateral or Handline Information

Lateral or Handline Size	Length	Type of Pipe	Buried or Above Ground
3"	4000'	ALUM	ABOVE

10. Sprinkler Information

Size	Operating PSI	Sprinkler Output (GPM)	Total Number of Sprinklers	Maximum Number Used	Total Sprinkler Output (CFS)
3/16	40	6.4	100	80	1.14 cfs

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

11. Pivot Information

Manufacturer	Maximum Wetted Radius	Operating PSI	Total Pivot Output (GPM)	Total Pivot Output (CFS)

12. Additional notes or comments related to the system:

This well is piped into a system delivering water from other wells/pumps for beneficial use.

D. Groundwater Source Information (Well and Sump)

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

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

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

1" nipple on top of base plate.

Well #2

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B. Place of Use

1. Is the right for municipal use? NO

TWP	RNG	MER	SEC	QQ	GLOT	DLC	USE	IF IRRIGATION, # PRIMARY ACRES	IF IRRIGATION, # SUPPLEMENTAL ACRES
4S	1W	WM	32	NWNE		56	Suppl IR		5.3
				SWNE		56	Suppl IR		20.3
Total Acres Irrigated									25.6

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

C. Diversion and Delivery System Information

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

1. Is a pump used? YES

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

2. Pump Information

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
			TURBINE		

3. Motor Information

MANUFACTURER	HORSEPOWER
Western	50

4. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *IF A WELL, THE WATER LEVEL DURING PUMPING	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
50	60	112	4	1.31 CFS

5. Provide pump calculations:

7.04 x 50 = 1.31 cfs
116 + 152.4

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

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

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

7. Is the distribution system piped? YES

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

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8. Mainline Information

Mainline Size	Length	Type of Pipe	Buried or Above Ground
6"	4000'	Alum & PVC	BURIED

9. Lateral or Handline Information

Lateral or Handline Size	Length	Type of Pipe	Buried or Above Ground
3"	4000'	ALUM	ABOVE

10. Sprinkler Information

Size	Operating PSI	Sprinkler Output (GPM)	Total Number of Sprinklers	Maximum Number Used	Total Sprinkler Output (CFS)
3/16	40	6.4	100	80	1.14 cfs

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

11. Pivot Information

Manufacturer	Maximum Wetted Radius	Operating PSI	Total Pivot Output (GPM)	Total Pivot Output (CFS)

12. Additional notes or comments related to the system:

This well is piped into a system delivering water from other wells/pumps for beneficial use.

D. Groundwater Source Information (Well and Sump)

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

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

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

1" nipple with cap on top of base plate.

Well #8

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B. Place of Use

1. Is the right for municipal use? NO

TWP	RNG	MER	SEC	QQ	GLOT	DLC	USE	IF IRRIGATION, # PRIMARY ACRES	IF IRRIGATION, # SUPPLEMENTAL ACRES
4S	1W	WM	32	NWNE		56	Suppl IR		5.3
				SWNE		56	Suppl IR		20.3
Total Acres Irrigated									25.6

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

C. Diversion and Delivery System Information

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

1. Is a pump used? YES

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

2. Pump Information

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
			TURBINE		

3. Motor Information

MANUFACTURER	HORSEPOWER
Goulds	75

4. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *IF A WELL, THE WATER LEVEL DURING PUMPING	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
75	60	115	4	1.95 CFS

5. Provide pump calculations:

7.04 x 75 = 1.95 cfs
119 + 152.4

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

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

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

7. Is the distribution system piped? YES

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

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SALEM, OREGON

8. Mainline Information

MAINLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
6"	4000'	Alum & PVC	BURIED

9. Lateral or Handline Information

LATERAL OR HANDLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
3"	4000'	ALUM	ABOVE

10. Sprinkler Information

SIZE	OPERATING PSI	SPRINKLER OUTPUT (GPM)	TOTAL NUMBER OF SPRINKLERS	MAXIMUM NUMBER USED	TOTAL SPRINKLER OUTPUT (CFS)
3/16	60	7.8	100	100	1.74 cfs

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

11. Pivot Information

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

12. Additional notes or comments related to the system:

This well is piped into a system delivering water from other wells/pumps for beneficial use.

D. Groundwater Source Information (Well and Sump)

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

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

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

3/4" threaded hole with plug on north side of base plate.

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Well #9

B. Place of Use

1. Is the right for municipal use? NO

TWP	RNG	MER	SEC	QQ	GLOT	DLC	USE	IF IRRIGATION, # PRIMARY ACRES	IF IRRIGATION, # SUPPLEMENTAL ACRES
4S	1W	WM	32	NWNE		56	Suppl IR		5.3
				SWNE		56	Suppl IR		20.3
Total Acres Irrigated									25.6

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

C. Diversion and Delivery System Information

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

1. Is a pump used? YES

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

2. Pump Information

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
			TURBINE		

3. Motor Information

MANUFACTURER	HORSEPOWER
GE	20

4. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *IF A WELL, THE WATER LEVEL DURING PUMPING	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
20	40	50	5	0.90 CFS

5. Provide pump calculations:

7.04 x 20 = 0.90 cfs
55 + 101.6

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

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

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

7. Is the distribution system piped? YES

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

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8. Mainline Information

Mainline Size	Length	Type of Pipe	Buried or Above Ground
6"	1500'	PVC	BURIED

9. Lateral or Handline Information

Lateral or Handline Size	Length	Type of Pipe	Buried or Above Ground
4"	10560'	ALUM	ABOVE

10. Sprinkler Information

Size	Operating PSI	Sprinkler Output (GPM)	Total Number of Sprinklers	Maximum Number Used	Total Sprinkler Output (CFS)
3/16	40	6.4	264	65	0.93 cfs

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

11. Pivot Information

Manufacturer	Maximum Wetted Radius	Operating PSI	Total Pivot Output (GPM)	Total Pivot Output (CFS)

12. Additional notes or comments related to the system:

This well is piped into a system delivering water from other wells/pumps for beneficial use.

D. Groundwater Source Information (Well and Sump)

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

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

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

¾ " threaded nipple with cap north side of base plate.

OWRE Well #1

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B. Place of Use

1. Is the right for municipal use? NO

TWP	RNG	MER	SEC	QQ	GLOT	DLC	USE	IF IRRIGATION, # PRIMARY ACRES	IF IRRIGATION, # SUPPLEMENTAL ACRES
4S	1W	WM	29	NESW		58	NU	2.3	
				NWSW		58	NU	11.9	
Total Acres Irrigated								14.2	

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

C. Diversion and Delivery System Information

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

1. Is a pump used? YES

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

2. Pump Information

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
Johnson			TURBINE		

3. Motor Information

MANUFACTURER	HORSEPOWER
	25

4. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *IF A WELL, THE WATER LEVEL DURING PUMPING	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
25	50	70	4	0.88 CFS

5. Provide pump calculations:

7.04 x 25 = 0.88 cfs
74 + 127

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

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

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

7. Is the distribution system piped? YES

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

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8. Mainline Information

Mainline Size	Length	Type of Pipe	Buried or Above Ground
8"	4000'	PVC	BURIED

9. Lateral or Handline Information

Lateral or Handline Size	Length	Type of Pipe	Buried or Above Ground
4"	21000	alum	above
3"	4000'	ALUM	ABOVE

10. Sprinkler Information

Size	Operating PSI	Sprinkler Output (GPM)	Total Number of Sprinklers	Maximum Number Used	Total Sprinkler Output (CFS)
11/64	50	6.0	405	65	0.87 cfs
5/32	50	5.0	500	80	0.89 cfs

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

11. Pivot Information

Manufacturer	Maximum Wetted Radius	Operating PSI	Total Pivot Output (GPM)	Total Pivot Output (CFS)

12. Additional notes or comments related to the system:

This well is piped into a system delivering water from other wells/pumps for beneficial use.

D. Groundwater Source Information (Well and Sump)

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

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

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

1 ½ " pipe on south side of base plate.

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OWRE Well #2

B. Place of Use

1. Is the right for municipal use? NO

TWP	RNG	MER	SEC	QQ	GLOT	DLC	USE	IF IRRIGATION, # PRIMARY ACRES	IF IRRIGATION, # SUPPLEMENTAL ACRES
4S	1W	WM	29	NESW		58	NU	2.3	
				NWSW		58	NU	11.9	
Total Acres Irrigated								14.2	

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

C. Diversion and Delivery System Information

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

1. Is a pump used? YES

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

2. Pump Information

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
			TURBINE		

3. Motor Information

MANUFACTURER	HORSEPOWER
Layne & Bowler	50

4. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *IF A WELL, THE WATER LEVEL DURING PUMPING	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
50	50	82	4	1.65 CFS

5. Provide pump calculations:

7.04 x 50 = 1.65 cfs
86 + 127

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

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

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

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7. Is the distribution system piped? **YES**

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

8. Mainline Information

MAINLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
8"	4000'	PVC	BURIED

9. Lateral or Handline Information

LATERAL OR HANDLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
4"	21000	alum	above
3"	4000'	ALUM	ABOVE

10. Sprinkler Information

SIZE	OPERATING PSI	SPRINKLER OUTPUT (GPM)	TOTAL NUMBER OF SPRINKLERS	MAXIMUM NUMBER USED	TOTAL SPRINKLER OUTPUT (CFS)
11/64	50	6.0	405	120	1.60 cfs
5/32	50	5.0	500	150	1.67 cfs

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

11. Pivot Information

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

12. Additional notes or comments related to the system:

This well is piped into a system delivering water from other wells/pumps for beneficial use.

D. Groundwater Source Information (Well and Sump)

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

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

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

Square hole on NE side of casing.

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OWRE Well #3

B. Place of Use

1. Is the right for municipal use? NO

TWP	RNG	MER	SEC	QQ	GLOT	DLC	USE	IF IRRIGATION, # PRIMARY ACRES	IF IRRIGATION, # SUPPLEMENTAL ACRES
4S	1W	WM	29	NESW		58	NU	2.3	
				NWSW		58	NU	11.9	
Total Acres Irrigated								14.2	

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

C. Diversion and Delivery System Information

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

1. Is a pump used? YES

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

2. Pump Information

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
		58895	TURBINE		

3. Motor Information

MANUFACTURER	HORSEPOWER
US	125

4. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *IF A WELL, THE WATER LEVEL DURING PUMPING	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
125	60	140	4	2.97 CFS

5. Provide pump calculations:

7.04 x 125 = 2.97 cfs
144 + 152.4

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

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

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

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7. Is the distribution system piped? **YES**

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

8. Mainline Information

MAINLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
8"	4000'	PVC	BURIED

9. Lateral or Handline Information

LATERAL OR HANDLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
4"	21000	alum	above
3"	4000'	ALUM	ABOVE

10. Sprinkler Information

SIZE	OPERATING PSI	SPRINKLER OUTPUT (GPM)	TOTAL NUMBER OF SPRINKLERS	MAXIMUM NUMBER USED	TOTAL SPRINKLER OUTPUT (CFS)
11/64	60	6.0	405	220	2.94 cfs
5/32	60	5.0	500	270	3.01 cfs

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

11. Pivot Information

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

12. Additional notes or comments related to the system:

This well is piped into a system delivering water from other wells/pumps for beneficial use.

D. Groundwater Source Information (Well and Sump)

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

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

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

1 ½ " pipe with cap on east side of base plate.

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

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

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

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

If "NO", items 6 through 8 relating to this section may be deleted.

Reminder: Construction standards for sumps can be found in OAR 690-210-0400.

E. Storage

1. Does the distribution system include in-system storage (i.e. storage tank, bulge in system / reservoir) **NO**

F. Gravity Flow Pipe

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

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

Attach measurement notes.

G. Gravity Flow Canal or Ditch

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

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

H. Reservoir

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

Reminder: Complete this section if the reservoir right has been modified through the transfer process. If the claim is for a permitted reservoir use the Claim of Beneficial Use form for reservoirs.

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SECTION 3
CONDITIONS

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

1. Time Limits:

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

	DATE FROM PERMIT OR TRANSFER	DATE ACCOMPLISHED*	DESCRIPTION OF ACTIONS TAKEN BY WATER USER TO COMPLY WITH THE TIME LIMITS
ISSUANCE DATE	2-10-2009		
BEGIN CONSTRUCTION (A)			
COMPLETE CONSTRUCTION (B)			

COMPLETE APPLICATION OF WATER (C)	10-01-2010	fall 2009	Wells constructed, pumps and pipe installed, piped into existing system and beneficial use of water.

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

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

If "NO", you may delete item 3 in this section.

3. If for a transfer extension order, provide the following information:

VOLUME	PAGE	DATE EXTENDED TO

4. Initial Water Level Measurements:

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

5. Annual Static Water Level Measurements:

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

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

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

If "NO", items 6b through 6e relating to this section may be deleted.

b. Has the pump test been previously submitted to the Department? **YES NO**

c. Is the pump test attached to this claim? **YES NO**

d. Has the pump test been approved by the Department? **YES NO**

e. Has a pump test exemption been approved by the Department? **YES NO**

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7. Measurement Conditions:

a. Does the permit, permit amendment, transfer final order, or any extension final order require the installation of a meter or approved measuring device? **YES**

b. Has a meter been installed? **YES**

c. Meter Information

POD/POA NAME OR #	MANUFACTURER	SERIAL #	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED
WELL # 1	McCrometer		working	2645000	Fall 1998
WELL # 2	McCrometer		working	10269	Fall 1998
WELL # 8	McCrometer		working	18729	Fall 1998
WELL # 9	McCrometer	96-8040-4	working	735261	Fall 1998
OWRE 1	Jennings		working		Fall 1998
OWRE 2	Jennings		working	1906	Fall 1998
OWRE 3	McCrometer	07-08811-08	working		Fall 1998

d. If a meter has not been installed, has a suitable measuring device been installed and approved by the Department? **YES NO**

e. If "YES", provide a copy of the letter approving the device, if available. If the letter is not available provide the name and title of the Water Resources Department employee approving the measuring device, and the approximate date of the approval:

NAME	TITLE	APPROXIMATE DATE

f. Measurement Device Description

DEVICE DESCRIPTION	CONDITION (WORKING OR NOT)	DATE INSTALLED

8. Recording and reporting conditions

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

9. Fish Screening

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

10. By-pass Devices

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

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

a. Were there special well construction standards? **NO**

b. Was submittal of a ground water monitoring plan required? **NO**

c. Was the water user required to restore the riparian area if it was disturbed? **NO**

d. Was a fishway required? **NO**

e. Was submittal of a letter from an engineer required prior to storage of water? **NO**

f. Was submittal of a water management and conservation plan required? **NO**

g. Other conditions? **NO**

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

SECTION 4

VARIATIONS

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

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SECTION 5

ATTACHMENTS

Provide a list of any additional documents you are attaching to this report:

ATTACHMENT NAME	DESCRIPTION
WELL LOGS	WELL LOGS

SECTION 6

CLAIM SUMMARY

POD / POA NAME OR #	MAXIMUM RATE AUTHORIZED	CALCULATED THEORETICAL RATE BASED ON SYSTEM	AMOUNT OF WATER MEASURED	USE	# OF ACRES ALLOWED	# OF ACRES DEVELOPED
WELL #1	0.494 CFS	1.15 cfs		suppl irri	25.6	25.6
WELL #2	0.494 CFS	1.31 cfs		suppl irri	25.6	25.6
WELL #8	0.494 CFS	1.95 cfs		suppl irri	25.6	25.6
WELL #9	0.494 CFS	0.95 cfs		suppl irri	25.6	25.6
OWRE #1	0.494 CFS	0.88 cfs		NU	14.2	14.2
OWRE #2	0.494 CFS	1.65 cfs		NU	14.2	14.2
OWRE #3	0.494 CFS	2.97 cfs		NU	14.2	14.2

SECTION 7

CLAIM OF BENEFICIAL USE MAP

The Claim of Beneficial Use Map must be submitted with this claim. Claims submitted without the Claim of Beneficial Use map will be returned. The map shall be submitted on poly film at a scale of 1" = 1320 feet, 1" = 400 feet, or the original full-size scale of the county assessor map for the location. Provide a general description of the survey method used to prepare the map. Examples of possible methods include, but are not limited to, a traverse survey, GPS, or the use of aerial photos. If the basis of the survey is an aerial photo, provide the source, date, series and the aerial photo identification number.

The basis of the survey is aerial imagery, a lazer jet print from a computerized aerial digital image. The image was obtained from GOOGLE. The single image did not have a flight or identification number.

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Map Checklist

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

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

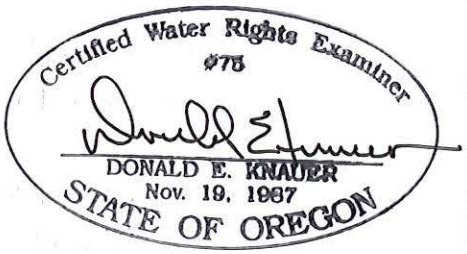
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SECTION 8
SIGNATURES

CWRE Statement, Seal and Signature

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

Seal and Signature



CWRE NAME		PHONE NO.	ADDITIONAL CONTACT NO.
Don Knauer		**503-585-8474**	
ADDRESS **PO Box 5416**			
CITY **Salem**	STATE **OREGON**	ZIP **97304**	E-MAIL

Permit or Transfer Holder's of Record Signature or Acknowledgement

This Claim of Beneficial Use must be signed by each permit or transfer holder of record.

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

SIGNATURE	PRINT OR TYPE NAME	DATE
Tom DeArmond	**Thomas H. DeArmond**	6-25-12

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MARI 55762

(#2)

STATE OF OREGON
WATER SUPPLY WELL REPORT
(as required by ORS 537.765)
Instructions for completing this report are on the last page of this form.

WELL I.D. # L 30621
START CARD # 101565

(1) OWNER: Well Number

Name Thomas Dearmond
Address 11463 Broadacres Rd.NE
City Hubbard State OR Zip 97032

(2) TYPE OF WORK
☐ New Well ☒ Deepening ☐ Alteration (repair/recondition) ☐ Abandonment

(3) DRILL METHOD:
☐ Rotary Air ☐ Rotary Mud ☒ Cable ☐ Auger
☐ Other

(4) PROPOSED USE:
☐ Domestic ☐ Community ☐ Industrial ☒ Irrigation
☐ Thermal ☐ Injection ☐ Livestock ☐ Other

(5) BORE HOLE CONSTRUCTION:
Special Construction approval ☐ Yes ☒ No Depth of Completed Well 178 ft.
Explosives used ☐ Yes ☒ No Type Amount

HOLE Diameter	From	To	SEAL Material	From	To	Sacks or pounds
10"	140	180				

How was seal placed: Method ☐ A ☐ B ☐ C ☐ D ☐ E
☒ Other Seal was not disturbed
Backfill placed from ft. to ft. Material
Gravel placed from 135 ft. to 180 ft. Size of gravel pea

(6) CASING/LINER:

	Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing:	10"	+1'	140	.250	☒	☐	☒	☐
					☐	☐	☐	☐
					☐	☐	☐	☐
					☐	☐	☐	☐
Liner:					☐	☐	☐	☐
					☐	☐	☐	☐

Final location of shoe(s)

(7) PERFORATIONS/SCREENS:
☐ Perforations Method
☒ Screens Type Johnson Material stainless

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
130	130'8"	Packer		9"x10"		☐	☐
130	8"-136'	.080		10"	tele	☐	☐
136	156'	.180		10"	tele	☐	☐
156	176'6"	.015		10"	tele	☐	☐
176'6"	178			8"	pipe	☒	☐

178 Bottom plate & lift bail

(8) WELL TESTS: Minimum testing time is 1 hour
☒ Pump ☐ Bailer ☐ Air ☐ Flowing Artesian

Yield gal/min	Drawdown	Drill stem at	Time
750	80'		1 hr.

Temperature of water 53 Depth Artesian Flow Found
Was a water analysis done? ☐ Yes By whom
Did any strata contain water not suitable for intended use? ☐ Too little
☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other
Depth of strata:

(9) LOCATION OF WELL by legal description:
County Marion Latitude Longitude
Township 4S N or S Range 1W E or W. WM.
Section 32 SE 1/4 NW 1/4
Tax Lot 800 Lot Block Subdivision
Street Address of Well (or nearest address) 10852 Broadacres Rd
Hubbard, OR 97032

(10) STATIC WATER LEVEL:
31.6" ft. below land surface. Date 4/18/01
Artesian pressure lb. per square inch. Date

(11) WATER BEARING ZONES:
Depth at which water was first found 140'

From	To	Estimated Flow Rate	SWL
140'	179	750 gpm	31½

(12) WELL LOG:
Ground Elevation

Material	From	To	SWL
Existing well	0	140	
Gravel	140	145	31 6"
Sand	145	147	31 6"
Gravel & sand	147	159	31 6"
Clay	159	161	31 6"
Sand coarse	161	167	31 6"
Sand & gravel	167	179	31 6"
Clay	179	180	

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SALEM, OREGON

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MAY 21 2003
WATER RESOURCES DEPT
SALEM, OR

Date started 4/18/01 Completed 5/10/01

(unbonded) Water Well Constructor Certification:
I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.
WWC Number
Signed Date

(bonded) Water Well Constructor Certification:
I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.
WWC Number 783

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STATE ENGINEER
SALEM OREGON

(#2)

NOTICE TO WATER WELL CONTRACTOR: The original and first copy of this report are to be filed with the STATE ENGINEER, SALEM, OREGON 97310 within 30 days from the date of well completion.

WATER WELL REPORT
STATE OF OREGON
(Please type or print)
(Do not write above this line)

MARION 902
G5807

State Well No. 4/1W-32b

State Permit No.

(1) OWNER:
Name Tom DeArmond
Address Rt. 1 Box 438
Hubbard, Oregon

(2) TYPE OF WORK (check):
New Well [X] Deepening [ ] Reconditioning [ ] Abandon [ ]
If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:
Rotary [ ] Driven [ ]
Cable [X] Jetted [ ]
Dug [ ] Bored [ ]

(4) PROPOSED USE (check):
Domestic [ ] Industrial [ ] Municipal [ ]
Irrigation [X] Test Well [ ] Other [ ]

(5) CASING INSTALLED:
Threaded [ ] Welded [X]
12 " Diam. from 0 ft. to 133 ft. Gage .250
" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage

(6) PERFORATIONS:
Perforated? [X] Yes [ ] No
Type of perforator used Mills
Size of perforations 3/8 in. by 3/4 in.
264 perforations from 1182 ft. to 130 ft.
perforations from ft. to ft.
perforations from ft. to ft.

(7) SCREENS:
Well screen installed? [ ] Yes [X] No
Manufacturer's Name
Type Model No.
Diam. Slot size Set from ft. to ft.
Diam. Slot size Set from ft. to ft.

(8) WELL TESTS:
Drawdown is amount water level is lowered below static level
Was a pump test made? [X] Yes [ ] No If yes, by whom? Driller
Yield: 700 gal./min. with 90 ft. drawdown after 4 hrs.
" " " "
" " " "
Bailer test gal./min. with ft. drawdown after hrs.
Artesian flow g.p.m.
Temperature of water 54 Depth artesian flow encountered ft.

(9) CONSTRUCTION:
Well seal—Material used Steel Cutting & Cement Grout
Well sealed from land surface to 30 ft.
Diameter of well bore to bottom of seal 16 in.
Diameter of well bore below seal 12 in.
Number of sacks of cement used in well seal 10 sacks
Number of sacks of bentonite used in well seal none sacks
Brand name of bentonite
Number of pounds of bentonite per 100 gallons of water lbs./100 gals.
Was a drive shoe used? [X] Yes [ ] No Plug Size: location ft.
Did any strata contain unusable water? [ ] Yes [X] No
Type of water? depth of strata
Method of sealing strata off
Was well gravel packed? [ ] Yes [X] No Size of gravel:

(10) LOCATION OF WELL:
County Marion Driller's well number
¼ ¼ Section 32 T. 4S R. 1W W.M.
Bearing and distance from section or subdivision corner

(11) WATER LEVEL: Completed well.
Depth at which water was first found 34 ft.
Static level 22 ft. below land surface. Date 3/18/72
Artesian pressure lbs. per square inch. Date

(12) WELL LOG:
Diameter of well below casing 12
Depth drilled 138 ft. Depth of completed well 138 ft.

Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. *Report each change in position of Static Water Level and indicate principal water-bearing strata.*

MATERIAL	From	To	SWL
Brown Sandy top soil	0	2	
Brown Sandy Clay	2	34	
Brown Fine Sand	34	39	
Blue Clay	39	52	
Fine Black Sand	52	54	
Blue Clay	54	95	
Black Fine Sand	95	110	
Blue Clay	110	115	
Fine Black Sand	115	116	
Black Sand Gravel Not to large	116	138	

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SALEM, OR

Work started 1-18 19 72 Completed 3/18 19 72
Date well drilling machine moved off of well 3/18 19 72

Drilling Machine Operator's Certification:
This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.
[Signed] (Drilling Machine Operator) Date 3/18, 19 72
Drilling Machine Operator's License No. 500

Water Well Contractor's Certification:
This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.
Name (Person, firm or corporation) (Type or print)
Address
[Signed] (Water Well Contractor)
Date 3/18 19 72

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STATE ENGINEER
SALEM, OREGON

REGISTRATION NO. GR-100

CERTIFICATE NO. GR-121

Registration Statement

OF CLAIMANT OF RIGHT TO APPROPRIATE GROUND WATER

(Under Chapter 708, Oregon Laws 1955.)

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WATER RESOURCES DEPT
SALEM, OREGON

TO THE STATE ENGINEER OF OREGON:

I, Emmett J. Rose

of RI Box 334 Hubbard County of Marion

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 One Well (Flowing well, pump well, infiltration trench, or tunnel)

2. Location is One mi. west of Hubbard Oregon (Approximate distance and direction from nearest city or town)

and is more particularly described as follows:

(a) 1650 ft S 1050 W of NE Corner Sec 32 T 4 S R 1 W (Give distance and bearing to corner of section or other legal subdivision)

being within SE ¼ NE ¼ (Smallest legal subdivision) of Sec. 32, Twp. 4 S (N. or S.), Rge. 1 W (E. or W.)

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

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

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

3. Construction Work was begun on April 10th (Date); was completed on April 18 1951 (Date)

and the ground water claimed was first used for the purposes set out below on May 1951 (Date)

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

from 1951 (Date) to 1953 (Date)

4. Quantity of water claimed and used is 175 gallons per minute; 2 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 128 feet. Type Drilled (Dug or drilled)

diameter 10 inches. Elevation of ground at well site 175' (As near as known) feet mean sea level.

Depth to water table 26 feet. Aug 1951

7. Capacity of Well: 340 g.p.m. with 40 feet drawdown.

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

Date of test April 18 1951

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

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

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

APR 24 2003

7

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

10 inch diameter Black Steel from 0 to 128 feet

_____ inch diameter _____ from _____ to _____ feet

_____ inch diameter _____ from _____ to _____ feet

_____ inch diameter _____ from _____ to _____ feet

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

9. Perforated Casings or Screens:

16 3/4 by 2" Perforations (number per foot and size of perforations, or describe screen) from 122 to 128'

from _____ to _____

from _____ to _____

from _____ to _____

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

MATERIAL	Thickness (Feet)	Depth to Bottom (Feet)
Soil		
Soil	3'	3'
Yellow silt + Clay	25'	28'
Blue shale	50'	78'
Black sand watering bearing	16'	94'
Blue shale	11'	105'
Black sand	9'	114'
Black sand + fine gravel	6'	120'
Black sand + Coarse gravel	8'	128'

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WATER RESOURCES DEPT
SALEM, OREGON

GR-131 A

owner - well #1

(10)

.GINAL
e Original, and
uplicate with the
STATE ENGINEER,
SALEM, OREGON

WATER WELL DRILLERS REPORT
STATE OF OREGON

Do Not Fill In — State Well No. 4/1W-3OPaH) 31A
State Permit No. 460

JUN 14 1957

(1) OWNER:
Name Jesse C. Owen
Address Rt 1 Hubbard, Ore.

(2) LOCATION OF WELL:
County MARION Owner's number, if any—
R. F. D. or Street No. ROUTE 1
Bearing and distance from section or subdivision corner

(3) TYPE OF WORK (check):
New well [X] Deepening [ ] Reconditioning [ ] Abandon [ ]
If abandonment, describe material and procedure in Item 11.

(4) PROPOSED USE (check):
Domestic [ ] Industrial [ ] Municipal [ ]
Irrigation [X] Test Well [ ] Other [ ]

(5) EQUIPMENT:
Rotary [ ]
Cable [X]
Dug Well [ ]

(6) CASING INSTALLED:
Threaded [ ] Welded [X]

FROM	ft. to	ft.	Diam.	Gage or Wall
0	134	ft.	10"	7/16

Type and size of shoe or well ring 1/2 cut

If gravel packed

Diameter of Bore	from ft.	to ft.

Size of gravel:

Describe joint

(7) PERFORATIONS:
Type of perforator used Cutting torch
SIZE of perforations 2 1/2 in., length, by 1/4 in.

FROM	ft. to	ft.	perf per foot	No. of rows
121	134		3	10

SCREENS:
Give Manufacturer's Name, Model No. and Size

(8) CONSTRUCTION:
Was a surface sanitary seal provided? [ ] Yes [X] No To what depth ft.
Were any strata sealed against pollution? [ ] Yes [ ] No
If yes, note depth of strata

FROM	ft. to	ft.

METHOD OF SEALING

(9) WATER LEVELS:
Depth at which water was first found 119 ft.
Standing level before perforating 13 ft.
Standing level after perforating 13 ft.

Log Accepted by:
[Signed] Jesse C. Owen Owner Dated 5/2c, 1957

(10) WELL TESTS:
Was a pump test made? [X] Yes [ ] No If yes, by whom? STELLER

Yield:	gal./min. with	ft. draw down after	hrs.
" 450	"	70" FT.	"
"	"	"	"

Artesian flow ____ g.p.m.
Shut-in pressure ____ lbs. per square inch.
Bailer test ____ g.p.m. with ____ ft. drawdown
Temperature of water Was a chemical analysis made? [ ] Yes [X] No
Was electric log made of well? [ ] Yes [X] No

(11) WELL LOG:
Diameter of well, 10 inches.
Total depth 137 ft. Depth of completed well 134 ft.
Formation: *Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.*

ft. to	ft.	
" 1	" 12	BROWN CLAY
12	" 74	BLUE "
74	" 90	SHALE
90	" 119	BLUE CLAY
119	121	BLACK SAND
121	134	SAND & GRAVEL
134	137	BLUE CLAY

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SALEM, OREGON

Ground elevation at well site ____ feet above mean sea level.
Work started APRIL 19 57 Completed MAY 19 57

Well Driller's Statement:
This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

NAME EDMOND DANSKEY
(Person, firm, or corporation) (Typed or printed)
Address ROUTE 1 BOX 336
Driller's well number
[Signed] Edmond Danskey (Well Driller)
License No. 153 Dated 5/27, 1957

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JAN 23 2006

(T9)

OWRE - Wrn #2

WELL #2 CONSTRUCTION INFORMATION

The well was constructed by a previous land owner.

The well is approximately 130' in depth.

There is a 12" steel casing at land surface.

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ER SUPPLY WELL REPORT -
tinuation page

WELL I.D. # L 75918

START CARD # 163498

(5) BORE HOLE CONSTRUCTION

BORE HOLE Dia	From	To	SEAL Material	From	To	Amt	sacks/ lbs

FILTER PACK

From	To	Material	Size

(6) CASING/LINER

Casing Liner	Dia	+	From	To	Gauge	Stl	Plstc	Wld	Thrd

(7) PERFORATIONS/SCREENS

Perf/ Screen	Casing/ Liner	Screen Dia	From	To	Scrn/slot width	Slot length	# of slots	Tele/ pipe size

(8) WELL TESTS: Minimum testing time is 1 hour

Yield gal/min	Drawdown	Drill stem/Pump depth	Duration (hr)

Water Quality Concerns

From	To	Description	Amount	Units

(10) STATIC WATER LEVEL

Water Bearing Zones

SWL Date	From	To	Est Flow	SWL(psi)	+	SWL(ft)

(11) WELL LOG

Material	From	To
sand , silt clay	210	211
Sand	211	214
Clay green	214	218
Clay blue sticky	218	236
Clay dark gray	236	237
Sand black fine & silty	237	239
Clay green	239	240
Clay gray sticky	240	243
Clay & sand layers	243	246
Sand black, coarse	246	270
Gravel & sand	270	302
Clay green	302	303
Clay gray	303	305
Sand & clay	305	308

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SALEM, OREGON

Comments/Remarks

#7 Perforations/Screens: 306'8" (306.66) Bottom plate & lift bail.

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WATER RESOURCES DEPT
SALEM, OREGON

owr #3

MART 60942

NENE Sec 31 4S 1W

TO

STATE OF OREGON
WATER SUPPLY WELL REPORT
(as required by ORS 537.765 & OAR 690-205-0210)

WELL LABEL # L 75918

START CARD # 163498

#3

(1) LAND OWNER
Owner Well I.D. OWR #3

First Name Tom Last Name DeArmond

Company Oregon Turf & Trees

Address 18381 Boones Ferry Rd. NE

City Hubbard State OR Zip 97032

(2) TYPE OF WORK
☒ New Well ☐ Deepening ☐ Conversion ☐ Alteration (repair/recondition) ☐ Abandonment

(3) DRILL METHOD
☐ Rotary Air ☐ Rotary Mud ☒ Cable ☐ Auger ☐ Cable Mud ☐ Reverse Rotary ☐ Other

(4) PROPOSED USE
☐ Domestic ☒ Irrigation ☐ Community ☐ Industrial/ Commercial ☐ Livestock ☐ Dewatering ☐ Thermal ☐ Injection ☐ Other

(5) BORE HOLE CONSTRUCTION
Special Standard ☐ Attach copy

Depth of Completed Well 306.66 ft.

BORE HOLE

Dia	From	To
20	0	6
20	6	80
16	80	308

SEAL

Material	From	To	Amt	sacks/ lbs
Bentonite Chips	0	6	10	S
Cement	6	80	86	S

How was seal placed: Method ☐ A ☐ B ☒ C ☐ D ☐ E

☐ Other

Backfill placed from ft. to ft. Material

Filter pack from 246.66 ft. to 306.66 ft. Material gravel Size 4/10

Explosives used: ☐ Yes Type Amount

(6) CASING/LINER

Casing	Liner	Dia	+	From	To	Gauge	Stl	Plsto	Wld	Thrd
◉	○	16	☒	1	244.62	.375	◉	○	☒	☐
◉	○	12	☒	1.75	246.66	.250	◉	○	☒	☐
◉	○	12	☐	300.66	306.66	.250	◉	○	☒	☐
○	○		☐				○	○	☐	☐
○	○		☐				○	○	☐	☐

Shoe ☒ Inside ☐ Outside ☐ Other Location of shoe(s) 244.62

Temp casing ☐ Yes Dia From To

(7) PERFORATIONS/SCREENS
Perforations Method

Screens Type v wire Material stainless steel

Perf/ Screen	Casing/ Liner	Screen Dia	From	To	Scrn/slot width	Slot length	# of slots	Tele/ pipe size
Screen		12	246.66	275.66	.09			12
Screen		12	275.66	300.66	.125			12

(8) WELL TESTS: Minimum testing time is 1 hour
◉ Pump ○ Bailer ○ Air ○ Flowing Artesian

Yield gal/min	Drawdown	Drill stem/Pump depth	Duration (hr)
1,175	38.6	110	1
1,175	42	114	3
1,175	42.3	114	4

Temperature 53 °F Lab analysis ☐ Yes By

Water quality concerns? ☐ Yes (describe below)

From	To	Description	Amount	Units

(9) LOCATION OF WELL (legal description)
County MARION Twp 4 S N/S Range 1 W E/W WM

Sec 32 NW 1/4 of the NW 1/4 Tax Lot 900

Tax Map Number Lot

Lat ° ' " or DMS or DD

Long ° ' " or DMS or DD

◉ Street address of well ○ Nearest address

10333 Broadacres Rd. NE Hubbard, OR 97032

(10) STATIC WATER LEVEL

	Date	SWL(psi)	+	SWL(ft)
Existing Well / Predeepening				
Completed Well	06-27-2007		☒	72.2

Flowing Artesian? ☐ Dry Hole? ☐

WATER BEARING ZONES Depth water was first found 123

SWL Date	From	To	Est Flow	SWL(psi)	+	SWL(ft)
11-14-2006	123	132	10		☐	40
11-17-2006	176	189	25		☐	40
12-04-2006	199	214	30		☐	40
12-19-2006	246	302	3,000		☐	40
					☐	

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(11) WELL LOG
Ground Elevation

FEB 12 2008

WATER RESOURCES DEPT SALEM, OREGON

Material	From	To
Topsoil & large gravel	0	1
Clay brown hard	1	8
Clay gray soft, silty	8	74
Clay dark gray	74	81
Sand black fine & silt	81	91
Clay silty dark gray	91	96
Sand & clay gray	96	110
Clay gray sticky	110	113
Clay green & gray, sticky	113	123
Cemented sand & gravel	123	132
Clay gray & green, sandy	132	150
Clay blue sticky	150	154
Clay green sticky	154	159
Clay green	159	167
Clay gray soft	167	176
Sand & clay gray, cemented	176	186
Sand	186	189
Clay gray, soft	189	199
sand and clay	199	210

Date Started 10-23-2006 Completed 08-27-2007

(unbonded) Water Well Constructor Certification

I certify that the work I performed on the construction, deepening, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.

License Number Date 9/24/07

Password : (if filing electronically)

Signed

(bonded) Water Well Constructor Certification

I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.

License Number 783 Date 09-13-2007

Password : (if filing electronically)

Signed

Contact Info (optional) Grosson Well Drilling (503)982-2060

ORIGINAL - WATER RESOURCES DEPARTMENT

THIS REPORT MUST BE SUBMITTED TO THE WATER RESOURCES DEPARTMENT WITHIN 30 DAYS OF COMPLETION OF WORK

Form Version: 0.88

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SALEM, OREGON

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SALEM, OREGON

WATER WELL REPORT

STATE OF OREGON

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JUL 1 1985
WATER RESOURCES DEPT
SALEM, OREGON

State Well No. 4S/1W-32bd

State Permit No. T 5723

(11) ?

SS okay

PLEASE TYPE OR PRINT IN INK

(1) OWNER:

Name Tom De Armond

Address 11463 Broadacres Rd. N.E.

City Hubbard, State OR

(2) TYPE OF WORK (check):

New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary Air ☐ Driven ☐
Rotary Mud ☐ Dug ☐
☒ Bored ☐

(4) PROPOSED USE (check):

Domestic ☐ Industrial ☐ Municipal ☐
Irrigation ☒ Test Well ☐ Other ☐
Thermal: ☐ Withdrawal ☐ Reinjection ☐

(5) CASING INSTALLED:

Steel ☒ Plastic ☐
Threaded ☐ Welded ☒

12" Diam. from +1 ft. to 235 ft. Gauge .250

" Diam. from ft. to ft. Gauge

LINER INSTALLED:

" Diam. from ft. to ft. Gauge

(6) PERFORATIONS:

Perforated? ☒ Yes ☐ No

Type of perforator used Mills Knife

Size of perforations 3/8 in. by 2½ in.

320 perforations from 131 ft. to 140 ft.

perforations from ft. to ft.

perforations from ft. to ft.

(7) SCREENS:

Well screen installed? ☐ Yes ☒ No

Manufacturer's Name

Type Model No.

Diam. Slot Size Set from ft. to ft.

Diam. Slot Size Set from ft. to ft.

(8) WELL TESTS:

Drawdown is amount water level is lowered below static level

Was a pump test made? ☒ Yes ☐ No If yes, by whom?

Yield: 700 gal./min. with 25 ft. drawdown after 8 hrs.

" 460 " 14 " 4 "

Air test gal./min. with drill stem at ft. hrs.

Bailer test gal./min. with ft. drawdown after hrs.

Artesian flow g.p.m.

Temperature of water Depth artesian flow encountered ft.

(9) CONSTRUCTION:

Special standards: Yes ☒ No ☐

Well seal—Material used Granulated Bentonite

Well sealed from land surface to 25 ft.

Diameter of well bore to bottom of seal 16" in.

Diameter of well bore below seal 12" in.

Number of sacks of cement used in well seal 18 Bentonite sacks

How was cement grout placed?

Was pump installed? Yes Type Turbine HP 3.0 Depth 130 ft.

Was a drive shoe used? ☒ Yes ☐ No Plugs Size: location ft.

Did any strata contain unusable water? ☐ Yes ☒ No

Type of Water? depth of strata

Method of sealing strata off

Was well gravel packed? ☐ Yes ☒ No Size of gravel:

Gravel placed from ft. to ft.

(10) LOCATION OF WELL:

County Marion Driller's well number 49

SE ¼ NW ¼ Section 32 T. 4S R. 1W W.M.

Tax Lot # Lot Blk Subdivision

Address at well location: Same

(11) WATER LEVEL: Completed well.

Depth at which water was first found 96' ft.

Static level 53' ft. below land surface. Date 6/27

Artesian pressure lbs. per square inch. Date

(12) WELL LOG:

Diameter of well below casing —

Depth drilled 235 ft. Depth of completed well 140 ft.

Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
Clay Brown	0	22	
Clay Grey Silt	22	76	
Clay Grey	76	96	
Sand & Clay	96	108	
Sand	108	125	
Sand, Gravel	125	140	
Sand Black	140	151	
Clay Grey	151	163	
Sand	163	189	
Clay Green	189	196	
Clay Grey	196	218	
Sand Black	218	225	
Sandy Clay	225	229	
Clay Grey	229	235	

RECEIVED
MAY 21 2003
WATER RESOURCES DEPT

Work started 6/5 19 85 Completed 6/28 1985

Date well drilling machine moved off of well 6/28 1985

(unbonded) Water Well Constructor Certification (if applicable):

This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.

[Signed] Date , 19

Bonded Water Well Constructor Certification:

Bond 97-78-5318 (number) issued by: State Farm (Surety Company Name)

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

Name Grosser Well Drilling (Person, firm or corporation) (Type or print)

Address 19927 Mill Ck. Rd. Scotts Mills

[Signed] Dean Grosser (Water Well Constructor)

Date 7/11, 1985

NOTICE TO WATER WELL CONSTRUCTOR
The original and first copy of this report are to be filed with the

WATER RESOURCES DEPARTMENT,
SALEM, OREGON 97310
within 30 days from the date of well completion.

SP*45292-690

(T9)

OWRE - WRN #2

WELL #2 CONSTRUCTION INFORMATION

The well was constructed by a previous land owner.

The well is approximately 130' in depth.

There is a 12" steel casing at land surface.

RECEIVED
FEB 12 2008
WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED
JUL 03 2012
WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED
JAN 23 2006

RECEIVED

JUL 0 3 2012

WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED

JUL 27 1990

WATER RESOURCES DEPT.
SALEM, OREGON

4S/1W/32b (#5)

STATE OF OREGON
WATER WELL REPORT
(as required by ORS 537.765)

(START CARD) # 18453

(1) OWNER:
Name Tom DeArmond
Address 11463 broadacres Rd. NE
City Hubbard State OR Zip 97032
Well Number:

(2) TYPE OF WORK:
☒ New Well ☐ Deepen ☐ Recondition ☐ Abandon

(3) DRILL METHOD
☐ Rotary Air ☐ Rotary Mud ☒ Cable
☐ Other

(4) PROPOSED USE:
☐ Domestic ☐ Community ☐ Industrial ☒ Irrigation
☐ Thermal ☐ Injection ☐ Other

(5) BORE HOLE CONSTRUCTION:
Special Construction approval Yes ☐ No ☒ Depth of Completed Well 189' ft.
Explosives used Yes ☐ No ☒ Type Amount

HOLE Diameter	From	To	SEAL Material	From	To	Amount sacks or pounds
20"	0	18	Bentonite	0	18	34 sacks
16"	18	193				

How was seal placed: Method ☐ A ☐ B ☐ C ☐ D ☐ E
☒ Other Granular bentonite OAR 690-210-340
Backfill placed from 189 ft. to 193 ft. Material Gravel
Gravel placed from 150 ft. to 189 ft. Size of gravel pea

(6) CASING/LINER:

	Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing:	16"	+1½	169	.250	☒	☐	☒	☐
					☐	☐	☐	☐
					☐	☐	☐	☐
					☐	☐	☐	☐
Liner:					☐	☐	☐	☐
					☐	☐	☐	☐

Final location of shoe(s) 169'

(7) PERFORATIONS/SCREENS:
☐ Perforations Method
☒ Screens Type Material stainless

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
148	170			10"ID	pipe	☐	☐
170	180	140		10"ID	screen	☐	☐
180	184	200		10"ID	screen	☐	☐
184	189			10"ID	pipe	☐	☐
189	Bottom	plate & lift bail				☐	☐
						☐	☐

RECEIVED
MAY 21 2003
WATER RESOURCES DEPT
SALEM, OREGON

(8) WELL TESTS: Minimum testing time is 1 hour
☒ Pump ☐ Bailer ☐ Air ☐ Flowing Artesian

Yield gal/min	Drawdown	Drill stem at	Time
1100	60'		1 hr.
1100	66'		3 Hrs.
1100	71'		6 Hrs.

Temperature of water 53 degrees Depth Artesian Flow Found
Was a water analysis done? ☐ Yes By whom
Did any strata contain water not suitable for intended use? ☐ Too little
☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other

(9) LOCATION OF WELL by legal description:
County Marion Latitude Longitude
Township 4S N or S, Range 1W E or W, WM.
Section 32 NE ¼ NW ¼
Tax Lot 00700 Lot Block Subdivision
Street Address of Well (or nearest address) 10852 Broadacres R
Hubbard, OR 97032

(10) STATIC WATER LEVEL:
46 ft. below land surface. Date 7/2/90
Artesian pressure lb. per square inch. Date

(11) WATER BEARING ZONES:
Depth at which water was first found 121'

From	To	Estimated Flow Rate	SWI
121	137	500	46
170	186	1100	46

(12) WELL LOG:
Ground elevation

Material	From	To	SWI
Clay brown	0	31	
Clay grey	31	68	
Clay grey,sandy	68	76	
Clay grey	76	84	
Sand black,silt	84	109	
Sand black	109	112½	
Clay grey	112½	114	
Sand,gravel,clay grey	114	118	
Sand black	118	121	
Gravel,sand brown	121	137	
Clay grey	137	159	
Clay sandy grey	159	163	
Sand black,silt,clay	163	173	
Sand,gravel black	173	175	
Sand black	175	180	
Sand& gravel	180	186	
Clay grey	186	193	

RECEIVED
JUL 27 1990
WATER RESOURCES DEPT.
SALEM, OREGON

Date started 5/8/90 Completed 7/2/90

(unbonded) Water Well Constructor Certification:
I certify that the work I performed on the construction, alteration, abandonment of this well is in compliance with Oregon well constructi standards. Materials used and information reported above are true to my b knowledge and belief.

WWC Number
Signed Date

(bonded) Water Well Constructor Certification:
I accept responsibility for the construction, alteration, or abandonme work performed on this well during the construction dates reported above. work performed during this time is in compliance with Oregon w construction standards. This report is true to the best of my knowledge a belief.

WWC Number 783
Signed Date 7/23/90

Oregon
Theodore R. Kulongoski, Governor

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

February 17, 2009

THOMAS H DEARMOND
11463 BROADACRES ROAD NE
HUBBARD, OR 97032

REFERENCE: Transfer Application T-10533

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

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

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

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

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

Sincerely,

Sarah Henderson

Sarah Henderson
Executive Support
Field Services Division

cc: Watermaster Dist. #16
Don Knauer, Agent
Jeff Barry, GSI Water Solutions Inc.
Capital Development Company
K & R Holdings Evergreen Meadows
Montebello Estates I, LLC
Pioneer Trust Company

Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application T-10533, Marion County	))))	FINAL ORDER APPROVING CHANGES IN CHARACTER OF USE, PLACE OF USE AND POINT OF APPROPRIATION

Authority

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

Applicant

THOMAS H. DEARMOND
11463 BROADACRES ROAD NE
HUBBARD, OR 97032

Agent

DON KNAUER
PO BOX 5416
SALEM, OR 97304

Findings of Fact

Background

1. On February 12, 2008 Thomas DeArmond filed an application to change the use, place of use, and point of appropriation under Certificate 44644. The Department assigned the application number T-10533. Transfer Applications T-10532, T-10533, T-10535 and Ground Water Registration Modification Application T-10534 were filed at the same time, are interrelated, and will be processed concurrently.

2. The portion of the right to be transferred is as follows:

   Certificate: 44644 in the name of PIONEER TRUST COMPANY/JOHN HOOPER (perfected under Permit G-5281)
   Use: IRRIGATION of 14.2 ACRES and SUPPLEMENTAL IRRIGATION of 25.6 ACRES
   Priority Date: OCTOBER 5, 1970
   Rate: 0.494 CUBIC FOOT PER SECOND (CFS)
   Limit/Duty: ONE-EIGHTIETH cfs per acre, not to exceed 2.5 acre-feet per acre per year
   Source: A WELL in the PUDDING RIVER BASIN

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.

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	DLC	Survey Coordinates
5 S	2 W	WM	12	SE SW	98	1540 FEET NORTH AND 1070 FEET EAST FROM THE SOUTHWEST CORNER OF DLC 98

Authorized Place of Use:

IRRIGATION							
Twp	**Rng**	**Mer**	**Sec**	**Q-Q**	**DLC**	**Acres**	**Type of Change Proposed**
5 S	2 W	WM	12	SW SW	98	4.40	USE, POU & POA
5 S	2 W	WM	13	NE NW	98	4.30	USE, POU & POA
5 S	2 W	WM	13	NW NW	98	5.50	USE, POU & POA
					TOTAL:	**14.2**	

SUPPLEMENTAL IRRIGATION							
Twp	**Rng**	**Mer**	**Sec**	**Q-Q**	**DLC**	**Acres**	**Type of Change Proposed**
5 S	2 W	WM	12	SE SW	98	12.10	POU & POA
5 S	2 W	WM	13	NE NW	98	13.50	POU & POA
					TOTAL:	**25.6**	

3. Transfer Application T-10533 proposes to change the character of use of the primary portion of the irrigation right described in Finding #2 above (14.2 acres, 0.176 cfs, limited to a duty of 35.5 acre-feet per year) to NURSERY USE.

4. Transfer Application T-10533 also proposes to change the place of use of the 14.2 acres of primary right (transferred to nursery use in Finding #3 above) and the 25.6 acres of supplemental irrigation right as follows:

Proposed Place of Use:

TRACT 1 – NURSERY USE						
Twp	**Rng**	**Mer**	**Sec**	**Q-Q**	**DLC**	**Acres**
4S	1W	WM	29	NE SW	N/A	2.30
4S	1W	WM	29	NW SW	N/A	11.90
					TOTAL:	**14.2**

TRACT 2 - SUPPLEMENTAL IRRIGATION						
Twp	**Rng**	**Mer**	**Sec**	**Q-Q**	**DLC**	**Acres**
4S	1W	WM	32	NW NE	56	5.30
4S	1W	WM	32	SW NE	56	20.30
					TOTAL:	**25.6**

5. The lands to which the primary irrigation portion of the right is proposed to be moved have an existing right under Certificate 83086, also proposed to be changed to nursery use under T-10535, which is being processed concurrently with T-10533. This would result in stacked nursery rights with a total duty of 5.0 acre-feet per acre (2.5 acre-feet per acre from each right). There is no change in character of use proposed for the supplemental irrigation portion of the right.

6. Additionally, Transfer Application T-10533 proposes to replace the authorized point of appropriation (POA) with 7 new points of appropriation (existing wells) located approximately 3.5 miles northeast from the authorized POA. Specifically, the transfer calls for a change in the POA for 0.176 cfs to one group of 3 wells for use on the lands in Tract 1 (14.2 acres) and a change in the POA for 0.318 cfs to another group of 4 wells for use on the lands in Tract 2 (25.6 acres), as follows:

Proposed Points of Appropriation:

Tract 1						
Twp	**Rng**	**Mer**	**Sec**	**Q-Q**	**DLC**	**Survey Coordinates**
4S	1W	WM	30	SE SE	59	Well #OWRE 2: 1000 FEET NORTH AND 50 FEET WEST FROM THE SOUTHEAST CORNER OF SECTION 30
4S	1W	WM	31	NE NE	59	Well #OWRE 1: 607 FEET NORTH AND 812 FEET WEST FROM THE SOUTHEAST CORNER OF DLC 59
4S	1W	WM	31	NE NE	59	Well #OWRE 3: 220 FEET NORTH AND 400 FEET WEST FROM THE SOUTHEAST CORNER OF DLC 59

Tract 2						
Twp	**Rng**	**Mer**	**Sec**	**Q-Q**	**DLC**	**Survey Coordinates**
4S	1W	WM	32	SE NW	56	Well #1: 60 FEET NORTH AND 1950 FEET EAST FROM THE WEST ¼ CORNER OF SECTION 32
4S	1W	WM	32	SE NW	56	Well #2: 980 FEET NORTH AND 1650 FEET EAST FROM THE WEST ¼ CORNER OF SECTION 32
4S	1W	WM	32	NE NW	56	Well #8: 1380 FEET NORTH AND 920 FEET WEST FROM THE CENTER OF SECTION 32
4S	1W	WM	32	SE NE	56	Well #9: 540 FEET SOUTH AND 860 FEET WEST FROM THE NORTHEAST CORNER OF DLC 56

7. Notice of the application for transfer was published on February 19, 2008, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.

8. On June 11, 2008, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-10533 to the applicant and his agent. The draft Preliminary Determination set forth a deadline of July 14, 2008, for the applicant to respond. On July 2, 2008, the applicant's agent requested additional time to respond and submit the required reports of ownership and lien information. The request for additional time was granted by the Department.

9. On August 26, 2008, the applicant's agent submitted reports of ownership and lien information for the subject lands, which were prepared as of the dates the various conveyance deeds and agreements submitted with the application were signed. The Department's review of the ownership and lien reports confirmed that the conveying parties

involved were owners of the land at the time the conveyance documents were signed. However, copies of most of those conveyance documents did not indicate that they had been properly recorded in the county deed records. The subject lands, formerly known as Lots 1 and 2 of Town Center at Woodburn, Marion County, Oregon, Plat 45-72, were subsequently subdivided into 127 individual lots.

10. To ensure sufficient notice was provided to any subsequent purchasers of property located within the aforementioned former Lots 1 and 2, the Department researched the Marion County Assessor's property records on November 4, 2008, and determined that current ownership for the lands in question is as follows: Lots 1 through 39, inclusive Tracts A and B, Evergreen Meadows in the City of Woodburn, Marion County, Oregon, Plat 46-43 *(formerly known as Lot 1 of Town Center at Woodburn, Marion County, Oregon, Plat 45-72)* are all owned by K & R Holdings, Evergreen Meadows, LLC; and Lots 147 through 234, inclusive, Montebello 3 in the City of Woodburn, Marion County, Oregon, Plat 46-72 *(formerly known as Lot 2 of Town Center at Woodburn, Marion County, Oregon, Plat 45-72)* are all owned by Montebello Estates I, LLC. The Department's research confirmed there are no subsequent owners that were not noticed.

11. On December 3, 2008, the Department issued a Preliminary Determination proposing to approve Transfer T-10533 and mailed a copy to the applicant and his agent. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's weekly notice on December 9, 2008, and in the *Woodburn Independent* newspaper on December 24 and 31, 2008, and January 7, 2009, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

Transfer Review Criteria (OAR 690-380-4010)

12. Water has been used within the last five years according to the terms and conditions of the rights, and there is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.

13. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Application T-10533.

14. The proposed change would not result in enlargement of the right.

15. The proposed change would not result in injury to other water rights.

Conclusions of Law

The changes in character of use, place of use, and point of appropriation proposed in Transfer Application T-10533 are consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The changes in character of use, place of use, and point of appropriation proposed in Transfer Application T-10533 are approved.

2. Water right certificate 44644 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer.

3. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 44644 and any related decree.

4. Water shall be acquired from the same aquifer (water source) as the original point of appropriation.

5. The quantity of water diverted at the new points of appropriation shall not exceed the quantity of water lawfully available at the original point of appropriation.

6. That portion of the right changed to nursery use (14.2 acres) shall be further limited to a rate of 0.176 cfs, 2.5 acre-feet per acre (a total of 35.5 acre-feet), over the course of the authorized season of use.

7. The former place of use of the portion of the right subject to transfer shall no longer receive water under the right.

8. Prior to diverting water, the water user shall install an in-line flow meter or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department. The water user shall maintain and operate the measuring device as required by the Department.

9. The approved changes shall be completed and full beneficial use of the water shall be made on or before **October 1, 2010**. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.

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

Dated at Salem, Oregon this 10th day of February 2009

William S. Farber

for Phillip C. Ward, Director

Mailing date: FEB 18 2009

STATE OF OREGON

COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

PIONEER TRUST COMPANY
TRUSTEE UNDER AGREEMENT WITH JOHN HOOPER
PO BOX 2305
SALEM, OR 97308

confirms the right to use the waters of A WELL, in the PUDDING RIVER BASIN, for IRRIGATION of 16.4 ACRES and SUPPLEMENTAL IRRIGATION of 13.9 ACRES.

This right was perfected under Permit G-5281. The date of priority is OCTOBER 5, 1970. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.376 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the well.

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
5 S	2 W	WM	12	SE SW	Dubois 98	1540 feet North and 1070 feet East from the SW corner of Dubois DLC 98

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer. The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described and is subject to the existing minimum flow policies established by the Water Policy Review Board.

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

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
5 S	2 W	WM	12	SW SE	98	7.0
5 S	2 W	WM	13	NW NE	98	9.4
					TOTAL:	16.4

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
5 S	2 W	WM	12	SE SW	98	7.4
5 S	2 W	WM	13	NE NW	98	6.5
					TOTAL:	13.9

This certificate describes that portion of the water right confirmed by Certificate 44644, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered FEB 10 2009, approving Transfer Application T-10533.

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

WITNESS the signature of the Water Resources Director, affixed FEB 10 2009.

William E. Ferber
for Phillip C. Ward, Director

Water Right Transfer Checklist

Transfer T-10533 Transfer Specialist: Dorothy Pedersen/REIM

Transfer Type: Regular

Applicant Name/Address: Thomas DeArmond, 11463 Broadacres Road NE, Hubbard, OR 97032

Agent Name/Address: Don Knauer PO Box 5416, Salem, OR 97304

CWRE Name/Number: Don Knauer # 75

CC: Jeff Barry, GSI Water Solutions, Inc., 55 SW Yamhill St. Suite 400, Portland, OR 97204

Capital Development Co., PO Box 3487, Lacey, WA 98509-3487

K & R Holdings Evergreen Meadows, LLC, 17933 NW Evergreen Pkwy, #300, Beaverton, OR 97006

Montebello Estates I, LLC, 3115 West March Lane, Suite #150, Stockton, CA 95219

Rec Landowner Name/Address: None

Irr. District Name/Address: None

Affected Gov'ts Name/Address: None

Commentors: Name/Address: None

Water Rights Affected

Records Marked	Records Copied	App File No. or Decree Name	Permit No.	Certificate No.	RR/CR Needed	RR/CR Nos.
☒	☒	G-5331	G-5281	44644	☒ Yes ☐ No	85365
☐	☐				☐ Yes ☐ No	
☐	☐				☐ Yes ☐ No	

Key Dates & Initial Actions

Rec'd: 2/12/2008	Proposed Action(s): POU POD HST APOD USE OTHER: POU, USE, POA	
Fees Pd: 1325.00	WM District: 16	ODFW District: None
Initial Notice: 2/19/2008	WM Review sent: 2/19/2008	ODFW Review sent: None
Acknowledgement Letter Sent ☒		GW Review sent: 2/19/2008

Processing Dates & Actions

Deficiency Contacts: _____

DPD Mailed: 6-11-08

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

PD Mailed: _____

PD Weekly Notice: _____

Newspaper Pub Affid Due: YES - 1-26-09

~~☐ not required~~

Affid of Pub Rec'd: _____

Last Day Published: _____

Affidavit Reminder Sent: _____

Reminder Deadline: _____

Preliminary Determination

- ☒ Electronic Files uploaded
- ☒ PD Cover letter
- ☒ PD Notice
- ☒ File Assigned/ ModPod updated
- ☒ Preliminary Determination
- ☐ ~~Fee Refund Due~~
- ☐ Remaining Rights

DPD Review (Optional)	PD Review (Salem)	Final Order Review (Salem)
Reviewer: _____	Reviewer: [signature]	Reviewer: [signature]
Date: _____	Date: 12-2-08	Date: 2-9-09
Coordinator: _____	Coordinator: _____	Coordinator: _____
Date: _____	Date: _____	Date: _____

Comments/Special Issues: Newspaper Notice REQUIRED.

Please see Findings # 9 and #10 to document Department's research of ownership info at the County Assessor to satisfy ROLI info and determine that all parties have been sufficiently notified of water right conveyance agreements.

Special Order Volume: Vol 77 Pages 214 Final Order Signature Date: 2-10-09

Notice of FO email'd to processors Dorothy

Notice of Preliminary Determination for Water Right Transfer T-10533

T-10533 filed by Thomas DeArmond, 11463 Broadacres Rd. NE, Hubbard, OR 97032, proposes to change the character of use and add a point of appropriation under Certificate 44644. The right allows the use of 0.494 cfs (priority date October 5, 1970) from a well in Sec. 12, T 5S, R2W, W.M. (Pudding River Basin) for primary irrigation and supplemental irrigation in Sec. 12 and 13. The applicant proposes to change the point of appropriation to seven wells located approximately 3.5 miles northeast (Sec. 30, 31 and 32, T 4S, R 1W, W.M.); to change the place of use to Sec. 29 and 32, T 4S, R 1W, W.M.; and to change the character of use for the primary irrigation portion to nursery. The Water Resources Department has concluded that the proposed transfer appears to be consistent with the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, with the Department a protest or standing statement within 30 days after the date of final publication of notice in the Department's weekly notice or of this newspaper notice, whichever is later. A protest form and additional information on filing protests may be obtained by calling (503) 986-0883. The last date of newspaper publication is January 7, 2009. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

Published: December 24, December 31, 2008 and January 7, 2009.

Affidavit of Publication

STATE OF OREGON, } SS.

County of Marion

I, Les Reitan, being first duly sworn, depose and say I am Publisher Woodburn Independent, a newspaper of general circulation as defined by ORS 193.010, and 193.020 printed and published at Woodburn in the aforesaid county and state, that the Notice of Preliminary Determination for Water Right Transfer, a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for the following issues: December 24, December 31, 2008 and January 7, 2009.

LS Reitan

Subscribed and sworn to before me this 7th day of January , 2009

Marie C. Bernard

Notary Public for Oregon
(My Commission Expires 9/12/11)

OFFICIAL SEAL
MARIE C BERNARD
NOTARY PUBLIC - OREGON
COMMISSION NO. 420178
MY COMMISSION EXPIRES SEP. 12, 2011

RECEIVED
JAN 12 2009
WATER RESOURCES DEPT
SALEM, OREGON

Oregon
Theodore R. Kulongoski, Governor

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

Pd Noticed 12-9-08

December 8, 2008

Thomas H. DeArmond
11463 Broadacres Road NE
Hubbard, OR 97032

SUBJECT: Transfer Application T-10533

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-10533. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

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

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

After publication, the Department needs to receive an affidavit specifying the dates the notice was published. Typically, the newspaper will prepare and mail an original *affidavit of publication* to the Department; however you will want to request specifically that they do so. Please ensure that the affidavit of publication is mailed to me, in care of the Department, at the address above by **Thursday, January 22, 2009**.

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 503-986-0880 or Lisa.J.JARAMILLO@wrd.state.or.us if I may be of assistance.

Sincerely,

Lisa J. Jaramillo
Field Services Division

cc: Transfer T-10533
Mike McCord, Watermaster Dist #16
Don Knauer, PO Box 5416, Salem, OR 97304
Jeff Barry, GSI Water Solutions, Inc., 55 SW Yamhill St., Suite 400, Portland, OR 97204
Capital Development Company, PO Box 3487, Lacey, WA 98509-3487
K & R Holdings Evergreen Meadows, LLC, 17933 NW Evergreen Pkwy, #300, Beaverton, OR 97006
Montebello Estates I, LLC, 3115 West March Lane, Suite #150, Stockton, CA 95219

encs

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application T-10533, Marion County	)	PRELIMINARY DETERMINATION PROPOSING APPROVAL OF CHANGES IN CHARACTER OF USE, PLACE OF USE AND POINT OF APPROPRIATION

Authority

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

Applicant

THOMAS H. DEARMOND
11463 BROADACRES ROAD NE
HUBBARD, OR 97032

Agent

DON KNAUER
PO BOX 5416
SALEM, OR 97304

Findings of Fact

Background

1. On February 12, 2008 Thomas DeArmond filed an application to change the use, place of use, and point of appropriation under Certificate 44644. The Department assigned the application number T-10533. Transfer Applications T-10532, T-10533, T-10534, and T-10535 were filed at the same time, are interrelated, and will be processed concurrently.

2. The portion of the right to be transferred is as follows:

   Certificate: 44644 in the name of PIONEER TRUST COMPANY/JOHN HOOPER (perfected under Permit G-5281)
   Use: IRRIGATION of 14.2 ACRES and SUPPLEMENTAL IRRIGATION of 25.6 ACRES
   Priority Date: OCTOBER 5, 1970
   Rate: 0.494 CUBIC FOOT PER SECOND (CFS)
   Limit/Duty: ONE-EIGHTIETH cfs per acre, not to exceed 2.5 acre-feet per acre per year
   Source: A WELL in the PUDDING RIVER BASIN

   Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	DLC	Survey Coordinates
5 S	2 W	WM	12	SE SW	98	1540 FEET NORTH AND 1070 FEET EAST FROM THE SOUTHWEST CORNER OF DLC 98

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

Authorized Place of Use:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres	Type of Change Proposed
5 S	2 W	WM	12	SW SW	98	4.40	USE, POU & POA
5 S	2 W	WM	13	NE NW	98	4.30	USE, POU & POA
5 S	2 W	WM	13	NW NW	98	5.50	USE, POU & POA
					TOTAL:	14.2	

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres	Type of Change Proposed
5 S	2 W	WM	12	SE SW	98	12.10	POU & POA
5 S	2 W	WM	13	NE NW	98	13.50	POU & POA
					TOTAL:	25.6	

3. Transfer Application T-10533 proposes to change the character of use of the primary portion of the irrigation right described in Finding #2 above (14.2 acres, 0.176 cfs, limited to a duty of 35.5 acre-feet per year) to NURSERY USE.

4. Transfer Application T-10533 also proposes to change the place of use of the 14.2 acres of primary right (transferred to nursery use in Finding #3 above) and the 25.6 acres of supplemental irrigation right as follows:

Proposed Place of Use:

TRACT 1 – NURSERY USE						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4S	1W	WM	29	NE SW	N/A	2.30
4S	1W	WM	29	NW SW	N/A	11.90
					TOTAL:	14.2

TRACT 2 - SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4S	1W	WM	32	NW NE	56	5.30
4S	1W	WM	32	SW NE	56	20.30
					TOTAL:	25.6

5. The lands to which the right is proposed to be moved have an existing right under Certificate 83086, also proposed to be changed to nursery use under T-10535, which is being processed concurrently with T-10533. This would result in stacked nursery rights with a total duty of 5.0 acre-feet per acre (2.5 acre-feet per acre from each right). There is no change in character of use proposed for the supplemental irrigation portion of the right.

6. Additionally, Transfer Application T-10533 proposes to replace the authorized point of appropriation (POA) with 7 new points of appropriation (existing wells) located approximately 3.5 miles northeast from the authorized POA. Specifically the transfer calls for a change in the POA for 0.176 cfs to one group of 3 wells for use on the lands in Tract 1 (14.2 acres) and a change in the POA for 0.318 cfs to another group of 4 wells for use on the lands in Tract 2 (25.6 acres), as follows:

Proposed Points of Appropriation:

Tract 1						
Twp	**Rng**	**Mer**	**Sec**	**Q-Q**	**DLC**	**Survey Coordinates**
4S	1W	WM	30	SE SE	59	Well #OWRE 2: 1000 FEET NORTH AND 50 FEET WEST FROM THE SOUTHEAST CORNER OF SECTION 30
4S	1W	WM	31	NE NE	59	Well #OWRE 1: 607 FEET NORTH AND 812 FEET WEST FROM THE SOUTHEAST CORNER OF DLC 59
4S	1W	WM	31	NE NE	59	Well #OWRE 3: 220 FEET NORTH AND 400 FEET WEST FROM THE SOUTHEAST CORNER OF DLC 59

Tract 2						
Twp	**Rng**	**Mer**	**Sec**	**Q-Q**	**DLC**	**Survey Coordinates**
4S	1W	WM	32	SE NW	56	Well #1: 60 FEET NORTH AND 1950 FEET EAST FROM THE WEST ¼ CORNER OF SECTION 32
4S	1W	WM	32	SE NW	56	Well #2: 980 FEET NORTH AND 1650 FEET EAST FROM THE WEST ¼ CORNER OF SECTION 32
4S	1W	WM	32	NE NW	56	Well #8: 1380 FEET NORTH AND 920 FEET WEST FROM THE CENTER OF SECTION 32
4S	1W	WM	32	SE NE	56	Well #9: 540 FEET SOUTH AND 860 FEET WEST FROM THE NORTHEAST CORNER OF DLC 56

7. Notice of the application for transfer was published on February 19, 2008, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.

8. On June 11, 2008, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-10533 to the applicant and his agent. The draft Preliminary Determination set forth a deadline of July 14, 2008, for the applicant to respond. On July 2, 2008, the applicant's agent requested additional time to respond and submit the required reports of ownership and lien information. The request for additional time was granted by the Department.

9. On August 26, 2008, the applicant's agent submitted reports of ownership and lien information for the subject lands, which were prepared as of the dates the various conveyance deeds and agreements submitted with the application were signed. The Department's review of the ownership and lien reports confirmed that the conveying parties involved were owners of the land at the time the conveyance documents were signed. However, copies of most of those conveyance documents did not indicate that they had been properly recorded in the county deed records. The subject lands, formerly known as Lots 1 and 2 of Town Center at Woodburn, Marion County, Oregon, Plat 45-72, were subsequently subdivided into 127 individual lots.

10. To ensure sufficient notice was provided to any subsequent purchasers of property located within the aforementioned former Lots 1 and 2, the Department researched the Marion County Assessor's property records on November 4, 2008, and determined that current ownership for the lands in question is as follows: Lots 1 through 39, inclusive Tracts A and B, Evergreen Meadows in the City of Woodburn, Marion County, Oregon, Plat 46-43 *(formerly known as Lot 1 of Town Center at Woodburn, Marion County, Oregon, Plat 45-72)* are all owned by K & R Holdings, Evergreen Meadows, LLC; and Lots 147 through 234, inclusive, Montebello 3 in the City of Woodburn, Marion County, Oregon, Plat 46-72 *(formerly known as Lot 2 of Town Center at Woodburn, Marion County, Oregon, Plat 45-72)* are all owned by Montebello Estates I, LLC. The Department's research confirmed that there are no subsequent owners that were not noticed.

Transfer Review Criteria (OAR 690-380-4010)

11. Water has been used within the last five years according to the terms and conditions of the rights, and there is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.

12. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Application T-10533.

13. The proposed change would not result in enlargement of the right.

14. The proposed change would not result in injury to other water rights.

Determination and Proposed Action

The changes in use, place of use, and point of appropriation proposed in Transfer Application T-10533 appear to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved, provided that concurrent changes to layered rights proposed under Transfer Application T-10535 are approved.

If Transfer Application T-10533 is approved, the final order will include the following:

1. *The changes in use, place of use, and point of appropriation proposed in Transfer Application T-10533 are approved.*

2. *Water right certificate 44644 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer.*

3. *The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 44644 and any related decree.*

4. *Water shall be acquired from the same aquifer (water source) as the original point of appropriation.*

5. *The quantity of water diverted at the additional points of appropriation, together with that diverted at the original point of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation.*

6. *That portion of the right changed to nursery use shall be further limited to a rate of 0.176 cfs, 2.5 acre-feet per acre (a total of 35.5 acre-feet), over the course of the authorized season of use.*

7. *The former place of use of that portion of the right subject to transfer shall no longer receive water under the right.*

8. *Prior to diverting water, the water user shall install an in-line flow meter or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department. The water user shall maintain and operate the measuring device as required by the Department.*

9. *The approved changes shall be completed and full beneficial use of the water shall be made on or before* ***October 1, 2010****. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.*

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

Dated at Salem, Oregon this 3rd day of December 2008.

for Phillip C. Ward, Director

This Preliminary Determination was prepared by a Reimbursement Authority contractor. If you have questions about the information in this document, you may reach Dorothy Pedersen at 503-986-0890 or Dorothy.I.Pedersen@wrd.state.or.us.

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

Notice of Preliminary Determination for
Water Right Transfer T-10533

T-10533 filed by Thomas DeArmond, 11463 Broadacres Rd. NE, Hubbard, OR 97032, proposes to change the use, place of use and point of appropriation under Certificate 44644. The right allows the use of 0.494 cfs (priority date October 5, 1970) from a well in Sec. 12, T 5S, R 2W, W.M. (Pudding River Basin) for primary irrigation and supplemental irrigation in Sec. 12 and 13. The applicant proposes to change the point of appropriation to seven wells located approximately 3.5 miles northeast (Sec. 30, 31 and 32, T 4S, R 1W, W.M.); to change the place of use to Sec. 29 and 32, T 4S, R 1W, W.M.; and to change the character of use for the primary irrigation portion to nursery. The Water Resources Department has concluded that the proposed transfer appears to be consistent with the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, with the Department a protest or standing statement within 30 days after the date of final publication of notice in the Department's weekly notice or of this newspaper notice, whichever is later. A protest form and additional information on filing protests may be obtained by calling (503) 986-0883. The last date of newspaper publication is *[DATE OF LAST PUBLICATION]*. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

RA

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

Watermaster Review Form: Water Right Transfer

Transfer Application: T-10533 Review Due Date: 3/19/08

Applicant Name: _____

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

Reviewer(s): Mlm Date of Review: Mar. 19, 2008

1. Do you have information suggesting that the water rights may be subject to forfeiture? ☐ Yes ☒ No If "Yes", describe the information and indicate if you intend to file a cancellation affidavit or if you need additional time to determine if a cancellation affidavit should be filed: _____
2. Is there a history of regulation on the source that serves the right proposed for transfer that has involved the right and downstream water rights? ☐ Yes ☒ No Generally characterize the frequency of any regulation or explain why regulation has not occurred: _____
3. Check here if it appears that downstream water rights benefit from return flows resulting from the current use of the right? ☐ If you check the box, generally characterize the locations where the return flows likely occur and list the water rights that benefit most: _____
4. Are there upstream water rights that would be affected by the proposed change? ☐ Yes ☒ No If "Yes", describe how the rights would be affected and list the rights most affected: _____
5. For POD changes and instream transfers, check here if there are channel losses between the old and new PODs or within the proposed instream reach? ☐ If you check the box, describe and, if possible, estimate the losses: _____
6. Would distribution of water for the right after the proposed change result in regulation of other water rights that would not have occurred if use of the existing right was maximized? ☐ Yes ☒ No If "Yes", explain: _____
7. For POU changes, would the original place of use continue to receive water from the same source? ☐ Yes ☒ No ☐ N/A If "Yes", explain: _____
8. For POU or USE changes, would use of the existing right at "full face value," result in the diversion of more water than can be used beneficially and without waste? ☐ Yes ☒ No If "Yes", explain: _____
9. Are there other issues not identified through the above questions? ☐ Yes ☐ No If "Yes", explain: _____
10. What alternatives may be available for addressing any issues identified above: _____

11. Have headgate notices been issued for the source that serves the right? ☐ Yes ☒ No

12. What water control and measurement conditions should be included in the transfer:

Measurement Devices	☐ Present and should be maintained.	☒ Should be required prior to diverting water.	☐ May be required in the future.
Headgates	☐ Present and should be maintained.	☐ Should be required prior to diverting water.	☐ May be required in the future.

GW RA

Oregon

Theodore R. Kulongoski, Governor

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

INTEROFFICE MEMO

FORWARD TO: ☞ Dorothy
FIELD PROCESSOR WORKING ON THIS TRANSFER

DATE: 2/19/08
Pul 3/19/08

FROM: ____ WATERMASTER, DISTRICT # ____
X GROUNDWATER SECTION

(SIGNATURE) _____ date signed 4/28/2008
signed by injury reviewer

SUBJECT: **WATER RIGHT TRANSFER #** 10533

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

In the name(s) of Thomas DeArmond

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

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

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

_____

_____

_____

_____

The existing right may not be valid because _____

_____

_____

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

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

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

✓ (1) PRIOR to the diverting of water at the new point of diversion . . .
See proposed water-use reporting condition in attached memo.

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

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

wmtrans.frm

State of Oregon *Water Resources Department*

Interoffice Memorandum April 28, 2008

To: Water Rights

From: Karl Wozniak

Subject: Ground Water Review of Transfers T-10532, 10533, 10534, and 10535, Tom DeArmond

Findings

The proposed points of appropriation (POAs) produce from the same aquifer as the authorized POAs.

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

Recommended Conditions

Large water use reporting condition, with a totalizing meter on each well, for all POAs that are authorized by any orders approving these transfers.

Discussion

The proposed transfers have the net effect of moving about 2.44 cfs of alluvial ground water production from 3 wells just west of the City of Woodburn to 7 existing wells that are about 1.5 miles west of Hubbard, about 3.5 miles north-northeast of the authorized POAs (see attached map). All of the proposed POAs are listed on a number of other water rights. The general hydrogeology is similar throughout the area encompassed by both sets of wells. The area is underlain by over 1000 feet of alluvial and lacustrine sediments, the upper 100 feet of which is largely composed of silt and clay of the Willamette Silt. Older sediments beneath the Willamette Silt, historically referred to as the Troutdale aquifer, are predominantly clay and silt but sand and gravel beds of various thickness can be found to depths of at least 300 feet. The lateral continuity of the sand and gravel beds is poorly understood. Except for MARI 60942, all of the authorized and all of the proposed POAs produce from sand and gravel beds that occur between elevations of about -10 to 40 feet (see attached cross section). MARI 60942 is open to deeper water-bearing sands and gravels that occur at elevations between about -60 and -120 feet below sea level (depths of about 243-302 feet). This is probably the same set of sand and gravel beds that is open in MARI 55251, a production well for the City of Hubbard.

General experience indicates that the heads are not substantially different throughout the column of sediments (see attached plot). This suggests that the natural vertical connection between the various water-bearing sands is relatively efficient and that the alluvial system can be effectively treated as a single aquifer system. Well MARI 60942 may be an exception to this generality as

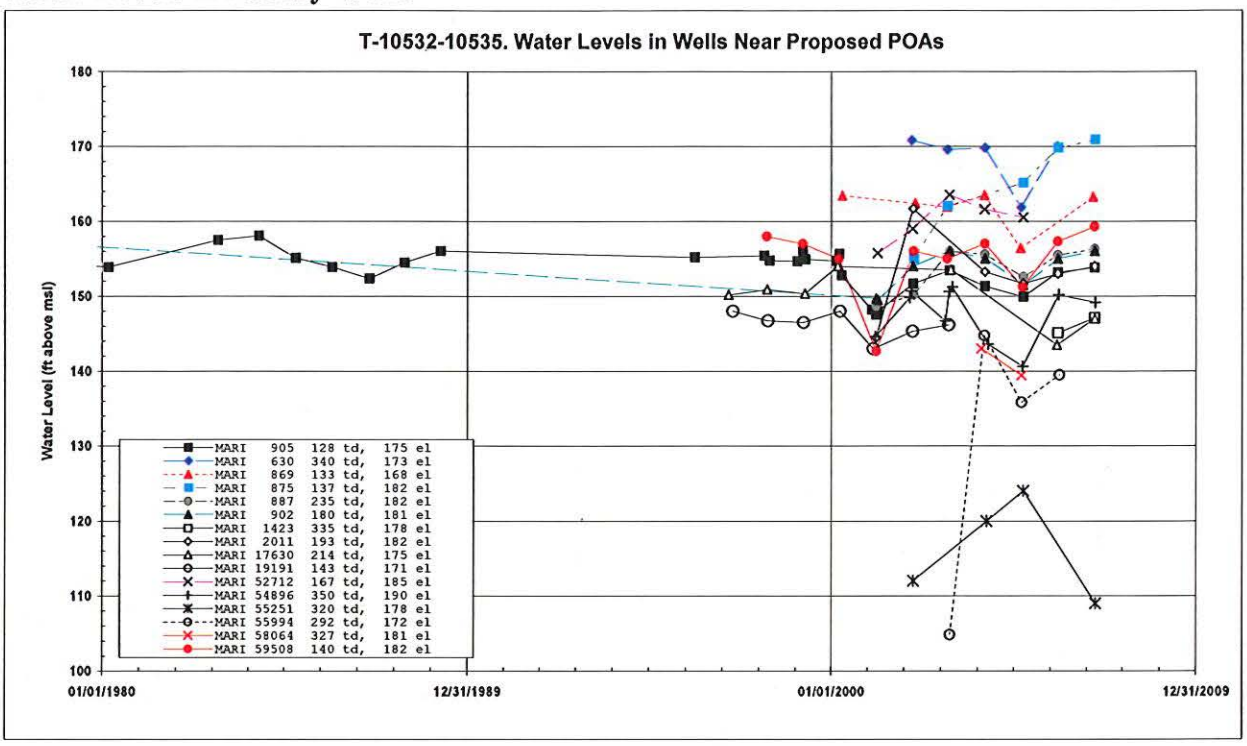
the static water level reported on the well log (72.2 feet) indicates a head of about 111 feet, which is about 45 feet lower than the heads in the other proposed POAs. However, a large fraction of this difference can probably be attributed to seasonal variation as the water level on well log MARI 60942 was measured on June 27, 2007 whereas water levels for the other wells on the attached plot were generally measured in March. Water-level reporting for MARI 60942 would clarify these head relationships but a reporting condition is not recommend for these transfers as annual water-level reporting is already required for MARI 60942 as a condition on permit G-16181.

Ground-water levels in the area around the proposed POAs appear to be stable (see attached plots). Seasonal fluctuations appear to be about 40 feet whereas the saturated thickness of the aquifer is many hundreds of feet. These facts suggest that the transfer is unlikely to result in injury to existing rights.

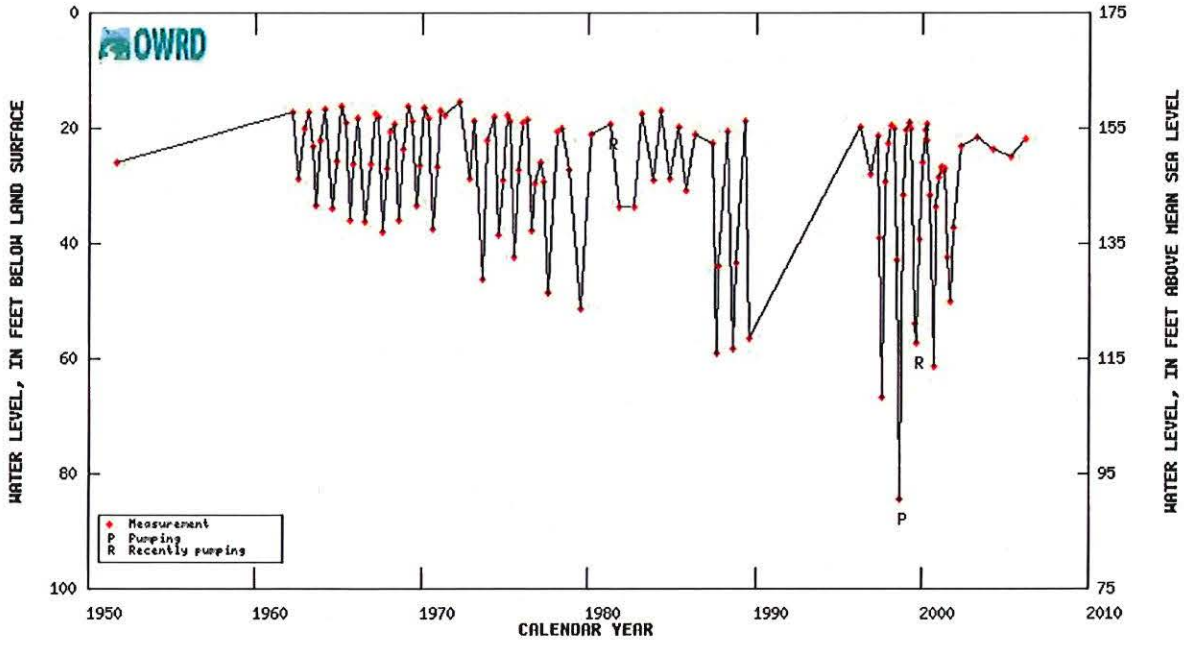
Water right files and other Departmental records indicate that the authorized and proposed POAs correspond to the well logs in the following table. In a number of cases, the applicant reports a different well log than the one indicated by Departmental records. In all of these cases the discrepancy is unimportant as the corresponding depth and well construction is similar for each pair of logs.

Water Right	Owner's Well Number	Well Logs per OWRD Records	Well Logs per Transfer Application
Existing POAs			
Certificate 39802		MARI 2435/2436	MARI 2461
Certificate 44644		MARI 2447	MARI 2435
GR-53		MARI 2433	None
Certificate 83086	OWRE 1	MARI 59508	None
Certificate 83086	OWRE 2	MARI 875	MARI 59508
Proposed POAs			
	Well 1	MARI 887	MARI 887
	Well 2	MARI 902/55762	MARI 902
	Well 8	MARI 2011	MARI 2011
	OWRE 1	MARI 59508	MARI 875
	OWRE 2	MARI 875	MARI 59508
	OWRE 3	MARI 60942	MARI 60942

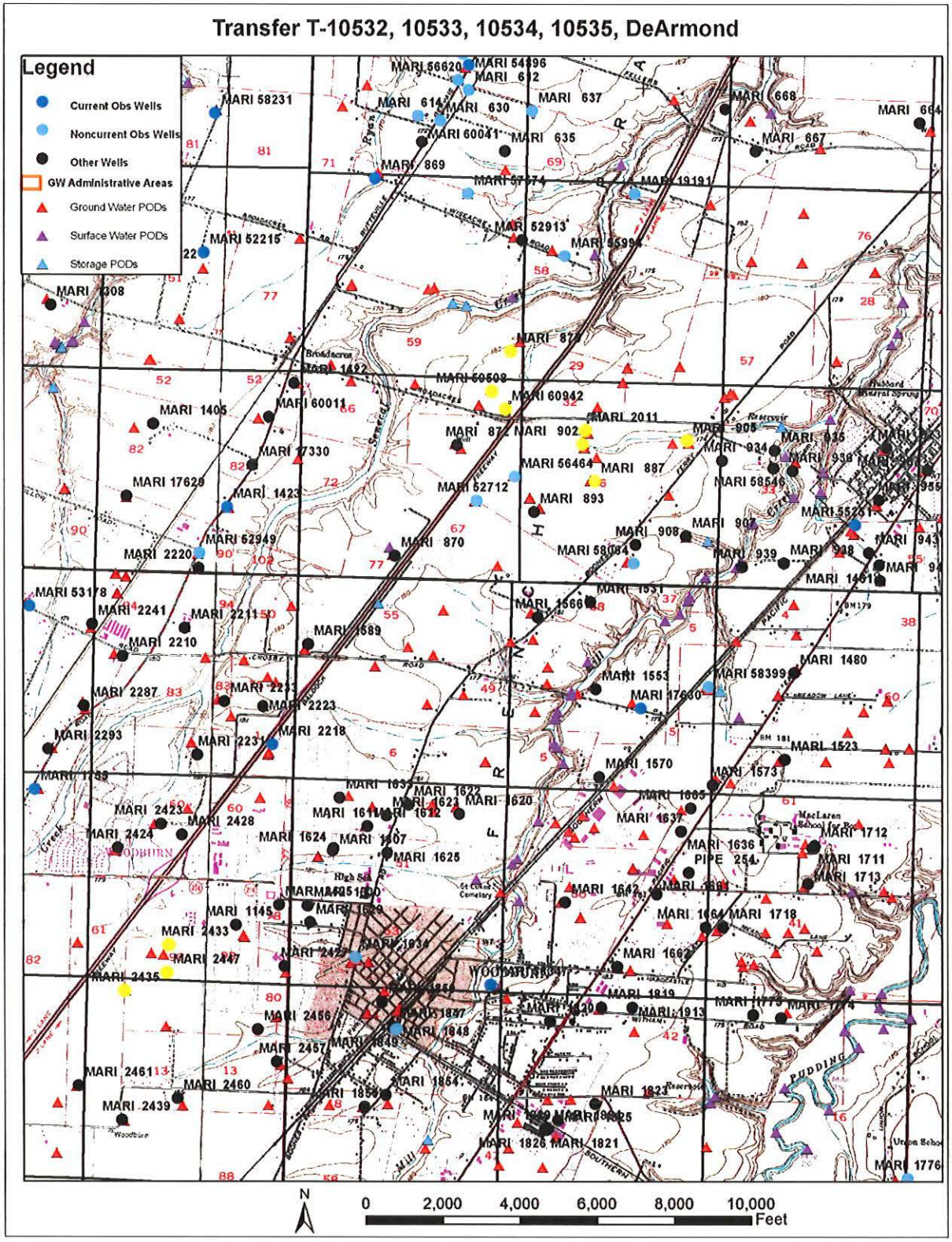
Water Levels in Nearby Wells



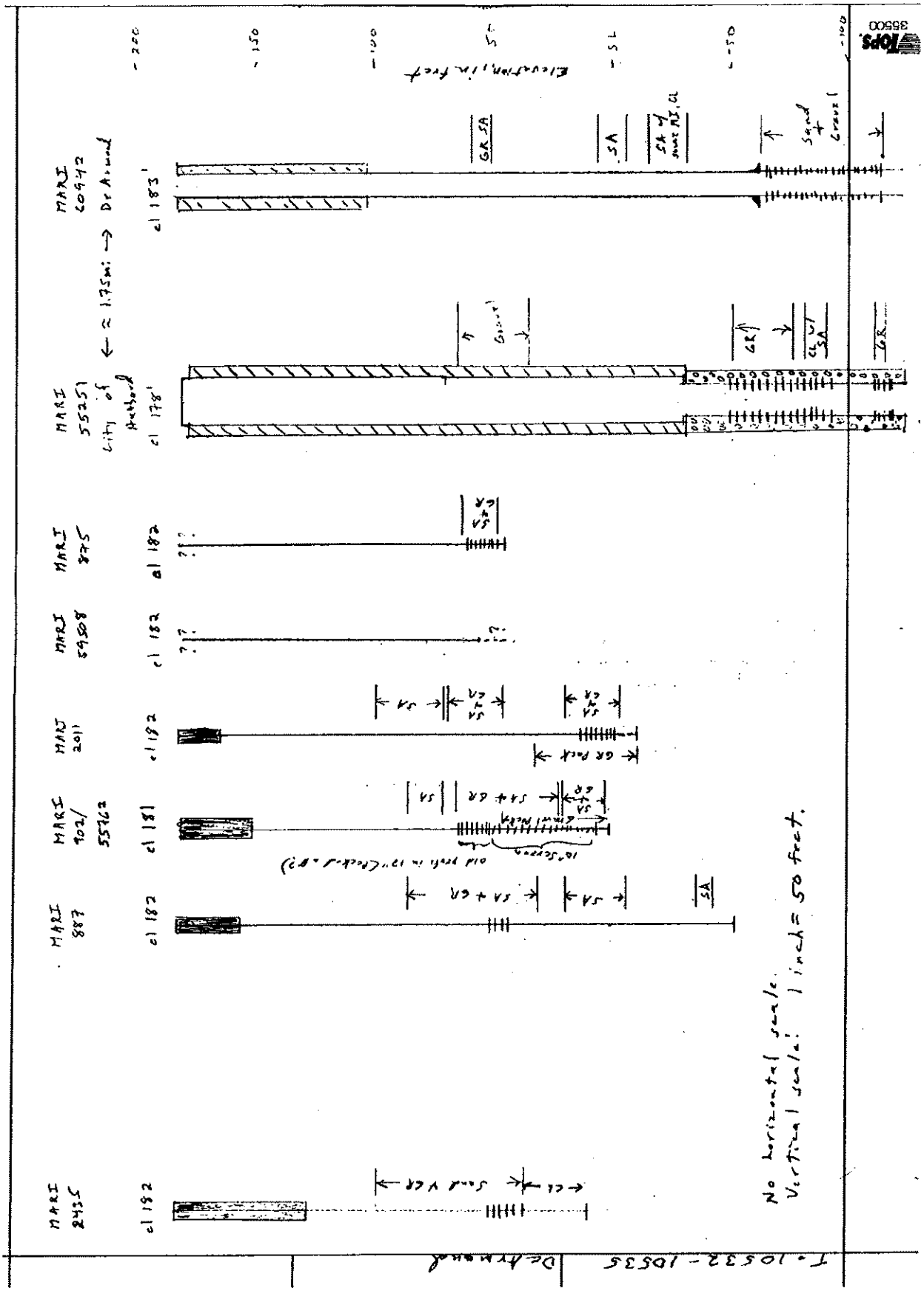
Well Location	4.00S1.00W32ADB
Oregon Water Resources Department Well Log ID	MARI 905
Oregon Water Resources Department State Observation Well Number	606
Well depth, in feet below land surface	128
Land surface elevation, in feet above mean sea level	175
Primary use of well	IRRIGATION



Location Map



Diagrammatic Cross Section



Permit A-[illegible]-1-78 G-5331 SP-[illegible]-690

STATE OF OREGON

COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

This Is to Certify, *That* PIONEER TRUST COMPANY
TRUSTEE UNDER AGREEMENT WITH JOHN HOOPER

of P. O. Box 2305, Salem, , *State of* Oregon, 97308 , *has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of* one well

a tributary of Pudding River *for the purpose of* irrigation of 30.6 acres and supplemental irrigation of 39.5 acres

under Permit No. G-5281 *and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from* October 5, 1970
that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.87 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SE¼ SW¼, as projected within Dubois DLC 98, Section 12, T. 5 S., R. 2 W., W. M., 1540 feet North and 1070 feet East from the SW Corner, Dubois DLC 98

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diverson of not to exceed 2½ acre feet per acre for each acre irrigated during the irrigation season of each year,

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

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

Primary	Supplemental
4.4 acres SW¼ SW¼	19.5 acres SE¼ SW¼
7.0 acres SW¼ SE¼	As projected within Dubois DLC 98
Both as projected within Dubois DLC 98	Section 12
Section 12	
	20.0 acres NE¼ NW¼
9.4 acres NW¼ NE¼	As projected within Dubois DLC 98
4.3 acres NE¼ NW¼	Section 13
5.5 acres NW¼ NW¼	T. 5 S., R. 2 W., W. M.
All as projected within Dubois DLC 98	
Section 13	
T. 5 S., R. 2 W., W. M.	

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described. and is subject to the existing minimum flow policies established by the Water Policy Review Board.

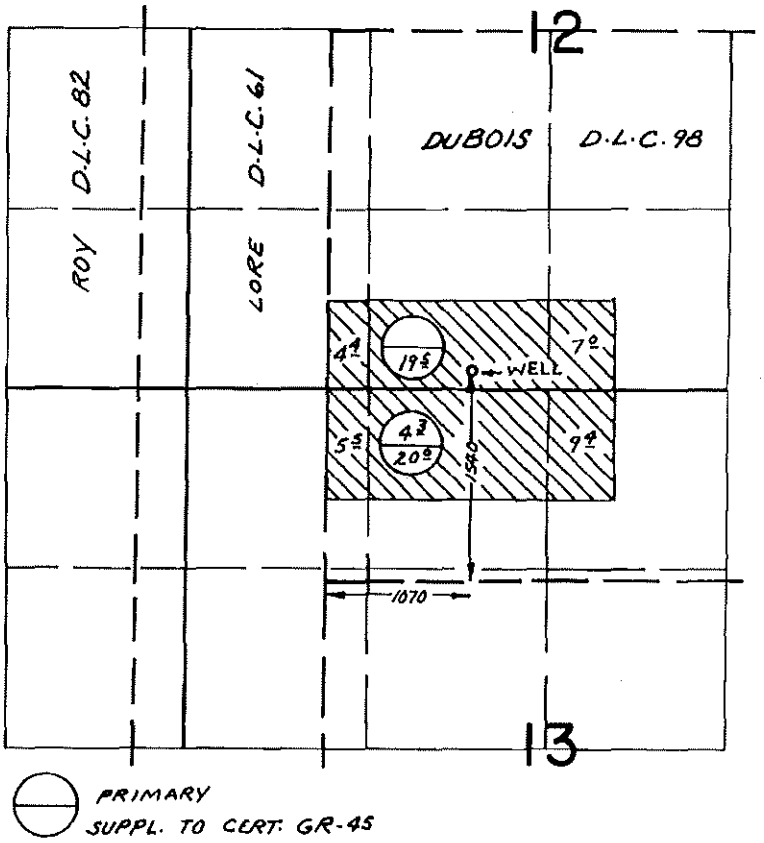
WITNESS the signature of the Water Resources Director, affixed this date. August 3, 1977

James E. Sexson
Water Resources Director

T 10533

Recorded in State Record of Water Right Certificates, Volume 36 *, page* 44644

T.5S.R.2W.W.M.



FINAL PROOF SURVEY

UNDER

Application No. G-5331 Permit No. G-5281

IN NAME OF

PIONEER TRUST CO.

Surveyed AUG. 3, 1976., by R. MUCKEN

T 10533

DFN-6LL-195

Review Checklist **T-10533** **Processor: RA- Conservation Strategies**

Application

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

Water right subject to transfer

- [x] Certificated right or Proof accepted "to the satisfaction...."
- [x] The right been exercised according to terms & conditions of certificate.
- [x] Delivery system has the capacity to fully divert the rate/duty of the right.
- [x] No information in record that suggests forfeiture.
- → [ ] No conflicts identified on the plat cards and plat card reports printed.
- N/A [ ] Affidavits prepared for rights that need to be canceled or diminished.

Quit Claims

TR	P	S
2006	7.94	7.94
1400	6.8	13.5
?	?	?

Application Map

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

RECEIVED
OCT 0 2 2008
WATER RESOURCES DEPT.
SALEM, OREGON

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

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

Ownership

- [ ] The deed/ROLI matches the ***"from"*** lands. (Don't need to check "to" lands.)
- [ ] Have current tax lot map. *(If transfer application is several years old, contact assessor's office)*
- NO [ ] The applicant is the owner of the "from" lands. NO
- [ ] *All* owners on the deed/ROLI have signed the application.
- [x] If necessary, there is a notarized, signed statement of consent from landowners other than applicant.
- [ ] If necessary, there is a copy of written notification to each lien holder identified on ROLI.
- NO [ ] Agent has authorization to make decisions.

Evaluation

Reviews/comments/conditions received? [x] Watermaster [ ] ODFW [x] GW

Headgate	[ ] When in the judgment	[ ] Prior to diverting	[ ] Existing and maintain
Measuring Devices	[ ] When in the judgment	[x] Prior to diverting	[x] Existing and maintain
Fish Screen Devices	[ ]		

Injury: Y (N) Enlargement: Y (N)

Conditions to avoid enlargement/injury – install totalizer on each well

Materials needed for peer reviewer

- [x] application marked [x] transfer map [ ] Water right map (if marked) [x] certificate marked
- [ ] deed/ROLI (if marked) [x] plat card marked printout (if POU or Use change)
- [x] other processing notes

T-10533

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

Application for Water Right
Transfer

COPY

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

1. TYPE OF TRANSFER APPLICATION

Please check one

- ☑ Permanent Transfer
- ☐ Temporary Transfer (1 to 5 yrs.)
  - total number of years: ____
  - (begin year: _____)
  - (end year: _____)
- ☐ Instream Transfer
  - ☐ Permanent
  - ☐ Time-Limited
- ☐ Drought Transfer
- ☐ Other

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2. APPLICANT INFORMATION

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Name: Thomas H. (First) DeArmond (Last)

Address: 11463 Broadacres Road NE

Hubbard (City) Oregon (State) 97032 (Zip)

Phone: 503-981-0319 (Home) _____ (Work) _____ (Other)

Fax: _____ E-Mail address: _____

3. AGENT INFORMATION

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

Name: Don (First) Knauer (Last)

Address: PO Box 5416

Salem (City) Oregon (State) 97304 (Zip)

Phone: _____ (Home) 503-508-7862 (Work) _____ (Other)

Fax: _____ E-Mail address: _____

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

4. PROPOSED CHANGE(S) TO WATER RIGHT(S)

- List **all** water rights to be affected by this transfer. Indicate the certificate, permit, decree or other identifying number(s) in the table below: *(Attach additional pages as necessary.)*

	Application / Decree	Permit / Previous Transfer	Certificate
1.		G-5281	44644
2.			
3.			
4.			
5.			
6.			

- Attach a **separate** ***Supplemental Form A*** *(Description of Proposed Change(s) to a Water Right)* for **each** water right listed above.
- Check **all** proposed change(s) included in this transfer application:

☑ Place of Use ☐ Point of Diversion (POD) ☐ Additional Point of Diversion

☑ Character of Use ☑ Point of Appropriation (POA, or well) ☐ Additional POA

☐ Instream Transfer ☐ Surface Water POD to Ground Water POA

☐ Substitution of Supplemental Groundwater right for Primary Surface water right

☐ Historic POD change ☐ Other

- Reason(s) for change(s): Land use is changing.

5. WATER DELIVERY SYSTEM

- Describe the ***current*** water delivery system ***or*** the system that ***was in place*** at some time *within the last 5 years*. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use. If the transfer involves multiple rights that have independent systems, describe each system separately.

  The description must be sufficient to demonstrate that the full quantity of water to be transferred can be conveyed from the authorized source and applied at the authorized location and that the applicant is ready, willing, and able to exercise the right.

50 HP elec motor, turbine pump, 3240' 6" aluminum main line, 5400' 3" & 4" hand lines and rainbird 30 sprinklers 11/64.

- System capacity: 1.39 cubic feet per second (cfs). If the transfer involves multiple rights that have independent systems, describe the capacity for each system separately.

6. EVIDENCE OF BENEFICIAL WATER USE

- Attach one or more **Evidence of Use Affidavits** (Supplemental Form B) demonstrating that each of the right(s) involved in the transfer have been exercised in the last five years in accordance with the terms and conditions of the right or that a presumption of forfeiture for non-use could be rebutted. The Evidence of Use Affidavit(s) **must include supporting documentation** such as the following:

  - ▸ Copies of receipts from sales of irrigated crops or for expenditures relating to use of water;
  - ▸ Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers;
  - ▸ Dated aerial photographs of the lands or other photographs containing sufficient detail to establish location and date of the photograph; ***or***
  - ▸ If the right has **not** been used during the past five years, documentation that the presumption of forfeiture would be rebutted under ORS 540.610(2).

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7. AFFECTED DISTRICTS

- Are any of the water rights proposed for transfer located within or served by an irrigation or other water district? ☐ Yes ☑ No
- Will any of the water rights be located within or served by an irrigation or other water district after the proposed transfer? ☐ Yes ☑ No
- Is water for any of the rights supplied under a water service agreement or other contract for stored water with a federal agency or other entity? ☐ Yes ☑ No

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

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8. LOCAL GOVERNMENTS

- List the name and mailing address of all local governments (i.e., each county, city, municipal corporation, or tribal government within whose jurisdiction water will be diverted, conveyed or used).

Marion County

555 Court Street NE

Salem Oregon 97309

9. LAND OWNERSHIP

- Does the applicant own the lands **FROM** which the right is being transferred? ☐ Yes ☑ No

  *If "**No**", provide the following information. **For Temporary Transfers**, also include a **notarized statement granting consent** to the transfer from **each** of the landowners (for Permanent Transfers see Section 12(c)):*

  Names of Current Landowner(s): see attached list
  First Last

  Address: _____

  _____
  City State Zip

- Does the applicant own the lands **TO** which the right is being transferred?

  ☑ Yes ☐ No ☐ N/A - *NOT APPLICABLE TO INSTREAM TRANSFERS*

  *If "**No**", provide the following information:*

  Names of Receiving Landowner(s): _____
  First Last

  Address: _____

  _____
  City State Zip

- Check ***one*** of the following:

  ☐ The receiving landowner will be responsible for completion of the proposed changes after the final order is issued. All notices and correspondence should be sent to this landowner.

  ☑ The applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to the applicant and applicant's agent.

  ☐ N/A. *(Not applicable. Application is for an Instream Water Right Transfer.)*

10. Other Remarks (optional)

This transfer application is associated with three other transfer applications being filed at the same time. We request that all four applications, as much as possible, be processed by the same reviewer and that all four draft preliminary determinations be issued at the same time.

see: T-10532 , T-10534 , T-10535

11. ATTACHMENTS

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

Supplemental Form A –
Description of Proposed Change(s) to a Water Right

☑ A **<u>separate</u>** Supplemental Form A is enclosed for **<u>each</u>** water right to be affected by this transfer.

Supplemental Form B –
Evidence of Use Affidavit(s)

☑ At least one Evidence of Use Affidavit documenting that the right has been used during the last five years or that the right is not subject to forfeiture under ORS 540.610 is attached. The affidavit provided must be the original (not a copy), **<u>and</u>**

☐ The Evidence of Use Affidavit **must** be accompanied by **supporting documentation.**

Map

☑ *Water Right Transfer*
The map must be prepared by a Certified Water Right Examiner and meet the requirements of OAR 690-380-3100 unless a waiver has been granted. The map provided must be the original, not a copy.

☐ *Temporary Transfer or Historical POD Change*
A map meeting the requirements of OAR 690-380-3100 must be included but need **<u>not</u>** be prepared by a Certified Water Right Examiner.

Water Well Report(s)/Well Log(s):

☑ The application is for a change in point of appropriation or change from surface water to ground water and copies of all water well reports are attached.

☐ Water well reports are not available and a description of construction details including well depth, static water level, and information necessary to establish the ground water body developed or proposed to be developed is attached.

☐ N/A. The application does **<u>not</u>** involve a change in point of appropriation or a change from surface water to ground water, so water well reports are **<u>not</u>** required.)

Land Use Information For Proposed Changes:

For Instream Transfers:

☐ Notice of the intent to file an instream transfer application has been provided to each affected local government along the proposed reach, and copies of the notices are enclosed. (*For instream transfers a Land Use Information Form is not required.*)

For All Other Transfers:

☑ Land Use Information Form is enclosed; ***or***

☐ **<u>All</u>** of the following criteria are met, therefore a Land Use Information Form is not required:
- ❶ In EFU zone or irrigation district,
- ❷ Change in place of use only,
- ❸ No structural changes needed, including diversion works, delivery facilities, other structures, ***and***
- ❹ Irrigation only.

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Fees:

☐ Amount enclosed: $_____
See the Department's Fee Schedule at www.wrd.state.or.us or call (503) 986-0900.

<u>Instream Water Right Transfers, also include:</u>

Supplemental Form C –
Instream Water Right Transfer

☐ Complete this form to describe the desired nature and attributes for the proposed instream water right.

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<u>Temporary Transfers, also include:</u>

Recorded Deed:

☐ The applicant must submit a copy of the current deed of record for the land **from** which the authorized place of use or point of diversion/appropriation is being moved.

Affidavit of Consent:

☐ If the applicant is **NOT** the owner of record for the land **from** which the authorized place of use or point of diversion/appropriation is being moved, a notarized statement from the actual owner of record consenting to the proposed transfer must be submitted.

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

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

12. SIGNATURES

- **Check *one* of the following, as appropriate, and sign the application in the signature box below:**

☑ In accordance with OAR 690-380-3000(13)(a), **I (we) understand that prior to Department approval of a permanent transfer and upon my receipt of a draft Preliminary Determination for the proposed transfer, I (we) will be required *[pursuant to OAR 690-380-4010(5)]* to provide the following landownership information and evidence demonstrating that I (we) are authorized to pursue the transfer:**

(a) A **report of ownership and lien information** that has been prepared by a title company *within the last three months;*

(b) A **copy of written notification** of the proposed transfer provided by the applicant to **all lien holders** on the subject lands unless the report of ownership and lien information shows that a water right conveyance agreement has been recorded for the subject lands. *If a water right conveyance agreement has been recorded for the subject lands, a copy of the agreement and identification of the owner of the lands at the time the agreement was recorded must be submitted*; **and**

(c) If the landowner identified in the report of ownership and lien information is **not** the applicant, a **notarized statement consenting to the transfer** *(attached)* signed by the landowner identified in the report or an authorized representative of the entity to whom the interest in the water right has been conveyed as identified in a water right conveyance agreement or other documentation demonstrating that the applicant is authorized to pursue the transfer in the absence of the consent of the landowner.

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☐ **I (we) affirm that interest in the water right has been conveyed to someone other than the landowner**, and documents, **including a water right conveyance agreement**, report of ownership and lien information, and any required lienholder notification **are enclosed**, demonstrating that I am (we are) authorized to pursue the transfer. **I (we) understand that we may be required to provide additional information upon receipt of the draft Preliminary Determination.**

☐ **I (we) affirm that the applicant is a municipality, as defined in ORS 540.510(3)(b), and that the right is in the name of the municipality or a predecessor.** Therefore, pursuant to OAR 690-380-3000(13)(b), the applicant is **NOT** required to provide the above described report of ownership and lien information.

☐ **I (we) affirm that the applicant is an entity with the authority to condemn property and is acquiring the property to which the water right proposed for transfer is appurtenant by condemnation.** Documentation is provided with this application supporting this statement. Therefore, pursuant to OAR 690-380-3000(13)(c), the applicant is **NOT** required to provide the above described report of ownership and lien information. *(NOTE: Such an entity may only apply for a transfer under this subsection if it has filed a condemnation action to acquire the property.*

☐ **I (we) affirm that this is a temporary transfer and a copy of the deed** for the "from" land (and affidavits of consent from any other landowners, if applicable) **is enclosed.**

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

applicant signature	name *and title if applicable* (print)	date
Tom DeArmond	Tom DeArmond owner	2-12-08

Water Right Transfer Supplemental Form A
DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT

COPY

*List only **one** water right per page. A **separate Supplemental Form A** must be completed for **each** certificate, permit, decree, or other right involved in the proposed transfer.*

Attach additional copies of Supplemental Form A as needed to describe other certificates, permits, decrees or other rights involved in this transfer.

Supplemental Portion of Right

- Certificate Number or other identifying number: 44644

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1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

Point of Diversion or Appropriation	Place of Use	Character of Use
☑ **Change** (The old point of diversion or appropriation will **not** be used for the portion of the water right affected by the transfer.)	☐ **All of the right will be exercised at a different location than currently authorized** (Use of water at the current location will be discontinued.)	Proposed new use:
☐ **Additional** (Both the old ***and*** new points of diversion or appropriation will be used for the portion of the water right affected by the transfer.)	☑ **Only a portion of the right will be exercised at a different location than currently authorized** (Use of water at the current location will be discontinued.)	☐ **Irrigation**
☐ **Historic Point of Diversion or Appropriation Change** (Unauthorized point of diversion or appropriation used for more than 10 years.)		☐ **Municipal**
☐ **Surface Water to Ground Water** (A new point of appropriation will be used **instead of** the old point of diversion. The old point of diversion will **not** be used.)		☐ **Quasi-municipal**
☐ **Point of Diversion Change due to Government Action** (The old point of diversion or appropriation can no longer be used due to government action.)		☐ **Commercial**
☐ **Exchange** (Water from another source will be used in exchange for supplying an equal amount of replacement water to that source.)		☐ **Industrial**
		☐ **Instream** (complete and attach ***Supplemental Form C***)
		☐ **Domestic** (indicate number of households) _____
		☐ **Other** _____
		☐ **Substitution** (A supplemental ground water right will be substituted for a primary surface water right.)
		☐ **Supplemental Use to Primary Use** (Primary water right shall be cancelled and the supplemental water right will change to primary use.)

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2. CURRENT WATER RIGHT INFORMATION

Water Right Subject to Transfer *(check and complete **one** of the following):*

☑	Certificated Right	44644 Certificate Number	G-5281 Permit Number or Decree Name
☐	Adjudicated, Non-certificated Right	Name of Decree	Page Number
☐	Permit for which Proof has been Approved	Permit Number	Date Claim of Beneficial Use Submitted
☐	Transferred Right for which Proof has been Filed	Previous Transfer Number	Date Claim of Beneficial Use Submitted

- Name on Permit, Certificate, or Decree: Pioneer Trust Co/John Hooper
- County: Marion
- Authorized Use(s) to be Affected by Transfer: ~~irrigation &~~ suppl irri
- Priority Date(s): 10/5/1970

  *If there are **multiple Priority Dates** identified on the water right, any information provided on **pages 3 through 6** of this form **must identify** which priority date is associated with each of the authorized and proposed points of diversion or appropriation and places of use.*

- Source(s) of Water to be Affected by Transfer: One well

  Tributary to: Pudding River

  *If there are **multiple Sources** listed on the water right, any information provided on **pages 3 through 6** of this form **must identify** which source is associated with each of the authorized and proposed points of diversion or appropriation and places of use.*

For applications proposing a Change in Place of Use or Character of Use:

- Are there **Other Water Rights,** Permits or Ground Water Registrations associated with this land?

  ☑ Yes ☐ No ☐ N/A – *No Change in Place of Use or Character of Use*

  *If "**Yes**", what are the Permit, Registration or Certificate Numbers?* GR-53

  *Pursuant to ORS 540.510, any "layered" water use or a right that is supplemental to a primary right proposed for transfer **must be included in the transfer or be cancelled**, except as provided in OAR 690-380-2240(5).*

- Certificate Number or other identifying number: 44644

*The following information **must be provided** only for those points of diversion or appropriation that **are involved in the transfer (i.e., list only the portion of the water right you propose to transfer.)** Attach additional pages as necessary.*

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

Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:
(i.e., the allowed point(s) of diversion or appropriation listed on the water right that will be affected by the proposed transfer, the "FROM" point(s) of diversion or appropriation)

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-____)	Source and Priority Date	Township	Range	Mer	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
MARI-2435	10/5/1970	5S	2W	WM	12	SESW	DLC 98	1540'N & 1070'E SW cor DLC98

- Does the water right being transferred involve a ground water source(s)?
  ☑ Yes ☐ No *(Surface water source only.)*

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

A. *Supply a copy of the well log(s) for **each** point of appropriation that is **clearly labeled** and associated with the corresponding well in the table above and on the accompanying application map. (**NOTE:** You may search for well logs on the Department's web page at: http://www.wrd.state.or.us)*

or

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

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Construction of Existing Authorized Point(s) of Appropriation – ***(Only needed if no well log is available.)***
*Wells in this listing must be **clearly tied** to corresponding well location(s) described in the table above and shown on the accompanying application map.*

OWRD Well No. as identified in table above	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
							T 10533		

- Certificate Number or other identifying number: 44644

Will the ENTIRE water right be affected by this transfer? ☐ **Yes** ☑ **No**

*If **"Yes"**, the remainder of this page does not need to be completed. Go on to the next page.*

*If **"No"**, the following information **must be provided** only for those places of use that **are involved in the transfer** (i.e., list only the portion of the water right to be affected by the change.) Attach additional pages as necessary.*

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

Location of Existing Authorized Place of Use to be Affected:
(i.e., the allowed lands listed on the water right that will be affected by the proposed transfer, the "FROM" lands)

Source and Priority Date	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
One well 10/5/1970	5S	2W	WM	12	~~SWSW~~ SE SW	DLC 98	12.1supplemental
				13	NENW	DLC 98	13.5 supplemental

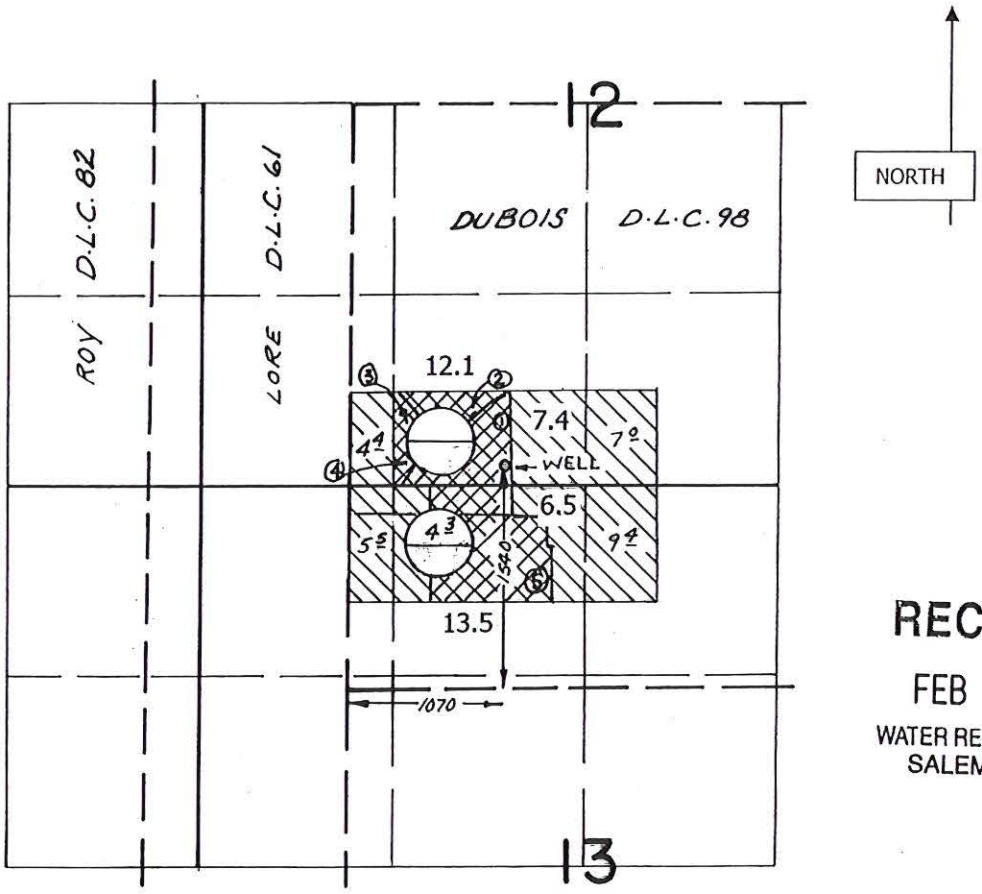
FROM

TRANSFER APPLICATION MAP IN THE NAME OF

COPY

THOMAS H. DeARMOND

T 5 S R 2 W, W.M.



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Map Tax Lot
reference numbers:

T5S R2W 12C
1 – TL 2000
2 – TL 2300
3 – TL 2200
4 – TL 2100
T5S R2W 13
5 – TL 1400

Scale 1" = 1320'

Certified Water Rights Examiner
#75
DONALD E. KNAUER
Nov. 19, 1987
STATE OF OREGON

This map is for water right purposes only.

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RENEWAL DATE: 6/30/2009

- Certificate Number or other identifying number: 44644

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

Location of Proposed Place of Use: *(i.e., the "TO" lands)* ☐ *N/A – Instream Water Right Transfer*

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

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
wells 1,2,8,9	4S	1W	WM	32	NWNE	DLC 56	5.3
					SWNE	DLC 56	20.3

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Remarks: _____

_____

_____

- Certificate Number or other identifying number: 44644

3. PROPOSED CHANGES TO THE WATER RIGHT

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

Location of Proposed Point(s) of Diversion or Appropriation:

(i.e., the "TO" point(s) of diversion or appropriation) ☐ *N/A – Instream Water Right Transfer*

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

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
WELL 1	4S	1W	WM	32	SENW	DLC 56	60'N & 1950'E-W 1/4 cor sec 32
WELL 2				32	SENW	DLC 56	980'N & 1650'E-W 1/4 cor sec 32
WELL 8				32	NENW	DLC 56	1380'N & 920'W center sec 32
WELL 9				32	SENE	DLC 56	540'S & 860'W NE cor DLC 56

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

  *If "**Yes**", attach and **clearly label** the corresponding well log(s) for each proposed well, or if well log(s) are **not** available, describe the construction of the well(s) using the table below. (NOTE: You may search for well logs on the Department's web page at: http://www.wrd.state.or.us)*

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

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

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

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

COPY

Last revised: 7/27/2007

Water Right Transfer Supplemental Form A
DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT

*List only **one** water right per page. A **separate Supplemental Form A** must be completed for **each** certificate, permit, decree, or other right involved in the proposed transfer.*

Attach additional copies of Supplemental Form A as needed to describe other certificates, permits, decrees or other rights involved in this transfer.

Primary Portion of Right

- Certificate Number or other identifying number: 44644

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1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

Point of Diversion or Appropriation	Place of Use	Character of Use
☑ **Change** (The old point of diversion or appropriation will **not** be used for the portion of the water right affected by the transfer.)	☐ **All of the right will be exercised at a different location than currently authorized** (Use of water at the current location will be discontinued.)	Proposed new use:
☐ **Additional** (Both the old ***and*** new points of diversion or appropriation will be used for the portion of the water right affected by the transfer.)	☑ **Only a portion of the right will be exercised at a different location than currently authorized** (Use of water at the current location will be discontinued.)	☐ **Irrigation**
☐ **Historic Point of Diversion or Appropriation Change** (Unauthorized point of diversion or appropriation used for more than 10 years.)		☐ **Municipal**
☐ **Surface Water to Ground Water** (A new point of appropriation will be used **instead of** the old point of diversion. The old point of diversion will **not** be used.)		☐ **Quasi-municipal**
☐ **Point of Diversion Change due to Government Action** (The old point of diversion or appropriation can no longer be used due to government action.)		☐ **Commercial**
☐ **Exchange** (Water from another source will be used in exchange for supplying an equal amount of replacement water to that source.)		☐ **Industrial**
		☐ **Instream** (complete and attach ***Supplemental Form C***)
		☐ **Domestic** (indicate number of households) _____
		☑ **Other** NURSERY USE
		☐ **Substitution** (A supplemental ground water right will be substituted for a primary surface water right.)
		☐ **Supplemental Use to Primary Use** (Primary water right shall be cancelled and the supplemental water right will change to primary use.)

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2. CURRENT WATER RIGHT INFORMATION

Water Right Subject to Transfer *(check and complete **one** of the following):*

☑	Certificated Right	44644 Certificate Number	G-5281 Permit Number or Decree Name
☐	Adjudicated, Non-certificated Right	 Name of Decree	 Page Number
☐	Permit for which Proof has been Approved	 Permit Number	 Date Claim of Beneficial Use Submitted
☐	Transferred Right for which Proof has been Filed	 Previous Transfer Number	 Date Claim of Beneficial Use Submitted

- Name on Permit, Certificate, or Decree: Pioneer Trust Co/John Hooper
- County: Marion
- Authorized Use(s) to be Affected by Transfer: irrigation &~~suppl irri~~
- Priority Date(s): 10/5/1970

*If there are **multiple Priority Dates** identified on the water right, any information provided on **pages 3 through 6** of this form **must identify** which priority date is associated with each of the authorized and proposed points of diversion or appropriation and places of use.*

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- Source(s) of Water to be Affected by Transfer: One well

Tributary to: Pudding River

*If there are **multiple Sources** listed on the water right, any information provided on **pages 3 through 6** of this form **must identify** which source is associated with each of the authorized and proposed points of diversion or appropriation and places of use.*

For applications proposing a Change in Place of Use or Character of Use:

- Are there **Other Water Rights,** Permits or Ground Water Registrations associated with this land?

■ Yes ☑ No ☐ N/A – *No Change in Place of Use or Character of Use*

*If "**Yes**", what are the Permit, Registration or Certificate Numbers?* ~~GR-50~~

*Pursuant to ORS 540.510, any "layered" water use or a right that is supplemental to a primary right proposed for transfer **must be included in the transfer or be cancelled**, except as provided in OAR 690-380-2240(5).*

- Certificate Number or other identifying number: 44644

*The following information **must be provided** only for those points of diversion or appropriation that **are involved in the transfer** (i.e., **list only the portion of the water right you propose to transfer.**)*
Attach additional pages as necessary.

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

Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed
(i.e., the allowed point(s) of diversion or appropriation listed on the water right that will be affected by the proposed transfer, the "FROM" point(s) of diversion or appropriation)

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-___)	Source and Priority Date	Township	Range	Mer	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
MARI-2435	10/5/1970	5S	2W	WM	12	SESW	DLC 98	1540'N & 1070'E SW cor DLC98

- Does the water right being transferred involve a ground water source(s)?
  ☑ Yes ☐ No *(Surface water source only.)*

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

A. *Supply a copy of the well log(s) for **each** point of appropriation that is **clearly labeled** and associated with the corresponding well in the table above and on the accompanying application map. (**NOTE:** You may search for well logs on the Department's web page at: http://www.wrd.state.or.us)*

or

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

Construction of Existing Authorized Point(s) of Appropriation – ***(Only needed if no well log is available.)***
*Wells in this listing must be **clearly tied** to corresponding well location(s) described in the table above and shown on the accompanying application map.*

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

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- Certificate Number or other identifying number: 44644

Will the ENTIRE water right be affected by this transfer? ☐ **Yes** ☑ **No**

If "Yes", the remainder of this page does not need to be completed. Go on to the next page.

*If "No", the following information **must be provided** only for those places of use that are **involved in the transfer** (i.e., list only the portion of the water right to be affected by the change.) Attach additional pages as necessary.*

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

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Location of Existing Authorized Place of Use to be Affected:
(i.e., the allowed lands listed on the water right that will be affected by the proposed transfer, the "FROM" lands)

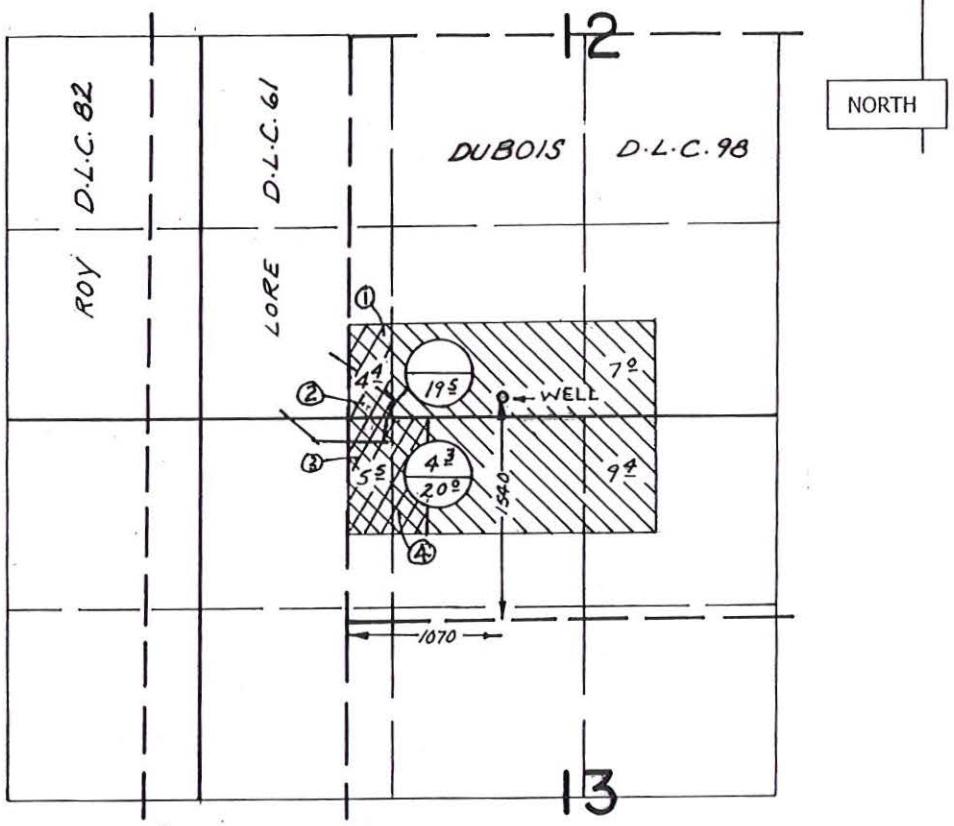
Source and Priority Date	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
One well 10/5/1970	5S	2W	WM	12	SWSW	DLC 98	4.4 primary
				13	NENW	DLC 98	4.3 primary
					NWNW	DLC 98	5.5 primary

TRANSFER APPLICATION MAP IN THE NAME OF

THOMAS H. DeARMOND

T 5 S R 2 W, W.M.

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Map Tax Lot
reference numbers:

T5S R2W 12C
1 – TL 2200
2 – TL 2100
T5S R2W 13
3 – TL 1500
4 – TL 1400

Scale 1" = 1320'

This map is for water right purposes only.

Certified Water Rights Examiner
#75
DONALD E. KNAUER
Nov. 19, 1987
STATE OF OREGON

T 10533

RENEWAL DATE: 6/30/2009

- Certificate Number or other identifying number: 44644

3. PROPOSED CHANGES TO THE WATER RIGHT

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

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Location of Proposed Point(s) of Diversion or Appropriation:
(i.e., the "TO" point(s) of diversion or appropriation) ☐ *N/A – Instream Water Right Transfer*
*(NOTE: Complete this table **only** if a Change in Point of Diversion or Appropriation is being proposed.)*

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
OWRE 1	4S	1W	WM	31	NENE	DLC 59	607'N & 812'W SE cor DLC 59
OWRE 2				30	SESE	DLC 59	1000'N & 50'W SE cor sec 30
OWRE 3				31	NENE	DLC 59	220'N & 400'W SE cor DLC 59

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

  *If "**Yes**", attach and **clearly label** the corresponding well log(s) for each proposed well, **or** if well log(s) are **not** available, describe the construction of the well(s) using the table below. (NOTE: You may search for well logs on the Department's web page at: http://www.wrd.state.or.us)*

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

Construction of Proposed Point(s) of Appropriation or Well(s)
*Well numbers in this listing must be **clearly tied** to corresponding well location(s) described in the table above and shown on the accompanying application map.*

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

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SALEM, OREGON

T 10577

- Certificate Number or other identifying number: 44644

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

Location of Proposed Place of Use: *(i.e., the "TO" lands)* ☐ *N/A – Instream Water Right Transfer*

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

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
OWRE 1,2,3	4S	1W	WM	29	NESW		2.3
					NWSW		11.9

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Remarks: The intention is to transfer the 14.2 acres of irrigation acreage to be added to the existing irrigation water right under certificate 83086 combing the two irrigation rights to make Nursery Use, The application to change the existing irrigation to nursery use is being filed concurrently.

T-10533

Oregon

Theodore R. Kulongoski, Governor

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

September 30, 2008

DON KNAUER
PO BOX 5416
SALEM, OR 97304

REFERENCE: Request for Additional Information Related to Transfer Applications T-10532 and T-10533 and Ground Water Registration Modification Application T-10534

Dear Mr. Knauer:

Thank you for submitting the requested reports of ownership and lien information for Transfer Applications T-10532, T-10533 and T-10535 and Ground Water Registration Modification Application T-10534.

No additional information is necessary for Transfer T-10535. For Transfers T-10532 and T-10533 and GR Modification T-10534, however, additional information is needed in order to establish that all subsequent purchasers of land involved in the "FROM" lands (specific to Lots 1 and 2 Town Center at Woodburn) were sufficiently noticed that the land they were purchasing did not include any water rights. A detailed description of the Department's request is outlined below:

1. ***Limited Lot Book Service – Order No. 7089-1271102:***

   Involving: ***Lots 1 through 39, inclusive, Tract A and Tract B, Evergreen Meadows in the City of Woodburn, County of Marion, State of Oregon. (Plat 46-43)***

   Formerly known as Lot 1 of Town Center at Woodburn, Marion County, Oregon. (Plat 45-72)

   The Limited Lot Book Service report you provided clearly shows that K & R Holdings Evergreen Meadows, LLC was the owner of the above-described land at the time they signed a Quit Claim Deed (dated December 7, 2007) conveying all appurtenant water rights to Capital Development Company.

   Since the Quit Claim Deed was signed on December 7, 2007, however, the above-described land has been subdivided and parcels have been sold. The Department must be able to establish that all of the owners that purchased property subsequent to the signing of the Quit Claim Deed received sufficient notice that the property they were purchasing did not include any water rights. The Department does not currently have adequate information to make such a determination.

   At this time, the Department must receive additional information demonstrating that all of the subsequent owners of the above-described land received sufficient notice that the property they were purchasing did not include any water rights.

Examples of additional documentation that may establish sufficient notice was provided to all purchasers subsequent to December 7, 2007 when the Quit Claim Deed was signed includes, but is not limited to, the following:

- A copy of the Quit Claim Deed that has been recorded in Marion County's deed records (or some other verification from the county indicating the document has been recorded.); or
- A copy of property sale documentation for each of these parcels of land no longer owned by K & R Holdings Evergreen Meadows, LLC that clearly states that the land being purchased does not include any water rights; or
- A statement from all owners of land no longer owned by K & R Holdings Evergreen Meadows, LLC that they consent to proposed Transfers T-10532 and T-10533 and Ground Water Registration Modification T-10534; or
- Some other documentation to demonstrate that all of the owners that purchased property subsequent to the signing of the Quit Claim Deed on December 7, 2007 received sufficient notice that the property they were purchasing did not include any water rights.

2. ***Limited Lot Book Service – Order No. 7089-1271109:***

Involving: ***Lots 147 through 234, inclusive, Montebello 3 in the City of Woodburn, Marion County, Oregon. (Plat 46-72)***

Formerly Lot 2 Town Center at Woodburn, Marion County, Oregon. (Plat 45-72)

The Limited Lot Book Service report you provided clearly shows that Montebello Estates I, LLC was the owner of the above-described land at the time they signed a Quit Claim Deed (dated January 28, 2008) conveying all appurtenant water rights to Capital Development Company.

Since the Quit Claim Deed was signed on January 28, 2008, however, the above-described land has been subdivided and parcels have been sold. The Department must be able to establish that all of the owners that purchased property subsequent to the signing of the Quit Claim Deed received sufficient notice that the property they were purchasing did not include any water rights. The Department does not currently have adequate information to make such a determination.

At this time, the Department must receive additional information demonstrating that all of the subsequent owners of the above-described land received sufficient notice that the property they were purchasing did not include any water rights.

Examples of additional documentation that may establish sufficient notice was provided to all purchasers subsequent to January 28, 2008 when the Quit Claim Deed was signed includes, but is not limited to, the following:

- A copy of the Quit Claim Deed that has been recorded in Marion County's deed records (or some other verification from the county indicating the document has been recorded.); or
- A copy of property sale documentation for each of these parcels of land no longer owned by Montebello Estates I, LLC that clearly states that the land being purchased does not include any water rights; or

- A statement from all owners of land no longer owned by Montebello Estates I, LLC that they consent to proposed Transfers T-10532 and T-10533 and Ground Water Registration Modification T-10534; or

- Some other documentation to demonstrate that all of the owners that purchased property subsequent to the signing of the Quit Claim Deed on January 28, 2008 received sufficient notice that the property they were purchasing did not include any water rights.

Please submit the requested information to the Department by **Friday, November 7, 2008**. If we do not receive the requested items by that date, a Preliminary Determination *may* be issued denying the applications.

If I may be of any assistance, please don't hesitate to contact me by telephone at (503) 986-0880 or by e-mail at Lisa.J.Jaramillo@wrd.state.or.us.

Sincerely,

Lisa J. Jaramillo
Transfer Specialist
Field Services Division

cc: , Thomas DeArmond, 11463 Broadacres Road NE, Hubbard, OR 97032
Capital Development Corp., Attn: John R. Donaldson, 711 Sleater-Kinney Road SE, Lacey, WA 98503

T-10533

Oregon

Theodore R. Kulongoski, Governor

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

August 13, 2008

Don Knauer
PO Box 5416
Salem, OR 97304

REFERENCE: Transfer Applications T-10532, T-10533, T-10535 and Ground Water Registration Modification T-10534

Dear Mr. Knauer:

During our telephone conversation on August 8, 2008, you requested the Department's statutory authority to ask for copies of recorded quit claim deeds if pursuing reports of ownership and lien information prepared as of the date of the quit claim deeds. I am currently researching the basis for the Department's position on the importance of recorded water right conveyance agreements and will follow up with a letter in the near future.

In the meantime, please place your request to the title company for reports of ownership and lien information on hold until you receive the Department's follow up letter mentioned above.

Thank you for your cooperation in this matter. Please don't hesitate to contact me by telephone at 503-986-0880 or be e-mail at Lisa.J.Jaramillo@wrd.state.or.us if you have any further questions or concerns.

Sincerely,

Lisa J. Jaramillo
Transfer Section
Field Services Division

cc: Mike McCord, Watermaster Dist. #16
Thomas DeArmond, 11463 Broadacres Road NE, Hubbard, OR 97032
Capital Development Corp., Attn: John R. Donaldson, 711 Sleater-Kinney Road SE, Lacey, WA 98503
GSI Water Solutions, Inc., Attn: Jeff Barry, 55 SW Yamhill Street, Suite 400, Portland, OR 97204

T-10533

Capital Development Company

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WATER RESOURCES DEPT
SALEM, OREGON

July 29, 2008

Ms. Lisa Jaramillo
Oregon Water Resources Department
725 Summer Street NE Suite A
Salem, Oregon 97301-1271

Subject: Transfer T-10532 thru T-10535

Dear Ms. Jaramillo,

Pursuant to your letter dated July 22, 2008 to Don Knaur, Capital Development Company consents to the proposed modification (T-10534) for the portion of the groundwater registration claim (located on Lots 13 and 14, Town Center at Woodburn, Marion County, Oregon) that is NOT included on the map attached to the July 16, 2007 Water Rights Purchase Agreement. Furthermore Capital Development consents to any other modification described in the transfer applications submitted by Mr. Knaur.

Please contact me at (360)-491-6850 if you have any questions.

Sincerely,

John Donaldson
Senior Vice President

CC: Jeff Barry/GSI
Don Knauer

P.O. Box 3487 • Lacey, Washington 98509-3487
711 Sleater Kinney Rd. S.E. • Lacey, Washington 98503-1124
Telephone # 360/491-6850 • FAX # 360/459-8747
ID# 01-CA-PI-TD ★ 323D5

T-10533

Oregon
Theodore R. Kulongoski, Governor

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

July 22, 2008

DON KNAUER
PO BOX 5416
SALEM, OR 97304

REFERENCE: Required Reports of Ownership and Lien Information for Transfer Applications T-10532, T-10533 and T-10535 and Ground Water Registration Modification Application T-10534

Dear Mr. Knauer:

As we discussed during our telephone conversation on July 11, 2008, I have prepared a detailed listing to identify the appropriate dates for which the various Reports of Ownership and Lien Information should be prepared. As you requested, a copy of the maps used to plot the deeds and determine the dates for the ownership information reports is enclosed for your use. I have also identified a few other items that need further attention. Please provide the following:

1. ***Land Use Information Form:***

   The Land Use Information Form submitted for Transfer Applications T-10532, T-10533 and T-10535 and Modification Application T-10534 *(copy enclosed)* references Tax Lot 300 in the SW ¼ NW ¼ of Section 29, T. 4S, R. 1W, WM. Review of the applications and maps however, indicate that the "TO" lands in Section 29 are actually located in the NE ¼ SW ¼, NW ¼ SW ¼ and SW ¼ SW ¼. Therefore, please submit a new land use form signed by the County that includes the NE ¼ SW ¼, NW ¼ SW ¼ and SW ¼ SW ¼ of Section 29, T. 4S, R. 1W, W.M.

2. ***Copies of Recorded Quitclaim Deeds:***

   Copies of several quitclaim deeds were submitted to the Department along with the applications for transfer and modification. Some of those quitclaim deeds, however, do not contain any official stamp or marking indicating that they have been properly recorded in the county deed records. Please provide a copy of the actual documents that have been recorded in Marion County's deed records *(or some other form of verification from the county indicating the documents have been recorded)* for the following quitclaim deeds:

   a. Quitclaim deed dated January 28, 2008, assigning interest in water rights appurtenant to land described as Lot 2, Town Center at Woodburn, Marion County, Oregon from Montebello Estates I, LLC to Capital Development Company;

      and

   b. Quitclaim deed dated December 7, 2007, assigning interest in water rights appurtenant to land described as Lot 1, Town Center at Woodburn, Marion County, Oregon from K & R Holdings Evergreen Meadows, LLC to Capital Development Company.

3. ***Copy of Recorded Statutory Special Warranty Deed:***

A copy of a statutory special warranty deed was submitted to the Department along with the applications for transfer and modification. The deed, however, does not contain any official stamp or marking indicating that it has been properly recorded in the county deed records. Please provide a copy of the actual document that has been recorded in Marion County's deed records *(or some other form of verification from the county indicating the documents have been recorded)* for the following deed:

a. Statutory Special Warranty Deed dated January 11, 2007, in which Capital Development Company conveyed land described as Lots 5 and 6, Town Center at Woodburn, Marion County, Oregon to KWDS, LLC, but retained their interest in the water rights appurtenant to the land.

4. ***Clarification of the Water Rights Purchase Agreement dated July 16, 2007:***

The Water Rights Purchase Agreement dated July 16, 2007, between Capital Development Company and Tom DeArmond does not specify where the "certain valid water rights" are located. A map attached to the agreement does however, illustrate where "water rights valid for transfer" are located.

Based upon review of this information provided to the Department, it is clear that all of the "FROM" lands involved in Transfers T-10532 and T-10533 are included on the map attached to the July 16, 2007 Water Rights Purchase Agreement, and therefore can be considered as part of the agreement.

However, *only a portion* of the "FROM" lands involved in ground water registration modification T-10534 are included on the map attached to the July 16, 2007, Water Rights Purchase Agreement. The portion of the ground water registration proposed for modification that is NOT included on the map attached to the agreement is located in Lots 13 and 14, Town Center at Woodburn, Marion County, Oregon.

Therefore, please provide either of the following for Ground Water Registration Modification Application T-10534:

a. An amended Water Rights Purchase Agreement (or any existing written agreement) between Capital Development Company and Tom DeArmond that clearly identifies that all parts of the ground water registration claim proposed for modification that are located on any and all portions of Lots 13 and 14, Town Center at Woodburn, Marion County, Oregon are included in the agreement;

or

b. A written statement from Capital Development Company consenting to the proposed modification (T-10534) for the portion of the ground water registration claim (located on Lots 13 and 14, Town Center at Woodburn, Marion County, Oregon) that is NOT included on the map attached to the July 16, 2007 Water Rights Purchase Agreement.

5. ***Reports of Ownership and Lien Information for T-10532, T-10533 & T-10534:***

As required by OAR 690-380-4010(5) for transfers and OAR 690-382-0700(5) for ground water registration modifications, a report of ownership and lien information for the land to which the water rights are appurtenant, prepared within the prior three months, must be submitted to the Department.

Below is a table that describes all of the "FROM" lands involved in Transfers T-10532 and T-10533, as well as Modification T-10534. The table is organized by lot number and indicates the appropriate date for which the Report of Ownership and Lien Information should be prepared for each lot number and identifies the associated transfer and/or modification application(s).

Lot Number (within Town Center at Woodburn, Marion Co., OR)	**ROLI to be Prepared for the Date Specified Below**	**Transfer Number** (involves land within the specified Lot Number)
1	**12-7-07**	T-10533 & T-10534
2	**1-28-08**	T-10533 & T-10534
3	**12-31-03**	T-10532
4	**12-31-03**	T-10532
5	**12-31-03**	T-10532
6	**12-31-03**	T-10532 & T-10533
7	**12-31-03**	T-10532
8	**12-31-03**	T-10532
9	**12-31-03**	T-10532
10	**12-31-03**	T-10532
11	**12-31-03**	T-10532 & T-10533
12	**12-31-03**	T-10532, T-10533 & T-10534
13	**12-31-03**	T-10534
14	**12-31-03**	T-10534

6. ***Report of Ownership and Lien Information for T-10535:***

As required by OAR 690-380-4010(5) for transfers, a report of ownership and lien information for the land to which the water rights are appurtenant, prepared within the prior three months, must be submitted to the Department.

Below is a table that describes all of the "FROM" lands involved in Transfers T-10535. The table is arranged by township, range, section, quarter-quarter section and tax lot. *(A copy of the county tax lot maps used to determine the "FROM" lands are enclosed for your reference.)*

Twp	**Rng**	**Mer**	**Sec**	**¼ ¼**	**Tax Lot Number**
4 S	1W	WM	29	NE SW	300
4 S	1W	WM	29	NW SW	
4 S	1W	WM	29	SW SW	
4 S	1 W	WM	32	NW NW	
4 S	1 W	WM	30	NE SE	900
4 S	1 W	WM	30	SE SE	
4 S	1 W	WM	31	NW NE	100
4 S	1 W	WM	31	NW NE	200
4 S	1 W	WM	31	NW NE	300

Please submit the requested materials to the Department by **Tuesday, August 12, 2008**. If we do not receive the requested items by that date, a Preliminary Determination *may* be issued denying the applications.

If you have any questions, please feel free to contact me by telephone at (503) 986-0880 or by e-mail at Lisa.J.Jaramillo@wrd.state.or.us.

Sincerely,

Lisa J. Jaramillo
Transfer Specialist
Field Services Division

cc: Thomas DeArmond, 11463 Broadacres Road NE, Hubbard, OR 97032
Capital Development Corp., Attn: John R. Donaldson, 711 Sleater-Kinney Road SE, Lacey, WA 98503

T-10533

DON KNAUER / *Water Right Consultation and Water Right Surveys*
PO Box 5416 Salem OR 97304 phone & fax: 503-585-8474 cell: 503-508-7862

July 11, 2008

Lisa Jaramillo, Transfer Specialist
Oregon Water Resources Department
725 Summer Street NE Suite A
Salem Oregon 97301-1271

Re: T-10534

Dear Ms. Jaramillo,

Though not originally requested in your letter of June 11, 2008 but due to your request by telephone this afternoon, I am sending copies of the "exemptions" form the Statutory Bargain and Sale Deed dated 12-31-2003. As I explained to you on the telephone, there is no deed for the last exemption Montebello 1&2. You will find those subdivisions shown on the Marion County Tax Assessor plat.

I am requesting a copy of the map, when finished, you use to plot the deeds. It will help me to insure I know exactly what you are requesting in the way of water right transfer agreements and owners and lien holders.

Sincerely,

Don Knauer

Enc

Copy without enc: Tom DeArmond
Jeff Berry

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T-10532

Reel 2260 Page 106

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FEB 12 2008
WATER RESOURCES DEPT
SALEM, OREGON

RECORDING REQUESTED BY
Fidelity National Title Company of Oregon

GRANTOR'S NAME
Pioneer Trust Bank, N.A.

GRANTEE'S NAME
Capital Development Company

SEND TAX STATEMENTS TO:
Capital Development Company
P.O. Box 3487
Lacey, WA 98509

AFTER RECORDING RETURN TO:
Capital Development Company
P.O. Box 3487
Lacey, WA 98509

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY BARGAIN and SALE DEED

Fidelity National Title

PIONEER TRUST BANK, N.A. which was formerly known as Pioneer Trust Company, as TRUSTEE and PIONEER TRUST BANK, N.A. which was formerly known as Pioneer Trust Company, Grantor, conveys to

Capital Development Company, A Washington corporation, Grantee, the following described real property, situated in the County of Marion, State of Oregon,

SEE EXHIBIT ONE ATTACHED HERETO AND MADE A PART HEREOF

VACATING ANY AND ALL RIGHTS TO EASEMENT AND MAINTENANCE AGREEMENT RECORDED 1/2/75 IN REEL 6, PAGE 1218;

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS FULFILLMENT OF THAT CERTAIN CONTRACT RECORDED September 9, 1991, in Book 882, Page 388, Marion County, Oregon. (See ORS 93.030)

6004-47

AFTER RECORDING RETURN TO: TICOR TITLE ORIGINAL TITLE INSURANCE CO.

DATED: December 31, 2003

Pioneer Trust Bank, N.A.

By: Susan I. Cobb
Trust officer

STATE OF OREGON
COUNTY OF Marion

This instrument was acknowledged before me on January 2, 2004
by Susan I. Cobb
as Trust Officer
of Pioneer Trust Bank, N.A.

Loraine Hansen
NOTARY PUBLIC FOR OREGON
MY COMMISSION EXPIRES: March 27, 2005

OFFICIAL SEAL
LORAINE HANSEN
NOTARY PUBLIC - OREGON
COMMISSION NO. 343393
MY COMMISSION EXPIRES MARCH 27, 2005

Escrow No. 04-800642-CJJ-22
Title Order No. 00800642

EXHIBIT ONE

A parcel of land lying in the A. Dubois Donation land Claim No. 98, and the M. Lore Donation Land Claim No. 61, in Sections 12, 13 and 14, Township 5 South, Range 2 West of the Willamette Meridian, in the City of Woodburn, Marion County, Oregon, more particularly described as follows:

Beginning at a 5/8 inch iron rod marking the Southwest corner of the A. Dubois Donation Land Claim No. 98, in said Township and Range and running thence South 00°39'31" West 530.27 feet to a 1/4 inch iron pipe; thence North 89°32'20" West 2110.97 feet to a point on the Easterly right of way line of Interstate Highway 5; thence along said right of way line North 35°53'54" East 3649.14 feet to a point on the Westerly line of said Donation Land Claim No.98; thence along said Donation Land Claim line South 00°31'65" West 69.04 feet; thence continuing along said Easterly right of way line North 35°57'00" East 246.21 feet; thence South 88°51'55" East 1349.22 feet; thence North 00°40'55" East 27.96 feet to a point on the Southerly line of West Hayes Street; thence along said Southerly line South 88°51'55" East 828.17 feet to a point on the Westerly line of Evergreen Road; thence along said Westerly line South 00°47'17" West 2111.00 feet to a 5/8 inch iron rod; thence North 89°28'13" West 2110.60 feet to a point on first said Westerly line of said Donation Land Claim No. 98; thence along said Westerly line South 00°31'55" West 470.58 feet to the point of beginning, all in Marion County, Oregon.

EXCEPTING THEREFROM that portion described in Deed to Capital Develop., recorded January 18, 2001 in Reel 1744, Page 496.

ALSO EXCEPTING THEREFROM that portion described in deed to Capital Development Company, recorded December 21, 2001 in Reel 1879, Page 70.

ALSO EXCEPTING THEREFROM that portion described in deed to Capital Development Company, recorded December 26, 2001 in Reel 1880, Page 327.

ALSO EXCEPTING THEREFROM that portion described in deed to Capital Development Company, recorded April 25, 2002 in Reel 1934, Page 297.

ALSO EXCEPTING THEREFROM that portion lying within the exterior boundary lines of MONTEBELLO 1 and MONTEBELLO 2.

FORM No. 773 – BARGAIN AND SALE DEED (Individual or Corporate)

HA

REEL 1744 PAGE 496

BARGAIN AND SALE DEED

KNOW ALL MEN BY THESE PRESENTS, That Pioneer Trust Bank, N.A., as Trustee and Pioneer Trust Bank, N.A., *hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto* Capital Development Company, *hereinafter called grantee, and unto grantee's heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of* Marion, *State of Oregon, described as follows, to-wit:*

SEE ATTACHED EXHIBIT A & B

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

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

The true and actual consideration paid for this transfer, stated in terms of dollars, is $partial release ①*However, the actual consideration consists of or includes other property or value given or promised which is the whole part of the consideration (indicate which).*① *(The sentence between the symbols ①, if not applicable, should be deleted. See ORS 93.030.)*

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 18 *day of* January, X2001 *if a corporate grantor, it has caused its name to be signed and its seal affixed by an officer or other person duly authorized to do so by order of its board of directors.*

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

Pioneer Trust Bank, N.A., Trustee and
Pioneer Trust Bank, N.A.

BY: [signature] Vice President

STATE OF OREGON, County of Marion) ss.

This instrument was acknowledged before me on ....., 19.....

by .....

This instrument was acknowledged before me on January 18, X2001

by Wes Bouche'

as Vice President

of Pioneer Trust Bank, N.A.

OFFICIAL SEAL
BONNIE BEAL
NOTARY PUBLIC - OREGON
COMMISSION NO. 332631
MY COMMISSION EXPIRES JUNE 8, 2004

[signature] *Notary Public for Oregon*

My commission expires 6-8-04

Pioneer Trust Bank, N.A.
PO Box 2305
Salem OR 97308
Grantor's Name and Address

Capital Development Company
PO Box 3487
Lacey WA 98503-1124
Grantee's Name and Address

After recording return to (Name, Address, Zip):
Pioneer Trust Bank, N.A
PO Box 2305
Salem OR 97308

Until requested otherwise, send all tax statements to (Name, Address, Zip):
NO CHANGE

SPACE RESERVED FOR RECORDER'S USE

STATE OF OREGON, } ss.
County of .....

I certify that the within instrument was received for record on the ..... *day of* ....., *19*....., *at* ..... *o'clock* ..... *M., and recorded in book/reel/volume No.* ..... *on page* ..... *or as fee/file/instrument/microfilm/reception No.* ....., *Record of Deeds of said County.*

Witness my hand and seal of County affixed.

NAME TITLE

By ..... *Deputy*

JAN 18 2001

1744/0496 A.T.S. SEE NEXT PAGE!

RECEIVED
JUL 14 2008
WATER RESOURCES DEPT.
SALEM, OREGON

EXHIBIT A

A Parcel of land situate in the A. Dubois Donation Land Claim No. 98 in the Southeast ¼ and the Southwest ¼ of Section 12; Township 5 South; Range 2 West; Willamette Meridian, City of Woodburn, Marion County, Oregon more particularly described as follows:

Commencing at 5/8 inch iron at the southwest corner of the A. Dubois Donation Land Claim No. 98 in Section 13; Township 5 South; Range 2 West; Willamette Meridian; thence North 00°31'55" East 470.58 feet; thence South 89°28'00" East 2114.27 feet to an iron rod in the westerly right of way of Evergreen Road, before 1999 vacation; thence North 00°47'18" East along said right of way 1999.92 feet to a point in the westerly right of way of Evergreen Road the TRUE POINT OF BEGINNING; thence along the Evergreen right of way 654.50 feet along the arc of a curve to the right with a radius of 488.00 feet, a central angle of 76°50'41" and with a chord bearing of South 52°21'57" West and a chord length of 606.54 feet; thence along Evergreen right of way North 89°12'43" West 85.76 feet; thence along the Evergreen right of way 167.22 feet along the arc of a curve to the left with a radius of 1587.00 feet, a central angle of 06°02'14" and with a chord bearing of South 87°46'14" West and a chord length of 167.15 feet; thence along the Evergreen and Lawson right of way 33.54 feet along the arc of a curve to the right with a radius of 20.00 feet, a central angle of 96°05'02" and with a chord bearing of North 47°12'22" West and a chord length of 29.75 feet; thence North 00°50'09" East along the easterly right of way of Lawson Street 453.28 feet to the intersection of the south right of way of West Hayes Street; thence South 88°52'09" East along the south right of way of West Hayes Street 121.30 feet to an 5/8 inch iron rod; thence North 00°40'23" East along the south right of way of West Hayes Street 28.09 feet to a 5/8 inch iron rod; thence South 88°52'13" East along the south right of way of West Hayes Street 628.17 feet to a 5/8 inch iron rod; thence South 88°49'26" East along the south right of way of West Hayes Street 13.00 feet to a 5/8 inch iron rod in the westerly right of way of Evergreen Road; thence along the Evergreen Road right of way 111.96 feet along the arc of a curve to the right with a radius of 488.00 feet, a central angle of 13°08'43" and with a chord bearing of South 07°22'15" West and a chord length of 111.72 feet to the TRUE POINT OF BEGINNING.

Said Parcel contains 7.34 acres, more or less.

R14791 = 05-2W·13·00200
1708-0549,0550

TKS: R327952 = 05·2W·12C·01700
7.34 AC. NET

TKS: R327953 = 05·2W·12C·01800
17.89 AC. NET

LVS: R14791 = 05·2W·13·00200
100.19 AC. NET

JAN 18 2001

1744
0496

EXHIBIT B

A PARCEL OF LAND SITUATE IN THE A. DUBOIS DONATION LAND CLAIM NO. 98, AND THE M. LORE DONATION LAND NO. 61, IN SECTIONS 12 AND 13; TOWNSHIP 5 SOUTH; RANGE 2 WEST; WILLAMETTE MERIDIAN, MARION COUNTY, OREGON. SAID PARCEL IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 5/8" IRON ROD MARKING THE SOUTHWEST CORNER OF THE A. DUBOIS DONATION LAND CLAIM NO. 98, IN SAID TOWNSHIP AND RANGE; THENCE NORTH 00°31'55" EAST 470.58 FEET; THENCE SOUTH 89°28'00" EAST 50.00 FEET; THENCE SOUTH 89°28'00" EAST 2064.28 FEET TO AN IRON ROD IN THE WESTERLY RIGHT OF WAY OF EVERGREEN ROAD, BEFORE 1999 VACATION; THENCE NORTH 00°41'18" EAST ALONG SAID RIGHT OF WAY 767.74 FEET TO AN IRON ROD THE TRUE POINT OF BEGINNING; THENCE NORTH 89°12'43" WEST 92.21 FEET TO A POINT; THENCE SOUTH 74°35'03" WEST 52.07 FEET TO A POINT; THENCE NORTH 89°10'27" WEST 521.43 FEET TO A POINT; THENCE SOUTH 79°24'20" WEST 61.20 FEET TO A POINT; THENCE NORTH 89°12'43" WEST 100.12 FEET TO A POINT; THENCE NORTH 00°47'17" EAST 594.33 FEET TO A POINT; THENCE SOUTH 89°12'43" EAST 6.55 FEET TO A POINT; THENCE NORTH 00°47'17" EAST 183.21 FEET TO A POINT; THENCE NORTH 00°50'09" EAST 83.51 FEET TO A POINT; THENCE 255.14 FEET ALONG A CLOCKWISE CURVE TO THE RIGHT WITH A RADIUS OF 1587.00 FEET, A DELTA ANGLE OF 9°12'41", A CHORD LENGTH OF 254.87 FEET WITH A BEARING OF NORTH 86°11'01" EAST TO A POINT; THENCE SOUTH 89°12'43" EAST 85.76 FEET TO A POINT; THENCE 654.50 FEET ALONG A COUNTER CLOCKWISE CURVE TO THE LEFT WITH A RADIUS OF 488.00 FEET, A DELTA ANGLE OF 76°50'41", A CHORD LENGTH OF 606.54 FEET WITH A BEARING OF NORTH 52°21'57" EAST TO A POINT IN THE WESTERLY RIGHT OF WAY OF EVERGREEN ROAD, BEFORE 1999 VACATION; THENCE SOUTH 00°41'18" WEST ALONG SAID WESTERLY RIGHT OF WAY 188.48 TO A POINT; THENCE ALONG THE RIGHT OF WAY AS VACATED IN 1999, 39.67 FEET ALONG THE ARC OF A COUNTER CLOCKWISE CURVE TO THE LEFT WITH A RADIUS OF 562.00 FEET, A DELTA ANGLE OF 4°02'38", A CHORD LENGTH OF 39.66 FEET WITH A BEARING OF NORTH 30°58'25" EAST TO A POINT IN THE WESTERLY RIGHT OF WAY OF EVERGREEN ROAD, AFTER 1999 VACATION; THENCE SOUTH 00°41'18" WEST ALONG SAID RIGHT OF WAY 1077.98 FEET TO A POINT; THENCE NORTH 89°12'43" WEST 20.00 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 779098 SQUARE FEET MORE OR LESS.

TOTAL P.02

JAN 18 2001

1744
0496

RECEIVED
JUL 14 2008
WATER RESOURCES DEPT.
SALEM, OREGON

FORM No. 723 – BARGAIN AND SALE DEED (Individual or Corporate). COPYRIGHT 1998 STEVENS-NESS LAW PUBLISHING CO., PORTLAND, OR 97204

NH

REEL 1879 PAGE 70

Pioneer Trust Bank, N.A.
PO Box 2305
Salem OR 97305
Grantor's Name and Address

Capital Development Company
PO Box 3487
Lacey WA 98503
Grantee's Name and Address

After recording, return to (Name, Address, Zip):
Pioneer Trust Bank, N.A.
PO Box 2305
Salem OR 97308

Until requested otherwise, send all tax statements to (Name, Address, Zip):
NO CHANGE

SPACE RESERVED FOR RECORDER'S USE

STATE OF OREGON, County of ..... } ss.

I certify that the within instrument was received for record on ....., at ..... o'clock .....M., and recorded in book/reel/volume No. ..... on page ..... and/or as fee/file/instrument/microfilm/reception No. ....., Records of said County.

Witness my hand and seal of County affixed.

NAME ..... TITLE .....

By ....., Deputy.

FEE 53238

BARGAIN AND SALE DEED

KNOW ALL BY THESE PRESENTS that Pioneer Trust Bank, N.A., as Trustee and Pioneer Trust Bank, N.A., hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto Capital Development Company, a Washington Corporation, hereinafter called grantee, and unto grantee's heirs, successors and assigns, all of that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in Marion County, State of Oregon, described as follows, to-wit:

SEE ATTACHED EXHIBIT A

SEE NEXT PAGE!

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE)

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

The true and actual consideration paid for this transfer, stated in terms of dollars, is $ partial release ① However, the actual consideration consists of or includes other property or value given or promised which is ☐ part of the ☒ the whole (indicate which) consideration.① (The sentence between the symbols ①, if not applicable, should be deleted. See ORS 93.030)

In construing this deed, where the context so requires, the singular includes the plural, and all grammatical changes shall be made so that this deed shall apply equally to corporations and to individuals.

IN WITNESS WHEREOF, the grantor has executed this instrument on December 19, 2001; if grantor is a corporation, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

Pioneer Trust Bank, N.A., as Trustee
and Pioneer Trust Bank, N.A.

By .....
Vice President

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

STATE OF OREGON, County of Marion) ss.

This instrument was acknowledged before me on .....,

by .....

This instrument was acknowledged before me on December 21st, 2001,

by Wes Bouche

as Vice President

of Pioneer Trust Bank, N.A.

1879-0070

OFFICIAL SEAL
LORAINE HANSEN
NOTARY PUBLIC - OREGON
COMMISSION NO. 343393
MY COMMISSION EXPIRES MARCH 27, 2005

Loraine Hansen
Notary Public for Oregon
My commission expires March 27, 2005

ATS

RECEIVED
JUL 14 2008
WATER RESOURCES DEPT.
SALEM, OREGON

EXHIBIT "A"

A PARCEL OF LAND SITUATED IN THE A. DUBOIS DONATION LAND CLAIM NO. 98, AND THE M. LORE DONATION LAND CLAIM NO. 61, IN SECTION 12, TOWNSHIP 5 SOUTH, RANGE 2 WEST, WILLAMETTE MERIDIAN, MARION COUNTY, OREGON, SAID PARCEL IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 5/8 INCH ROD WITH YELLOW PLASTIC CAP INCRIBED "BARKER PLS 636" FOR THE SOUTHWEST CORNER OF SAID PARCEL 1 AS RECORDED IN PARTITION PLAT NO. 1992-17, MARION COUNTY DEED RECORDS, SALEM, OREGON, THENCE CONTINUING ALONG THE SOUTH LINE OF SAID PARCEL 1, SOUTH 88° 52' 10" EAST A DISTANCE OF 161.26 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 88° 52' 10" EAST A DISTANCE OF 996.15 FEET TO A POINT IN THE WESTERLY RIGHT-OF-WAY LINE OF HARVARD DRIVE; THENCE CONTINUING ALONG SAID WESTERLY RIGHT-OF-WAY LINE, SOUTH 00° 45' 25" WEST A DISTANCE OF 351.58 FEET; THENCE LEAVING SAID WESTERLY RIGHT-OF-WAY LINE, NORTH 88° 52' 10" WEST A DISTANCE OF 147.74 FEET; THENCE NORTH 20° 57' 04" WEST A DISTANCE OF 27.52 FEET; THENCE NORTH 88° 52' 10" WEST A DISTANCE OF 263.84 FEET; THENCE SOUTH 01° 07' 50" WEST A DISTANCE OF 70.98 FEET; THENCE SOUTH 22° 39' 46" EAST A DISTANCE OF 204.87 FEET TO A POINT OF A NON-TANGENTIAL CURVATURE, SAID POINT BEING IN THE NORTHERLY RIGHT-OF-WAY LINE OF THE FUTURE EXTENSION OF EVERGREEN ROAD; THENCE CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, ALONG THE ARC OF A 1587.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 02° 09' 59" AN ARC DISTANCE OF 60.00 FEET (THE LONG CHORD OF WHICH BEARS SOUTH 67° 28' 34" WEST A DISTANCE OF 60.00 FEET) TO A POINT OF NON-TANGENCY; THENCE LEAVING SAID NORTHERLY RIGHT-OF-WAY LINE, NORTH 22° 39' 46" WEST A DISTANCE OF 217.36 FEET; THENCE NORTH 01° 07' 50" EAST, A DISTANCE OF 89.26 FEET; THENCE NORTH 88° 52' 10" WEST A DISTANCE OF 211.99 FEET; THENCE NORTH 54° 04' 43" WEST A DISTANCE 345.18 FEET; THENCE NORTH 08° 32' 30" WEST A DISTANCE OF 125.27 FEET TO THE TRUE POINT OF BEGINNING.

R14791 = 05·2W·13·00200
1708-0549

SAT. CONT. ↘
TKS: R330170 = 05·2W·12C·01900
7.11 AC. NET

Hn/414410 12/17/01

LVS: R14791 = 05·2W·13·00200
92.30 AC. NET

DO 1879-0071 NEXT!

1879-0070

FORM No. 726 - BARGAIN AND SALE DEED (Individual or Corporation)

STEVENS-NESS LAW PUBLISHING CO., PORTLAND, OR 97205

REEL 1880 PAGE 327

Pioneer Trust Bank, N.A.
PO Box 2305
Salem OR 97308
Grantor's Name and Address

Capital Development Company
PO Box 3487
Lacey WA 98503-1124
Grantee's Name and Address

After recording, return to (Name, Address, Zip):
Pioneer Trust Bank, N.A.
PO Box 2305
Salem OR 97308

Until requested otherwise, send all tax statements to (Name, Address, Zip):
NO CHANGE

SPACE RESERVED FOR RECORDER'S USE

STATE OF OREGON, County of ..... } ss.

I certify that the within instrument was received for record on ....., at ..... o'clock .....M., and recorded in book/reel/volume No. ..... on page ..... and/or as fee/file/instrument/microfilm/reception No. ....., Records of said County.

Witness my hand and seal of County affixed.

NAME TITLE

By ....., Deputy.

BARGAIN AND SALE DEED

KNOW ALL BY THESE PRESENTS that Pioneer Trust Bank, N.A., as Trustee and Pioneer Trust Bank, N.A., hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto Capital Development Company, a Washington Corporation, hereinafter called grantee, and unto grantee's heirs, successors and assigns, all of that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in Marion County, State of Oregon, described as follows, to-wit:

SEE ATTACHED EXHIBIT A

EAT 0R0248

R14791 = 05 2W 13-00200
695-0381 763-0543 882-0388
1708-0549, 0550

TKS: R330225 = 05 2W 12CD-02299
6.3959 AC

LVS: R14791 = 05 2W 13-00200
85.90 AC

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE)

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

The true and actual consideration paid for this transfer, stated in terms of dollars, is $ partial release. ① However, the actual consideration consists of or includes other property or value given or promised which is ☐ part of the ☐ the whole (indicate which) consideration.① (The sentence between the symbols ①, if not applicable, should be deleted. See ORS 93.030)

In construing this deed, where the context so requires, the singular includes the plural, and all grammatical changes shall be made so that this deed shall apply equally to corporations and to individuals.

IN WITNESS WHEREOF, the grantor has executed this instrument on December 19, 2001; if grantor is a corporation, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

Pioneer Trust Bank, N.A., Trustee
and Pioneer Trust Bank, N.A.

BY: Ron Bouche
Vice President

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

STATE OF OREGON, County of Marion) ss.

This instrument was acknowledged before me on .....;

by .....

This instrument was acknowledged before me on December 19, 2001;

by Ron Bouche

as Vice President

of Pioneer Trust Bank, N.A.

OFFICIAL SEAL
LORAINE HANSEN
NOTARY PUBLIC - OREGON
COMMISSION NO. 343585
MY COMMISSION EXPIRES MARCH 27, 2005

Loraine Hansen
Notary Public for Oregon
My commission expires March 27, 2005

SEE

DEC 26 2001

1880
-0327

A.T.S.

SEE NEXT

RECEIVED
JUL 14 2008
WATER RESOURCES DEPT.
SALEM, OREGON

EXHIBIT A

LEGAL DESCRIPTION-BOUNDARY WITH EVERGREEN RIGHT-OF-WAY

RM2 PROPERTY

A parcel of land situate in the A. Dubois Donation Land Claim No.61 S.W. ¼ of section 12, N.W. ¼ of section 13, Township 5 South, Range 2 West, Willamette Meridian, Marion County, City of Woodburn, Oregon, said parcel is more particularly described as follows:

Commencing at a 5/8" iron rod at the Northwest corner of Lot 52, Montebello 1(Volume 44, Page 38 Marion County Book of Town Plats), in said Township and Range the **True Point of Beginning; Thence** South 89°12'43" East along the northerly line of Lot 52 a distance of 6.55 feet to a point in the west right-of-way of Harvard Drive; thence North 0°47'17" East along the westerly right-of-way of Harvard Drive and the westerly boundary of Montebello 1 a distance of 183.21 feet to a point; thence North 0°50'09' East along the westerly boundary of ' Montebello 1 a distance of 83.51 feet to a point in the northerly right-of-way of Evergreen Road; thence 344.70 feet along the northerly right-of-way of the Evergreen Road a counterclockwise curve to the left with a radius of 1587.00 feet a delta angle of 12°26'41" a chord length 344.02 feet and a chord bearing of South 75°'21'20' West to a point; Thence South 0°47'17" West, a distance of 801.16 feet to a point; Thence South 89°28'13" East a distance of 325.00 feet; Thence North 0°47'17" East a distance of 624.52 feet to the point of Beginning.

Said parcel contains 278604 square feet (6.40 acres), more or less.

DEC 26 2001

1880
-0327

FORM No. 725 – BARGAIN AND SALE DEED (Individual or Corporate). COPYRIGHT 1998 STEVENS-NESS LAW PUBLISHING CO. PORTLAND, OR 97204

REEL 1934 PAGE 297

Pioneer Trust Bank, N.A.
PO Box 2305
Salem OR 97308
Grantor's Name and Address

Capital Development Company
PO Box 3487
Lacey WA 98509
Grantee's Name and Address

After recording, return to (Name, Address, Zip):
Pioneer Trust Bank, N.A.
PO Box 2305
Salem OR 97308

Until requested otherwise, send all tax statements to (Name, Address, Zip):
No Change

SPACE RESERVED FOR RECORDER'S USE

STATE OF OREGON, County of ..... } ss.

I certify that the within instrument was received for record on ....., at ..... o'clock .....M., and recorded in book/reel/volume No. ..... on page ..... and/or as fee/file/instrument/microfilm/reception No. ....., Records of said County.

Witness my hand and seal of County affixed.

NAME TITLE

By ....., Deputy.

BARGAIN AND SALE DEED

KNOW ALL BY THESE PRESENTS that Pioneer Trust Bank, N.A., as Trustee and Pioneer Trust Bank, N.A. hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto Capital Development Company, a Washington Corporation hereinafter called grantee, and unto grantee's heirs, successors and assigns, all of that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in Marion County, State of Oregon, described as follows, to-wit:

SEE EXHIBIT ONE ATTACHED HERETO AND MADE A PART HEREOF

R 14791 = 05 2W 13 00200
695-0831 783-0543 882-0388

TAX: R330646 = 05 2W 13 00201
14.8875 Ac.

LYS: R14791 = 05 2W 13 00200
71.01 Ac.

10796

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE)

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

The true and actual consideration paid for this transfer, stated in terms of dollars, is $ PARTIAL RELEASE ☉ However, the actual consideration consists of or includes other property or value given or promised which is ☐ part of the ☐ the whole (indicate which) consideration.☉ (The sentence between the symbols ☉, if not applicable, should be deleted. See ORS 93.030)

In construing this deed, where the context so requires, the singular includes the plural, and all grammatical changes shall be made so that this deed shall apply equally to corporations and to individuals.

IN WITNESS WHEREOF, the grantor has executed this instrument on April 12, 2002; if grantor is a corporation, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

Pioneer Trust Bank, N.A., Trustee
and Pioneer Trust Bank, N.A.

By: .....
Vice President

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

STATE OF OREGON, County of Marion) ss.
This instrument was acknowledged before me on .....,
by .....
This instrument was acknowledged before me on April 12, 2002,
by Wes. Bouche
as Vice President
of Pioneer Trust Bank, N.A.

OFFICIAL SEAL
LORAINE HANSEN
NOTARY PUBLIC - OREGON
COMMISSION NO. 343363
MY COMMISSION EXPIRES MARCH 27, 2005

Loraine Hansen
Notary Public for Oregon
My commission expires March 27, 2005

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A.T.S.

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SALEM, OREGON

Order No. 01-100196-22

EXHIBIT "ONE"

A tract of land situate in the A. Dubois Donation Land Claim No. 98, and the M. Lore Donation Land Claim No. 61, in Section 13, Township 5 South, Range 2 West, Willamette Meridian, Marion County, Oregon, City of Woodburn, Oregon, said tract is more particularly described as follows:

52w13 ~~BB~~ SEG

Commencing at a 5/8" iron rod marking the Southwest corner of the A. Dubois Donation Land Claim No. 98, in said Township and Range; thence North 00° 31' 55" East a distance of 470.58 feet; thence South 89° 28' 00" East, a distance of 2134.28 feet to a point in the West right of way of Evergreen Road after the 1999 Vacation (reel 1648, page 740); thence North 0° 41' 18" East, a distance of 767.65 feet along the West right of way of said Evergreen road to a 5/8" iron rod, the Southeast corner of Montebello 1 (Volume 44, Page 38, Marion County Book of Town Plats) the initial point; thence South 00° 41' 18" West, a distance of 767.65 feet along said vacated West right of way of Evergreen Road to a point; thence North 89° 28' 00" West, a distance of 845.11 feet to a point; thence North 00° 47' 17" East, a distance of 454.69 feet to a point; thence North 89° 28' 13" West, a distance of 39.88 feet to a point; thence North 00° 47' 17" East, a distance of 260.26 feet to a point; thence South 89° 28' 13" East, a distance of 39.88 feet to a point; thence North 00° 47' 17" East, a distance of 30.19 feet to a 5/8" rod at the Southwest corner of the boundary for Montebello 1 (Volume 44, Page 38 of the Marion County Book of Town Plats); thence along the South line of said Montebello 1, South 89° 12' 43" East, a distance of 100.12 feet to a 5/8" iron rod; thence North 79° 24' 20" East, a distance of 61.20 feet to a 5/8" iron rod; thence South 89° 10' 27" East, a distance of 521.43 feet to a 5/8" iron rod; thence North 74° 35' 03" East, a distance of 52.07 feet to a 5/8" iron rod; thence South 89° 12' 43" East, a distance of 112.21 feet to a 5/8" iron rod at the Southeast corner of said Montebello 1 the initial point.

APR 25 2002

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0297

T-10533

Lisa Jaramillo

From: Don Knauer [donknauer@comcast.net]
Sent: Wednesday, July 02, 2008 2:50 PM
To: Dorothy Pedersen; Lisa Jaramillo
Cc: Tom DeArmond
Subject: Tom DeArmond transfers T-10532 and up

Dorothy & Lisa,

I am working on the items you requested in your letters of June 11, 2008. We are in the process of getting the title insurance co. report of ownership. This is to let you know that we may not have the report by the July 14, 2008 date you set. We ask that if we do not make that date you allow a week or so more to comply.
Thanks for your consideration.

Don Knauer

Oregon
Theodore R. Kulongoski, Governor

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

June 11, 2008

Thomas H. DeArmond
11463 Broadacres Road NE
Hubbard, OR 97032
503-981-0319

SUBJECT: Application T-10533

Enclosed find a draft of our Preliminary Determination regarding transfer application T-10533. The document reflects the Department's conclusion that, based on the information currently available, the transfer will be approved. This draft is intended to provide you with an opportunity to comment on our findings and conclusions should you wish to do so. Please review the draft carefully to evaluate whether the document is consistent with your intent in seeking the transfer, and whether you agree with the proposed action.

You have submitted some water right conveyance documents; however, our review indicates that we need additional documentation. At this time, please submit:

1) a report of ownership and lien information prepared by a title company that shows the ownership of Woodburn Town Center Lot 1 at the time of the 12/7/07 quit claim deed to Capital Development;
2) a report of ownership and lien information prepared by a title company that shows the ownership of Woodburn Town Center Lot 2 at the time of the 1/28/08 quit claim deed to Capital Development
3) affidavits of consent from Capitol Development, or other documentation to support that Tom DeArmond has the landowner's consent to the transfer.

You will need to submit a notarized statement of consent from any landowner listed in the report who is not already included in the transfer application. If there are additional lienholders identified in the report that have not previously been notified of the transfer, you must send notice of the transfer to them, and submit copies of each such notice to the Department to document that each lienholder has been informed of the transfer.

Also, it appears that the Land Use Information Form references Tax Lot 300 in the SW NW of Section 29, when the "to" lands are in the NW SW of Section 29. Please submit a new form signed by the County that includes the correct quarter-quarter sections.

Because of the change in character of use, the applicant is responsible for publishing notice of the transfer in a local newspaper having a general circulation in the area of the water right. The notice must be published at least once a week for three consecutive weeks. We will provide a copy of the required notice to you upon issuance of the Preliminary Determination.

Issuance of the Preliminary Determination will occur shortly after we receive both your written response and the report of ownership and lien information. If we do not receive your response and the report by July 14, 2008 a Preliminary Determination may be issued denying the application as incomplete.

Please do not hesitate to contact me at 503-986-0890 or Dorothy.I.Pedersen@wrd.state.or.us if I may be of assistance.

Sincerely,

Dorothy J. Pedersen

Dorothy Pedersen
Field Services Division

cc: Mike McCord, District 16 Watermaster
Don Knauer, CWRE #75

enc

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application T-10533, Marion County	)	D R A F T
	)	PRELIMINARY DETERMINATION
	)	PROPOSING APPROVAL OF
	)	CHANGES IN CHARACTER OF USE,
	)	PLACE OF USE, AND POINT OF
	)	APPROPRIATION

Authority

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

Applicant

Thomas H. DeArmond
11463 Broadacres Road NE
Hubbard, OR 97032

Findings of Fact

Background

1. On February 12, 2008 Thomas DeArmond filed an application to change the use, place of use, and point of appropriation under Certificate 44644. The Department assigned the application number T-10533. Transfer applications T-10532, T-10533, T-10534, and T-10535 were filed at the same time, are interrelated, and will be processed concurrently.

2. The portion of the right to be transferred is as follows:

   Certificate: 44644 in the name of PIONEER TRUST COMPANY/JOHN HOOPER (perfected under Permit G-5281)
   Use: IRRIGATION OF 14.2 ACRES AND SUPPLEMENTAL IRRIGATION of 25.6 ACRES
   Priority Date: OCTOBER 5, 1970
   Rate: 0.87 CUBIC FOOT PER SECOND
   Limit/Duty: ONE-EIGHTIETH cfs per acre, not to exceed 2.5 acre-feet per acre per year
   Source: A WELL in the PUDDING RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	DLC	Survey Coordinates
5 S	2 W	WM	12	SE SW	98	1540 FEET NORTH AND 1070 FEET EAST FROM THE SOUTHWEST CORNER OF DLC 98

Authorized Place of Use:

IRRIGATION						
Twp	**Rng**	**Mer**	**Sec**	**Q-Q**	**DLC**	**Acres**
5 S	2 W	WM	12	SW SW	98	4.40
5 S	2 W	WM	13	NE NW	98	4.30
5 S	2 W	WM	13	NW NW	98	5.50

SUPPLEMENTAL IRRIGATION						
Twp	**Rng**	**Mer**	**Sec**	**Q-Q**	**DLC**	**Acres**
5 S	2 W	WM	12	SE SW	98	12.10
5 S	2 W	WM	13	NE NW	98	13.50

3. Application T-10533 proposes to change the character of use of the primary portion of the irrigation right (14.2 acres, 0.176 cfs, limited to a duty of 35.5 acre-feet per year) to nursery use.

4. Application T-10533 proposes to change the place of use of the 14.2 acres of primary right transferred to nursery use, and 25.6 acres of supplemental irrigation right as follows:

Proposed Place of Use:

TRACT 1 – NURSERY USE						
Twp	**Rng**	**Mer**	**Sec**	**Q-Q**	**DLC**	**Acres**
4S	1W	WM	29	NE SW	N/A	2.30
4S	1W	WM	29	NW SW	N/A	11.90

TRACT 2 - SUPPLEMENTAL IRRIGATION						
Twp	**Rng**	**Mer**	**Sec**	**Q-Q**	**DLC**	**Acres**
4S	1W	WM	32	NW NE	56	5.30
4S	1W	WM	32	SW NE	56	20.30

5. The lands to which the right is proposed to be moved have an existing right under Certificate 83086, also proposed to be changed to nursery use under T-10535, which is being processed concurrently with T-10533. This would result in stacked nursery rights with a total duty of 5.0 acre-feet per acre (2.5 acre-feet per acre from each right). There is no change in character of use proposed for the supplemental irrigation portion of the right.

6. Application T-10533 proposes to replace the authorized point of appropriation (POA) with 7 new points of appropriation (existing wells). Specifically the transfer calls for a change in the POA for 0.176 cfs to one group of 3 wells for use on the lands in Tract 1 and a change in the POA for 0.318 cfs to another group of 4 wells for use on the lands in Tract 2, as follows:

Proposed Points of Appropriation:

Tract 1						
Twp	**Rng**	**Mer**	**Sec**	**Q-Q**	**DLC**	**Survey Coordinates**
4S	1W	WM	30	SE SE	59	Well #OWRE 2: 1000 FEET NORTH AND 50 FEET WEST FROM THE SOUTHEAST CORNER OF SECTION 30
4S	1W	WM	31	NE NE	59	Well #OWRE 1: 607 FEET NORTH AND 812 FEET WEST FROM THE SOUTHEAST CORNER OF DLC 59
4S	1W	WM	31	NE NE	59	Well #OWRE 3: 220 FEET NORTH AND 400 FEET WEST FROM THE SOUTHEAST CORNER OF DLC 59

Tract 2						
Twp	**Rng**	**Mer**	**Sec**	**Q-Q**	**DLC**	**Survey Coordinates**
4S	1W	WM	32	SE NW	56	Well #1: 60 FEET NORTH AND 1950 FEET EAST FROM THE WEST ¼ CORNER OF SECTION 32
4S	1W	WM	32	SE NW	56	Well #2: 980 FEET NORTH AND 1650 FEET EAST FROM THE WEST ¼ CORNER OF SECTION 32
4S	1W	WM	32	NE NW	56	Well #8: 1380 FEET NORTH AND 920 FEET WEST FROM THE CENTER OF SECTION 32
4S	1W	WM	32	SE NE	56	Well #9: 540 FEET SOUTH AND 860 FEET WEST FROM THE NORTHEAST CORNER OF DLC 56

7. Notice of the application for transfer was published on February 19, 2008, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.

Transfer Review Criteria (OAR 690-380-4010)

8. Water has been used within the last five years according to the terms and conditions of the rights, and there is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.

9. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Application T-10533.

10. The proposed change would not result in enlargement of the right.

11. The proposed change would not result in injury to other water rights.

Determination and Proposed Action

The changes in use, place of use, and point of appropriation proposed in application T-10533 appear to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved , provided that concurrent changes to layered rights proposed under Transfer Application T-10535 are approved.

If application T-10533 is approved, the final order will include the following:

1. *The changes in use, place of use, and point of appropriation proposed in application T-10533 are approved.*

2. *Water right certificate 44644 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer.*

3. *The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 44644 and any related decree.*

4. *Water shall be acquired from the same aquifer (water source) as the original point of appropriation.*

5. *The quantity of water diverted at the additional points of appropriation, together with that diverted at the original point of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation.*

6. *That portion of the right changed to nursery use shall be further limited to a rate of 0.176 cfs, 2.5 acre-feet per acre, (a total of 35.5 acre-feet) over the course of the authorized season of use.*

7. *The former place of use of that portion of the right subject to transfer shall no longer receive water under the right.*

8. *Prior to diverting water, the water user shall install an in-line flow meter or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department. The water user shall maintain and operate the measuring device as required by the Department.*

9. *The approved changes shall be completed and full beneficial use of the water shall be made on or before October 1, 2009. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.*

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

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

D R A F T

_____
Phillip C. Ward, Director

This draft Preliminary Determination was prepared by a Reimbursement Authority contractor. If you have questions about the information in this document, you may reach Dorothy Pedersen at 503-986-0890 or Dorothy.I.Pedersen@wrd.state.or.us.

ORIGINALS

Transfer Application and Map

Amendments/Revisions to Appl & Map

Receipt

Deed or Lot Book Report

Notarized Consent

Evidence of Use Affidavit

Land Use Information Form

Lien Holder Notification *(if applicable)*

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

&

Other Supporting Documentation

T-10533

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

Application for Water Right
Transfer

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

1. TYPE OF TRANSFER APPLICATION

Please check one

- ☑ Permanent Transfer
- ☐ Temporary Transfer (1 to 5 yrs.)
  - total number of years: ____
  - (begin year: _____)
  - (end year: _____)
- ☐ Instream Transfer
  - ☐ Permanent
  - ☐ Time-Limited
- ☐ Drought Transfer
- ☐ Other

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2. APPLICANT INFORMATION

Name: Thomas H. (First) DeArmond (Last)

Address: 11463 Broadacres Road NE

Hubbard (City) Oregon (State) 97032 (Zip)

Phone: 503-981-0319 (Home) _____ (Work) _____ (Other)

Fax: _____ E-Mail address: _____

3. AGENT INFORMATION

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

Name: Don (First) Knauer (Last)

Address: PO Box 5416

Salem (City) Oregon (State) 97304 (Zip)

Phone: _____ (Home) 503-508-7862 (Work) _____ (Other)

Fax: _____ E-Mail address: _____

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

4. PROPOSED CHANGE(S) TO WATER RIGHT(S)

- List **all** water rights to be affected by this transfer. Indicate the certificate, permit, decree or other identifying number(s) in the table below: *(Attach additional pages as necessary.)*

	Application / Decree	Permit / Previous Transfer	Certificate
1.		G-5281	44644
2.			
3.			
4.			
5.			
6.			

- Attach a **separate** ***Supplemental Form A*** *(Description of Proposed Change(s) to a Water Right)* for **each** water right listed above.
- Check **all** proposed change(s) included in this transfer application:

☑ Place of Use ☐ Point of Diversion (POD) ☐ Additional Point of Diversion

☑ Character of Use ☑ Point of Appropriation (POA, or well) ☐ Additional POA

☐ Instream Transfer ☐ Surface Water POD to Ground Water POA

☐ Substitution of Supplemental Groundwater right for Primary Surface water right

☐ Historic POD change ☐ Other

- Reason(s) for change(s): Land use is changing.

5. WATER DELIVERY SYSTEM

- Describe the ***current*** water delivery system ***or*** the system that ***was in place*** at some time *within the last 5 years*. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use. If the transfer involves multiple rights that have independent systems, describe each system separately.

  The description must be sufficient to demonstrate that the full quantity of water to be transferred can be conveyed from the authorized source and applied at the authorized location and that the applicant is ready, willing, and able to exercise the right.

50 HP elec motor, turbine pump, 3240' 6" aluminum main line, 5400' 3" & 4" hand lines and rainbird 30 sprinklers 11/64.

- System capacity: 1.39 cubic feet per second (cfs). If the transfer involves multiple rights that have independent systems, describe the capacity for each system separately.

6. EVIDENCE OF BENEFICIAL WATER USE

- Attach one or more **Evidence of Use Affidavits** (Supplemental Form B) demonstrating that each of the right(s) involved in the transfer have been exercised in the last five years in accordance with the terms and conditions of the right or that a presumption of forfeiture for non-use could be rebutted. The Evidence of Use Affidavit(s) **must include supporting documentation** such as the following:
  - ▸ Copies of receipts from sales of irrigated crops or for expenditures relating to use of water;
  - ▸ Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers;
  - ▸ Dated aerial photographs of the lands or other photographs containing sufficient detail to establish location and date of the photograph; ***or***
  - ▸ If the right has **not** been used during the past five years, documentation that the presumption of forfeiture would be rebutted under ORS 540.610(2).

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7. AFFECTED DISTRICTS

- Are any of the water rights proposed for transfer located within or served by an irrigation or other water district? ☐ Yes ☑ No
- Will any of the water rights be located within or served by an irrigation or other water district after the proposed transfer? ☐ Yes ☑ No
- Is water for any of the rights supplied under a water service agreement or other contract for stored water with a federal agency or other entity? ☐ Yes ☑ No

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

8. LOCAL GOVERNMENTS

- List the name and mailing address of all local governments (i.e., each county, city, municipal corporation, or tribal government within whose jurisdiction water will be diverted, conveyed or used).

Marion County

555 Court Street NE

Salem Oregon 97309

9. LAND OWNERSHIP

- Does the applicant own the lands **FROM** which the right is being transferred? ☐ Yes ☑ No

  *If "**No**", provide the following information. **For Temporary Transfers**, also include a **notarized statement granting consent** to the transfer from **each** of the landowners (for Permanent Transfers see Section 12(c)):*

  Names of Current Landowner(s): see attached list
  First Last

  Address: _____

  _____
  City State Zip

- Does the applicant own the lands **TO** which the right is being transferred?

  ☑ Yes ☐ No ☐ N/A - *NOT APPLICABLE TO INSTREAM TRANSFERS*

  *If "**No**", provide the following information:*

  Names of Receiving Landowner(s): _____
  First Last

  Address: _____

  _____
  City State Zip

- Check ***one*** of the following:

  ☐ The receiving landowner will be responsible for completion of the proposed changes after the final order is issued. All notices and correspondence should be sent to this landowner.

  ☑ The applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to the applicant and applicant's agent.

  ☐ N/A. *(Not applicable. Application is for an Instream Water Right Transfer.)*

10. Other Remarks (optional)

This transfer application is associated with three other transfer applications being filed at the same time. We request that all four applications, as much as possible, be processed by the same reviewer and that all four draft preliminary determinations be issued at the same time.

see: T-10532 , T-10534 , T-10535

11. ATTACHMENTS

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

Supplemental Form A –
Description of Proposed Change(s) to a Water Right

☑ A **<u>separate</u>** Supplemental Form A is enclosed for **<u>each</u>** water right to be affected by this transfer.

Supplemental Form B –
Evidence of Use Affidavit(s)

☑ At least one Evidence of Use Affidavit documenting that the right has been used during the last five years or that the right is not subject to forfeiture under ORS 540.610 is attached. The affidavit provided must be the original (not a copy), **<u>and</u>**

☐ The Evidence of Use Affidavit **must** be accompanied by **supporting documentation.**

Map

☑ *Water Right Transfer*
The map must be prepared by a Certified Water Right Examiner and meet the requirements of OAR 690-380-3100 unless a waiver has been granted. The map provided must be the original, not a copy.

☐ *Temporary Transfer or Historical POD Change*
A map meeting the requirements of OAR 690-380-3100 must be included but need **<u>not</u>** be prepared by a Certified Water Right Examiner.

Water Well Report(s)/Well Log(s):

☑ The application is for a change in point of appropriation or change from surface water to ground water and copies of all water well reports are attached.

☐ Water well reports are not available and a description of construction details including well depth, static water level, and information necessary to establish the ground water body developed or proposed to be developed is attached.

☐ N/A. The application does **<u>not</u>** involve a change in point of appropriation or a change from surface water to ground water, so water well reports are **<u>not</u>** required.)

Land Use Information For Proposed Changes:

For Instream Transfers:

☐ Notice of the intent to file an instream transfer application has been provided to each affected local government along the proposed reach, and copies of the notices are enclosed. (*For instream transfers a Land Use Information Form is not required.*)

For All Other Transfers:

☑ Land Use Information Form is enclosed; ***or***

☐ **<u>All</u>** of the following criteria are met, therefore a Land Use Information Form is not required:
- ❶ In EFU zone or irrigation district,
- ❷ Change in place of use only,
- ❸ No structural changes needed, including diversion works, delivery facilities, other structures, ***and***
- ❹ Irrigation only.

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Fees:

☐ Amount enclosed: $_____
See the Department's Fee Schedule at www.wrd.state.or.us or call (503) 986-0900.

<u>Instream Water Right Transfers, also include:</u>

Supplemental Form C –
Instream Water Right Transfer

☐ Complete this form to describe the desired nature and attributes for the proposed instream water right.

<u>Temporary Transfers, also include:</u>

Recorded Deed:

☐ The applicant must submit a copy of the current deed of record for the land **from** which the authorized place of use or point of diversion/appropriation is being moved.

Affidavit of Consent:

☐ If the applicant is **NOT** the owner of record for the land **from** which the authorized place of use or point of diversion/appropriation is being moved, a notarized statement from the actual owner of record consenting to the proposed transfer must be submitted.

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

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

12. SIGNATURES

■ **Check *one* of the following, as appropriate, and sign the application in the signature box below:**

☑ In accordance with OAR 690-380-3000(13)(a), **I (we) understand that prior to Department approval of a permanent transfer and upon my receipt of a draft Preliminary Determination for the proposed transfer, I (we) will be required *[pursuant to OAR 690-380-4010(5)]* to provide the following landownership information and evidence demonstrating that I (we) are authorized to pursue the transfer:**

(a) A **report of ownership and lien information** that has been prepared by a title company *within the last three months;*

(b) A **copy of written notification** of the proposed transfer provided by the applicant to **all lien holders** on the subject lands unless the report of ownership and lien information shows that a water right conveyance agreement has been recorded for the subject lands. *If a water right conveyance agreement has been recorded for the subject lands, **a copy of the agreement and identification of the owner of the lands at the time the agreement was recorded** must be submitted*; **and**

(c) If the landowner identified in the report of ownership and lien information is **not** the applicant, a **notarized statement consenting to the transfer** *(attached)* signed by the landowner identified in the report or an authorized representative of the entity to whom the interest in the water right has been conveyed as identified in a water right conveyance agreement or other documentation demonstrating that the applicant is authorized to pursue the transfer in the absence of the consent of the landowner.

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☐ **I (we) affirm that interest in the water right has been conveyed to someone other than the landowner**, and documents, **including a water right conveyance agreement**, report of ownership and lien information, and any required lienholder notification **are enclosed**, demonstrating that I am (we are) authorized to pursue the transfer. **I (we) understand that we may be required to provide additional information upon receipt of the draft Preliminary Determination.**

☐ **I (we) affirm that the applicant is a municipality, as defined in ORS 540.510(3)(b), and that the right is in the name of the municipality or a predecessor.** Therefore, pursuant to OAR 690-380-3000(13)(b), the applicant is **NOT** required to provide the above described report of ownership and lien information.

☐ **I (we) affirm that the applicant is an entity with the authority to condemn property and is acquiring the property to which the water right proposed for transfer is appurtenant by condemnation.** Documentation is provided with this application supporting this statement. Therefore, pursuant to OAR 690-380-3000(13)(c), the applicant is **NOT** required to provide the above described report of ownership and lien information. *(NOTE: Such an entity may only apply for a transfer under this subsection if it has filed a condemnation action to acquire the property.*

☐ **I (we) affirm that this is a temporary transfer and a copy of the deed** for the "from" land (and affidavits of consent from any other landowners, if applicable) **is enclosed.**

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

applicant signature	name *and title if applicable* (print)	date
Tom DeArmond	Tom DeArmond owner	2-12-08

Water Right Transfer Supplemental Form A
DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT

*List only **one** water right per page. A **separate Supplemental Form A** must be completed for **each** certificate, permit, decree, or other right involved in the proposed transfer.*

Attach additional copies of Supplemental Form A as needed to describe other certificates, permits, decrees or other rights involved in this transfer.

- Certificate Number or other identifying number: 44644

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1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

Point of Diversion or Appropriation	Place of Use	Character of Use
☑ **Change** (The old point of diversion or appropriation will **not** be used for the portion of the water right affected by the transfer.)	☐ **All of the right will be exercised at a different location than currently authorized** (Use of water at the current location will be discontinued.)	Proposed new use:
☐ **Additional** (Both the old ***and*** new points of diversion or appropriation will be used for the portion of the water right affected by the transfer.)	☑ **Only a portion of the right will be exercised at a different location than currently authorized** (Use of water at the current location will be discontinued.)	☐ **Irrigation**
☐ **Historic Point of Diversion or Appropriation Change** (Unauthorized point of diversion or appropriation used for more than 10 years.)		☐ **Municipal**
☐ **Surface Water to Ground Water** (A new point of appropriation will be used **instead of** the old point of diversion. The old point of diversion will **not** be used.)		☐ **Quasi-municipal**
☐ **Point of Diversion Change due to Government Action** (The old point of diversion or appropriation can no longer be used due to government action.)		☐ **Commercial**
☐ **Exchange** (Water from another source will be used in exchange for supplying an equal amount of replacement water to that source.)		☐ **Industrial**
		☐ **Instream** (complete and attach ***Supplemental Form C***)
		☐ **Domestic** (indicate number of households) _____
		☐ **Other** _____
		☐ **Substitution** (A supplemental ground water right will be substituted for a primary surface water right.)
		☐ **Supplemental Use to Primary Use** (Primary water right shall be cancelled and the supplemental water right will change to primary use.)
		T 10533

2. CURRENT WATER RIGHT INFORMATION

Water Right Subject to Transfer *(check and complete **one** of the following):*

☑	Certificated Right	44644 Certificate Number	G-5281 Permit Number or Decree Name
☐	Adjudicated, Non-certificated Right	Name of Decree	Page Number
☐	Permit for which Proof has been Approved	Permit Number	Date Claim of Beneficial Use Submitted
☐	Transferred Right for which Proof has been Filed	Previous Transfer Number	Date Claim of Beneficial Use Submitted

- Name on Permit, Certificate, or Decree: Pioneer Trust Co/John Hooper
- County: Marion
- Authorized Use(s) to be Affected by Transfer: ~~irrigation &~~ suppl irri
- Priority Date(s): 10/5/1970

  *If there are **multiple Priority Dates** identified on the water right, any information provided on **pages 3 through 6** of this form **must identify** which priority date is associated with each of the authorized and proposed points of diversion or appropriation and places of use.*

- Source(s) of Water to be Affected by Transfer: One well

  Tributary to: Pudding River

  *If there are **multiple Sources** listed on the water right, any information provided on **pages 3 through 6** of this form **must identify** which source is associated with each of the authorized and proposed points of diversion or appropriation and places of use.*

For applications proposing a Change in Place of Use or Character of Use:

- Are there **Other Water Rights,** Permits or Ground Water Registrations associated with this land?

  ☑ Yes ☐ No ☐ N/A – *No Change in Place of Use or Character of Use*

  *If "**Yes**", what are the Permit, Registration or Certificate Numbers?* GR-53

  *Pursuant to ORS 540.510, any "layered" water use or a right that is supplemental to a primary right proposed for transfer **must be included in the transfer or be cancelled**, except as provided in OAR 690-380-2240(5).*

- Certificate Number or other identifying number: 44644 •

*The following information **must be provided** only for those points of diversion or appropriation that **are involved in the transfer (i.e., list only the portion of the water right you propose to transfer.)** Attach additional pages as necessary.*

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

Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:
(i.e., the allowed point(s) of diversion or appropriation listed on the water right that will be affected by the proposed transfer, the "FROM" point(s) of diversion or appropriation)

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-____)	Source and Priority Date	Township	Range	Mer	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
MARI-2435	10/5/1970	5S	2W	WM	12	SESW	DLC 98	1540'N & 1070'E SW cor DLC98

- Does the water right being transferred involve a ground water source(s)?
  ☑ Yes ☐ No *(Surface water source only.)*

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

*A. Supply a copy of the well log(s) for each point of appropriation that is **clearly labeled** and associated with the corresponding well in the table above and on the accompanying application map. (NOTE: You may search for well logs on the Department's web page at: http://www.wrd.state.or.us)*

or

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

Construction of Existing Authorized Point(s) of Appropriation – ***(Only needed if no well log is available.)***
*Wells in this listing must be **clearly tied** to corresponding well location(s) described in the table above and shown on the accompanying application map.*

OWRD Well No. as identified in table above	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
							T 10533		

- Certificate Number or other identifying number: 44644

Will the ENTIRE water right be affected by this transfer? ☐ **Yes** ☑ **No**

*If **"Yes"**, the remainder of this page does not need to be completed. Go on to the next page.*

*If **"No"**, the following information **must be provided** only for those places of use that **are involved in the transfer** (i.e., **list only the portion of the water right to be affected by the change.**)*
Attach additional pages as necessary.

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

Location of Existing Authorized Place of Use to be Affected:
(i.e., the allowed lands listed on the water right that will be affected by the proposed transfer, the "FROM" lands)

Source and Priority Date	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
One well 10/5/1970	5S	2W	WM	12	SWSW	DLC 98	12.1supplemental
				13	NENW	DLC 98	13.5 supplemental

- Certificate Number or other identifying number: 44644

3. PROPOSED CHANGES TO THE WATER RIGHT

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

Location of Proposed Point(s) of Diversion or Appropriation:

(i.e., the "TO" point(s) of diversion or appropriation) ☐ *N/A – Instream Water Right Transfer*

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

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
WELL 1	4S	1W	WM	32	SENW	DLC 56	60'N & 1950'E-W 1/4 cor sec 32
WELL 2				32	SENW	DLC 56	980'N & 1650'E-W 1/4 cor sec 32
WELL 8				32	NENW	DLC 56	1380'N & 920'W center sec 32
WELL 9				32	SENE	DLC 56	540'S & 860'W NE cor DLC 56

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

  *If "**Yes**", attach and **clearly label** the corresponding well log(s) for each proposed well, **or** if well log(s) are **not** available, describe the construction of the well(s) using the table below. (NOTE: You may search for well logs on the Department's web page at: http://www.wrd.state.or.us)*

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

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

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

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

T 10533

- Certificate Number or other identifying number: 44644

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

Location of Proposed Place of Use: *(i.e., the "TO" lands)* ☐ *N/A – Instream Water Right Transfer*

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

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
wells 1,2,8,9	4S	1W	WM	32	NWNE	DLC 56	5.3
					SWNE	DLC 56	20.3

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Remarks: _____

_____

_____

Water Right Transfer Supplemental Form A
DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT

*List only **one** water right per page. A **separate Supplemental Form A** must be completed for **each** certificate, permit, decree, or other right involved in the proposed transfer.*

Attach additional copies of Supplemental Form A as needed to describe other certificates, permits, decrees or other rights involved in this transfer.

- Certificate Number or other identifying number: 44644

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1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

Point of Diversion or Appropriation	Place of Use	Character of Use
☑ **Change** (The old point of diversion or appropriation will **not** be used for the portion of the water right affected by the transfer.) ☐ **Additional** (Both the old ***and*** new points of diversion or appropriation will be used for the portion of the water right affected by the transfer.) ☐ **Historic Point of Diversion or Appropriation Change** (Unauthorized point of diversion or appropriation used for more than 10 years.) ☐ **Surface Water to Ground Water** (A new point of appropriation will be used **instead of** the old point of diversion. The old point of diversion will **not** be used.) ☐ **Point of Diversion Change due to Government Action** (The old point of diversion or appropriation can no longer be used due to government action.) ☐ **Exchange** (Water from another source will be used in exchange for supplying an equal amount of replacement water to that source.)	☐ **All of the right will be exercised at a different location than currently authorized** (Use of water at the current location will be discontinued.) ☑ **Only a portion of the right will be exercised at a different location than currently authorized** (Use of water at the current location will be discontinued.) T 10533	Proposed new use: ☐ **Irrigation** ☐ **Municipal** ☐ **Quasi-municipal** ☐ **Commercial** ☐ **Industrial** ☐ **Instream** (complete and attach ***Supplemental Form C***) ☐ **Domestic** (indicate number of households) _____ ☑ **Other** NURSERY USE ☐ **Substitution** (A supplemental ground water right will be substituted for a primary surface water right.) ☐ **Supplemental Use to Primary Use** (Primary water right shall be cancelled and the supplemental water right will change to primary use.)

2. CURRENT WATER RIGHT INFORMATION

Water Right Subject to Transfer *(check and complete **one** of the following):*

☑	Certificated Right	44644 Certificate Number	G-5281 Permit Number or Decree Name
☐	Adjudicated, Non-certificated Right	Name of Decree	Page Number
☐	Permit for which Proof has been Approved	Permit Number	Date Claim of Beneficial Use Submitted
☐	Transferred Right for which Proof has been Filed	Previous Transfer Number	Date Claim of Beneficial Use Submitted

- Name on Permit, Certificate, or Decree: Pioneer Trust Co/John Hooper
- County: Marion
- Authorized Use(s) to be Affected by Transfer: irrigation &~~suppl irri~~
- Priority Date(s): 10/5/1970

*If there are **multiple Priority Dates** identified on the water right, any information provided on **pages 3 through 6** of this form **must identify** which priority date is associated with each of the authorized and proposed points of diversion or appropriation and places of use.*

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- Source(s) of Water to be Affected by Transfer: One well

Tributary to: Pudding River

*If there are **multiple Sources** listed on the water right, any information provided on **pages 3 through 6** of this form **must identify** which source is associated with each of the authorized and proposed points of diversion or appropriation and places of use.*

For applications proposing a Change in Place of Use or Character of Use:

- Are there **Other Water Rights,** Permits or Ground Water Registrations associated with this land?

■ Yes ☑ No ☐ N/A – *No Change in Place of Use or Character of Use*

*If "**Yes**", what are the Permit, Registration or Certificate Numbers?* ~~GR-53~~

*Pursuant to ORS 540.510, any "layered" water use or a right that is supplemental to a primary right proposed for transfer **must be included in the transfer or be cancelled**, except as provided in OAR 690-380-2240(5).*

- Certificate Number or other identifying number: 44644

*The following information **must be provided** only for those points of diversion or appropriation that **are involved in the transfer (i.e., list only the portion of the water right you propose to transfer.)** Attach additional pages as necessary.*

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

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Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:
(i.e., the allowed point(s) of diversion or appropriation listed on the water right that will be affected by the proposed transfer, the "FROM" point(s) of diversion or appropriation)

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-___)	Source and Priority Date	Township	Range	Mer	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
MARI-2435	10/5/1970	5S	2W	WM	12	SESW	DLC 98	1540'N & 1070'E SW cor DLC98

- Does the water right being transferred involve a ground water source(s)?
  ☑ Yes ☐ No *(Surface water source only.)*

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

*A. Supply a copy of the well log(s) for each point of appropriation that is **clearly labeled** and associated with the corresponding well in the table above and on the accompanying application map. (NOTE: You may search for well logs on the Department's web page at: http://www.wrd.state.or.us)*

or

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

Construction of Existing Authorized Point(s) of Appropriation – ***(Only needed if no well log is available.)***
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OWRD Well No. as identified in table above	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth

T 10533

- Certificate Number or other identifying number: 44644

Will the ENTIRE water right be affected by this transfer? ☐ **Yes** ☑ **No**

*If **"Yes"**, the remainder of this page does not need to be completed. Go on to the next page.*

*If **"No"**, the following information **must be provided** only for those places of use that **are involved in the transfer (i.e., list only the portion of the water right to be affected by the change.)** Attach additional pages as necessary.*

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

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WATER RE... SALEM, OREGON

Location of Existing Authorized Place of Use to be Affected:
(i.e., the allowed lands listed on the water right that will be affected by the proposed transfer, the "FROM" lands)

Source and Priority Date	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
One well 10/5/1970	5S	2W	WM	12	SWSW	DLC 98	4.4 primary
				13	NENW	DLC 98	4.3 primary
					NWNW	DLC 98	5.5 primary

- Certificate Number or other identifying number: 44644

3. PROPOSED CHANGES TO THE WATER RIGHT

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

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Location of Proposed Point(s) of Diversion or Appropriation:

(i.e., the "TO" point(s) of diversion or appropriation) ☐ *N/A – Instream Water Right Transfer*

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

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
OWRE 1	4S	1W	WM	31	NENE		607'N & 812'W SE cor DLC 59
OWRE 2				30	SESE		1000'N & 50'W SE cor sec 30
OWRE 3				31	NENE		220'N & 400'W SE cor DLC 59

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

  *If "**Yes**", attach and **clearly label** the corresponding well log(s) for each proposed well, **or** if well log(s) are **not** available, describe the construction of the well(s) using the table below. (NOTE: You may search for well logs on the Department's web page at: http://www.wrd.state.or.us)*

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

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

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

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

T 10533

- Certificate Number or other identifying number: 44644

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

Location of Proposed Place of Use: *(i.e., the "TO" lands)* ☐ *N/A – Instream Water Right Transfer*

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

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
OWRE 1,2,3	4S	1W	WM	29	NESW		2.3
					NWSW		11.9

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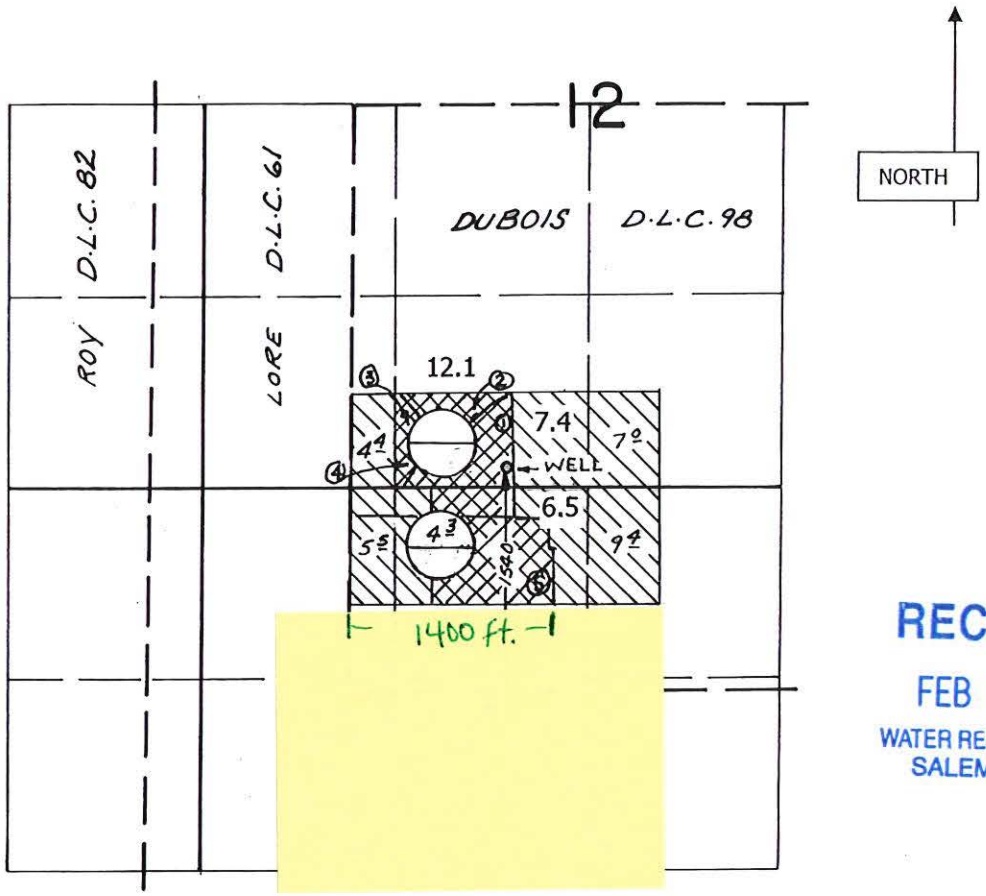
Remarks: The intention is to transfer the 14.2 acres of irrigation acreage to be added to the existing irrigation water right under certificate 83086 combing the two irrigation rights to make Nursery Use, The application to change the existing irrigation to nursery use is being filed concurrently.

FROM

TRANSFER APPLICATION MAP IN THE NAME OF

THOMAS H. DeARMOND

T 5 S R 2 W, W.M.



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WATER RESOURCES DEPT
SALEM, OREGON

TRANSFERRED FROM

Map Tax Lot
reference numbers:

T5S R2W 12C
1 – TL 2000
2 – TL 2300
3 – TL 2200
4 – TL 2100
T5S R2W 13
5 – TL 1400

Scale 1" = 1320'

Certified Water Rights Examiner
#75
DONALD E. KNAUER
Nov. 19, 1987
STATE OF OREGON

This map is for water right purposes only.

T 10533

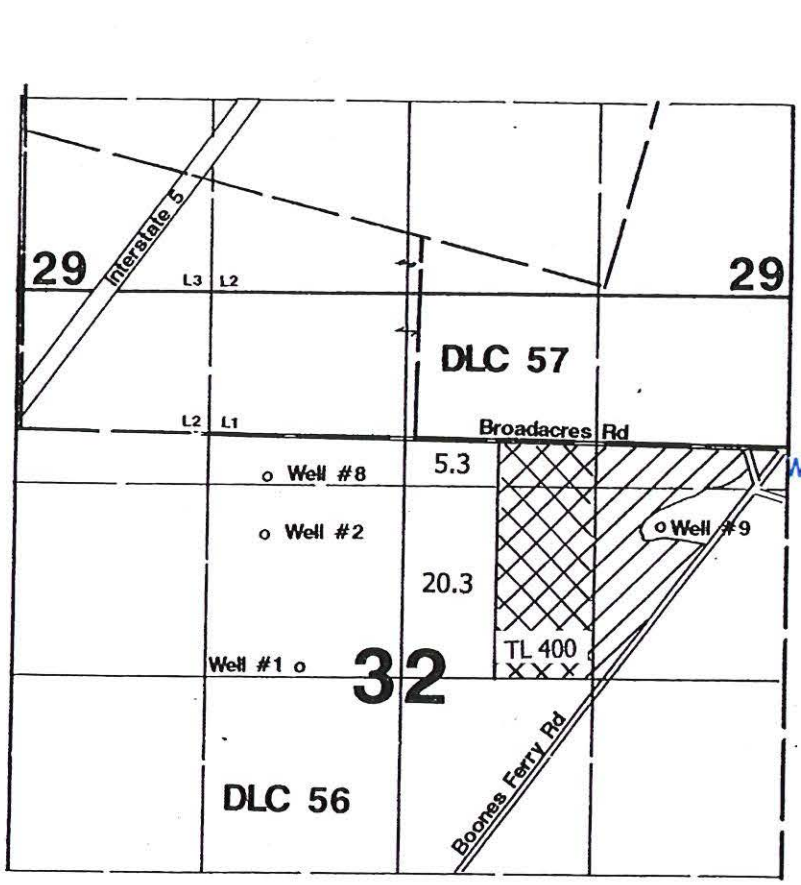
RENEWAL DATE: 6/30/2009

TD

TRANSFER APPLICATION MAP IN THE NAME OF

THOMAS H. DeARMOND

T 4 S, R 1 W, W.M. Section 32



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WATER RESOURCES DEPT
SALEM, OREGON

TRANSFERRED TO

PROPOSED POINTS OF APPROPRIATION

Well #1: 60′ N & 1950′ E from the W 1/4 corner of sec 32
Well #2: 980′ N & 1650′ E from the W 1/4 corner of sec 32
Well #8: 1380′ N & 920′ W from the center of sec 32
Well #9: 540′ S & 860′ W from the NE corner DLC 56

Scale 1″ = 1320′

Certified Water Rights Examiner
#75
DONALD E. KNAUER
Nov. 19, 1987
STATE OF OREGON

This map is for water right purposes only.

T 10533

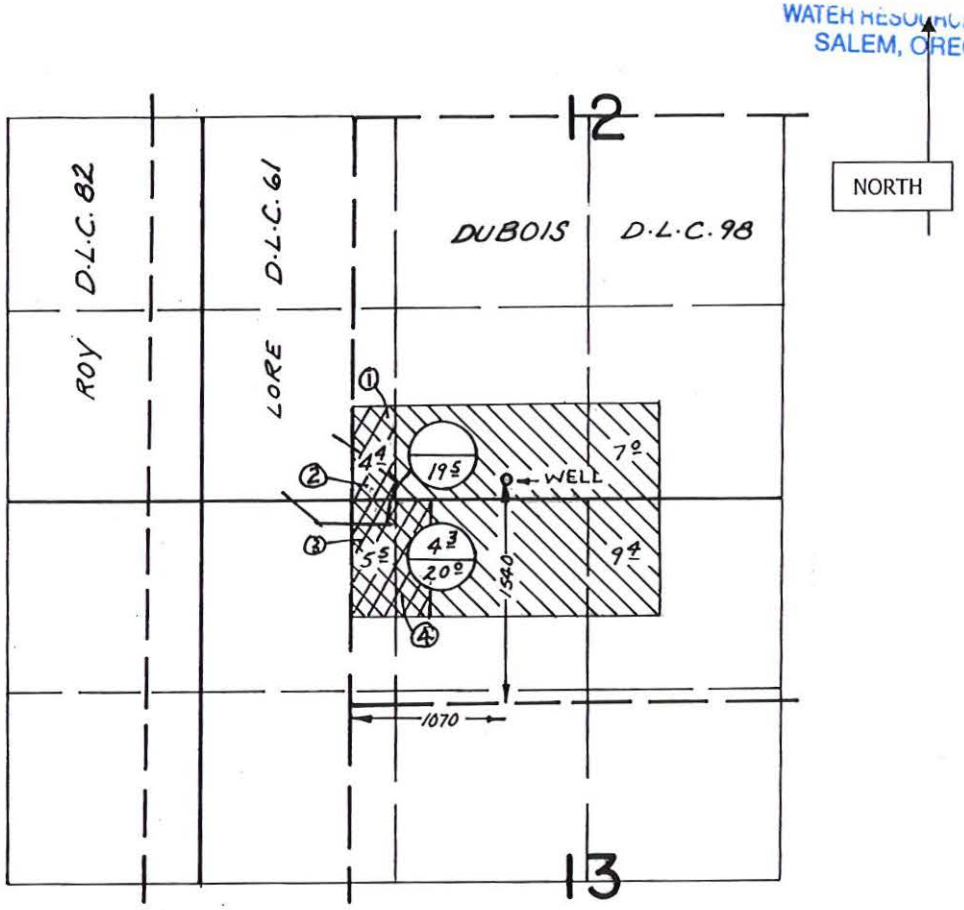
RENEWAL DATE: 6/30/2009

TRANSFER APPLICATION MAP IN THE NAME OF

THOMAS H. DeARMOND

T 5 S R 2 W, W.M.

RECEIVED
FEB 12 2008
WATER RESOURCES DEPT
SALEM, OREGON



TRANSFERRED FROM

Map Tax Lot
reference numbers:

T5S R2W 12C
1 – TL 2200
2 – TL 2100
T5S R2W 13
3 – TL 1500
4 – TL 1400

Scale 1" = 1320'

This map is for water
right purposes only.

Certified Water Rights Examiner
#75
DONALD E. KNAUER
Nov. 19, 1987
STATE OF OREGON

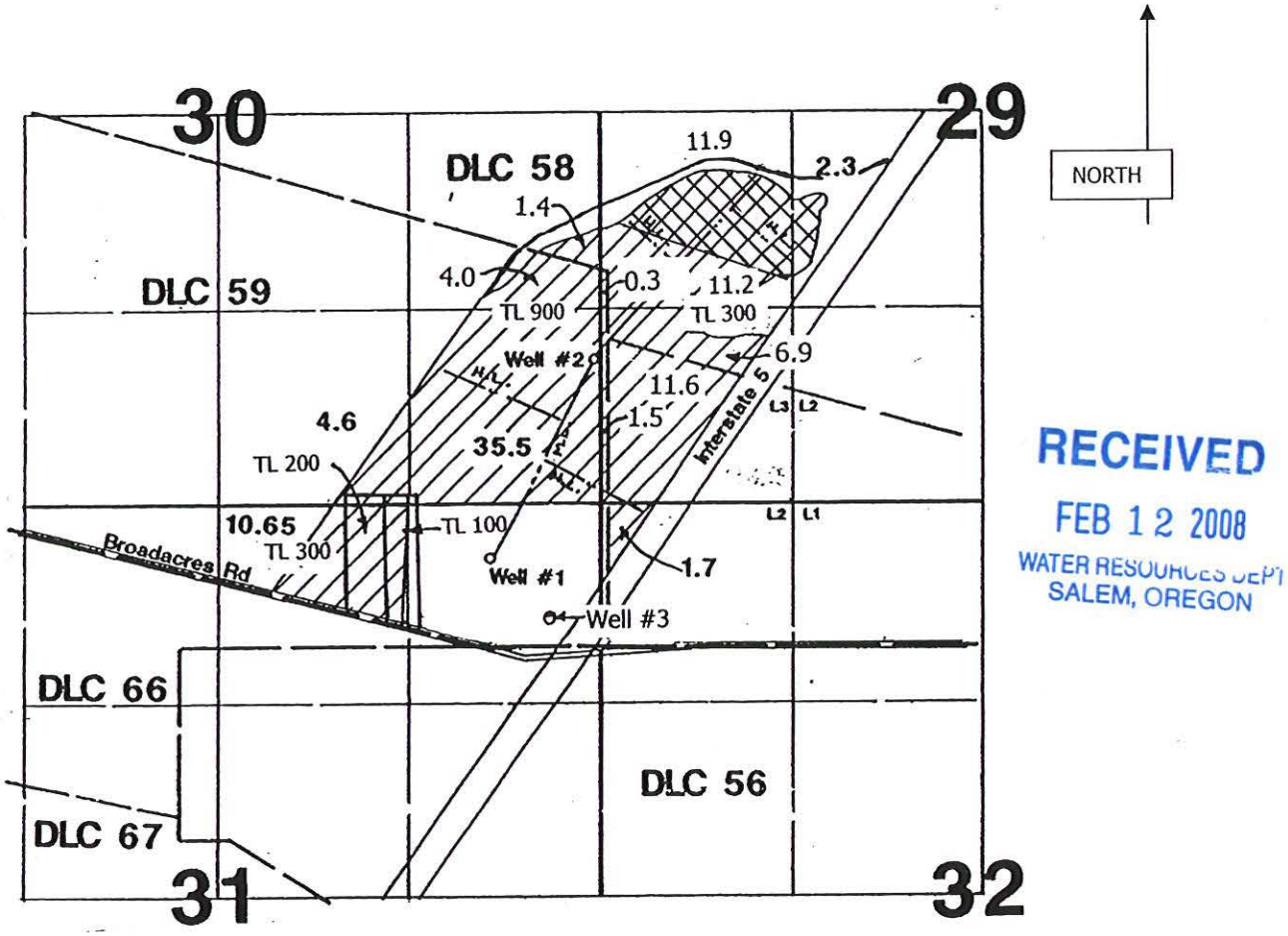
T 10533

RENEWAL DATE: 6/30/2009

TRANSFER APPLICATION MAP IN THE NAME OF

THOMAS H. DeARMOND

T 4 S, R 1 W, W.M. Section 29



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WATER RESOURCES DEPT
SALEM, OREGON

TRANSFERRED TO

PROPOSED POINTS OF APPROPRIATION
Well #1: 607′ N & 812′ W from the SE corner of DLC 59
Well #2: 1000′ N & 50′ W from the SE corner of section 30
Well #3: 220′ N & 400′ W from the SE corner of DLC 59

Scale 1″ = 1320′

This map is for water right purposes only.

Certified Water Rights Examiner
#75
DONALD E. KNAUER
Nov. 19, 1987
STATE OF OREGON

T 10533

RENEWAL DATE: 6/30/2009

FROM

NOTICE TO WATER WELL CONTRACTOR
The original and first copy of this report are to be filed with the STATE ENGINEER, SALEM 10, OREGON within 30 days from the date of well completion.

MAR 28 1963 STATE ENGINEER SALEM, OREGON

WATER WELL REPORT
STATE OF OREGON (Please type or print)

for additional information refer to log by Keith Grubb received 3/31/81

MARI. 2435

State Well No. 5/2W-13

G-2518

State Permit No.

(1) OWNER:
Name PAUL WILLARD
Address Route 1 Box 76
CERVAIS ORE

(2) LOCATION OF WELL:
County MARION Driller's well number
¼ ¼ Section 13 T. 5S R. 2W W.M.
Bearing and distance from section or subdivision corner
S.W. ¼

(3) TYPE OF WORK (check):
New Well [X] Deepening [ ] Reconditioning [ ] Abandon [ ]
If abandonment, describe material and procedure in Item 12.

(4) PROPOSED USE (check):
Domestic [ ] Industrial [ ] Municipal [ ]
Irrigation [X] Test Well [ ] Other [ ]

(5) TYPE OF WELL:
Rotary [ ] Driven [ ]
Cable [X] Jetted [ ]
Dug [ ] Bored [ ]

(6) CASING INSTALLED:
Threaded [ ] Welded [X]
12" Diam. from 0 ft. to 173 ft. Gage 3/32
" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage

(7) PERFORATIONS:
Perforated? [X] Yes [ ] No
Type of perforator used MILLS TYPE
Size of perforations 3/8 in. by 3" in.
322 perforations from 130' ft. to 146' ft.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.

(8) SCREENS:
Well screen installed [ ] Yes [X] No
Manufacturer's Name
Type Model No.
Diam. Slot size Set from ft. to ft.
Diam. Slot size Set from ft. to ft.

(9) CONSTRUCTION:
Well seal—Material used in seal BENTONITE
Depth of seal 55' ft. Was a packer used? yes
Diameter of well bore to bottom of seal 16" in.
Were any loose strata cemented off? [ ] Yes [X] No Depth
Was a drive shoe used? [X] Yes [ ] No
Was well gravel packed? [ ] Yes [X] No Size of gravel:
Gravel placed from ft. to ft.
Did any strata contain unusable water? [X] Yes [ ] No
Type of water? SANDY Depth of strata 85' TO 125'
Method of sealing strata off CASED.

(10) WATER LEVELS:
Static level 13' ft. below land surface Date 3-21-63
Artesian pressure lbs. per square inch Date

(11) WELL TESTS:
Drawdown is amount water level is lowered below static level
Was a pump test made? [X] Yes [ ] No If yes, by whom? STETTLER SUPPLY
Yield: 500 gal./min. with 45 ft. drawdown after 1 hrs.
" 600 " " 58 " " 1 "
" 625 " " 68 " " 1 "
Bailer test gal./min. with ft. drawdown after hrs.
Artesian flow g.p.m. Date
Temperature of water 53 Was a chemical analysis made? [ ] Yes [X] No

(12) WELL LOG:
Diameter of well below casing 12"
Depth drilled 173' ft. Depth of completed well 173' ft.

Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.

MATERIAL	FROM	TO
TOPSOIL	0	2
CLAY YELLOW COLOR	2	30
CLAY BLUE COLOR SANDY	30	55
CLAY BLUE - STICKY	55	85
SAND - FINE - BLUE	85	125
CONGLOMERATE 2" -	125	131
GRAVEL + SAND 2" -	131	146
CLAY BLUE - SANDY	146	170
CLAY BLUE STICKY	170	173'

RECEIVED
FEB 12 2008
WATER RESOURCES DEPT
SALEM, OREGON

Work started 3-14 19 63 Completed 3-21- 19 63
Date well drilling machine moved off of well 3-22- 19 63

(13) PUMP:
Manufacturer's Name
Type: TURBINE H.P. 50

Water Well Contractor's Certification:
This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

NAME J.R. SNEED & SONS
(Person, firm or corporation) (Type or print)
Address 3916 SILVERTON RD NE SALEM ORE

Drilling Machine Operator's License No. 187
[Signed] R.F. Sneed
(Water Well Contractor)
Contractor's License No. 60 Date 3-22-, 19 63

(USE ADDITIONAL SHEETS IF NECESSARY)

T 10533

TO

#1

WATER WELL REPORT
STATE OF OREGON

RECEIVED
JUL 19 1985
WATER RESOURCES DEPT
SALEM, OREGON

MARION 887

State Well No. 4S/1W-32bd

State Permit No. T 5723

PLEASE TYPE OR PRINT IN INK

SS okay

(1) OWNER:
Name Tom De Armond
Address 11463 Broadacres Rd. N.E.
City Hubbard, State OR

(2) TYPE OF WORK (check):
New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐
If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:
Rotary Air ☐ Driven ☐
Rotary Mud ☐ Dug ☐
☒ Bored ☐

(4) PROPOSED USE (check):
Domestic ☐ Industrial ☐ Municipal ☐
Irrigation ☒ Test Well ☐ Other ☐
Thermal: Withdrawal ☐ Reinjection ☐

(5) CASING INSTALLED:
Steel ☒ Plastic ☐
Threaded ☐ Welded ☒
12" Diam. from +1 ft. to 235 ft. Gauge .250
" Diam. from ft. to ft. Gauge

LINER INSTALLED:
" Diam. from ft. to ft. Gauge

(6) PERFORATIONS:
Perforated? ☒ Yes ☐ No
Type of perforator used Mills Knife
Size of perforations 3/8 in. by 2½ in.
320 perforations from 131 ft. to 140 ft.
perforations from ft. to ft.
perforations from ft. to ft.

(7) SCREENS:
Well screen installed? ☐ Yes ☒ No
Manufacturer's Name
Type Model No.
Diam. Slot Size Set from ft. to ft.
Diam. Slot Size Set from ft. to ft.

(8) WELL TESTS:
Drawdown is amount water level is lowered below static level
Was a pump test made? ☒ Yes ☐ No If yes, by whom?
Yield: 700 gal./min. with 25 ft. drawdown after 8 hrs.
" 460 " 14 " 4 "
Air test gal./min. with drill stem at ft. hrs.
Bailer test gal./min. with ft. drawdown after hrs.
Artesian flow g.p.m.
Temperature of water Depth artesian flow encountered ft.

(9) CONSTRUCTION:
Special standards: Yes ☒ No ☐
Well seal—Material used Granulated Bentonite
Well sealed from land surface to 25 ft.
Diameter of well bore to bottom of seal 16" in.
Diameter of well bore below seal 12" in.
Number of sacks of cement used in well seal 18 Bentonite sacks
How was cement grout placed?
Was pump installed? Yes Type Turbine HP 3.0 Depth 130 ft.
Was a drive shoe used? ☒ Yes ☐ No Plugs Size: location ft.
Did any strata contain unusable water? ☐ Yes ☒ No
Type of Water? depth of strata
Method of sealing strata off
Was well gravel packed? ☐ Yes ☒ No Size of gravel:
Gravel placed from ft. to ft.

(10) LOCATION OF WELL:
County Marion Driller's well number 49
SE ¼ NW ¼ Section 32 T. 4S R. 1W W.M.
Tax Lot # Lot Blk Subdivision
Address at well location: Same

(11) WATER LEVEL: Completed well.
Depth at which water was first found 96' ft.
Static level 53' ft. below land surface. Date 6/27
Artesian pressure lbs. per square inch. Date

(12) WELL LOG:
Diameter of well below casing —
Depth drilled 235 ft. Depth of completed well 140 ft.
Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
Clay Brown	0	22	
Clay Grey Silt	22	76	
Clay Gravel	76	96	
Sand & Clay	96	108	
Sand	108	125	
Sand Gravel	125	140	
Sand Black	140	151	
Clay Grey	151	163	
Sand	163	189	
Clay Green	189	196	
Clay Grey	196	218	
Sand Black	218	225	
Sandy Clay	225	229	
Clay Grey	229	235	

RECEIVED
MAY 21 2003
WATER RESOURCES DEPT

Work started 6/5 19 85 Completed 6/28 19 85
Date well drilling machine moved off of well 6/28 19 85

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WATER RESOURCES DEPT
SALEM, OREGON

(unbonded) Water Well Constructor Certification (if applicable):
This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.
[Signed] Date , 19

Bonded Water Well Constructor Certification:
Bond 97-78-53189 (number) issued by: State Farm (Surety Company Name)
This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.
Name Grasser Well Drilling (Person, firm or corporation) (Type or print)
Address 19927 Mill Ck. Rd. Scotts Mills
[Signed] Dan Grasser (Water Well Constructor)
Date 7/11, 1985

NOTICE TO WATER WELL CONSTRUCTOR
The original and first copy of this report are to be filed with the WATER RESOURCES DEPARTMENT, SALEM, OREGON 97310 within 30 days from the date of well completion.

SP*45292-690

T 10533

TO

#2

NOTICE TO WATER WELL CONTRACTOR
The original and first copy of this report are to be filed with the STATE ENGINEER, SALEM, OREGON 97310 within 30 days from the date of well completion.

RECEIVED
APR 27 1972
STATE ENGINEER
SALEM OREGON

WATER WELL REPORT
STATE OF OREGON
(Please type or print)
(Do not write above this line)

MARION 902
G5807

State Well No. 4/1W-32b

State Permit No.

RECEIVED
FEB 12 2008
WATER RESOURCES DEPT
SALEM, OREGON

(1) OWNER:
Name Tom DeArmond
Address Rt. 1 Box 438
Hubbard, Oregon

(2) TYPE OF WORK (check):
New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐
If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:
Rotary ☐ Driven ☐
Cable ☒ Jetted ☐
Dug ☐ Bored ☐

(4) PROPOSED USE (check):
Domestic ☐ Industrial ☐ Municipal ☐
Irrigation ☒ Test Well ☐ Other ☐

(5) CASING INSTALLED:
Threaded ☐ Welded ☒
12" Diam. from 0 ft. to 133 ft. Gage .250
" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage

PERFORATIONS:
Perforated? ☒ Yes ☐ No.
Type of perforator used Mills
Size of perforations 3/8 in. by 3/4 in.
264 perforations from 1182 ft. to 130 ft.
perforations from ft. to ft.
perforations from ft. to ft.

(7) SCREENS:
Well screen installed? ☐ Yes ☒ No
Manufacturer's Name
Type Model No.
Diam. Slot size Set from ft. to ft.
Diam. Slot size Set from ft. to ft.

(8) WELL TESTS:
Drawdown is amount water level is lowered below static level
Was a pump test made? ☒ Yes ☐ No If yes, by whom? Driller
Yield: 700 gal./min. with 90 ft. drawdown after 4 hrs.
" " "
" " "
Bailer test gal./min. with ft. drawdown after hrs.
Artesian flow g.p.m.
Temperature of water 54 Depth artesian flow encountered ft.

(9) CONSTRUCTION:
Well seal—Material used Steel Cuttings & Cement Grout
Well sealed from land surface to 36 ft.
Diameter of well bore to bottom of seal 16 in.
Diameter of well bore below seal 12 in.
Number of sacks of cement used in well seal 70 sacks
Number of sacks of bentonite used in well seal none sacks
Brand name of bentonite
Number of pounds of bentonite per 100 gallons of water lbs./100 gals.
Was a drive shoe used? ☒ Yes ☐ No Plug Size: location ft.
Did any strata contain unusable water? ☐ Yes ☒ No
Type of water? depth of strata
Method of sealing strata off
Was well gravel packed? ☐ Yes ☒ No Size of gravel:

(10) LOCATION OF WELL:
County Marion Driller's well number
¼ ¼ Section 32 T. 4S R. 1W W.M.
Bearing and distance from section or subdivision corner.

(11) WATER LEVEL: Completed well.
Depth at which water was first found 34 ft.
Static level 22 ft. below land surface. Date 3/18/72
Artesian pressure lbs. per square inch. Date

(12) WELL LOG:
Diameter of well below casing 12
Depth drilled 138 ft. Depth of completed well 138 ft.

Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. *Report each change in position of Static Water Level and indicate principal water-bearing strata.*

MATERIAL	From	To	SWL
Brown Sandy Top Soil	0	2	
Brown Sandy Clay	2	34	
Brown Fine Sand	34	39	
Blue Clay	39	52	
Fine Black Sand	52	54	
Blue Clay	54	95	
Black Fine Sand	95	110	
Blue Clay	110	115	
Fine Black Sand	115	116	
Black Sand Gravel & Rock	116	138	

RECEIVED
MAY 21 2003
WATER RESOURCES DEPT
SALEM, OR

Work started 1-18 19 72 Completed 3/18 19 72
Date well drilling machine moved off of well 3/18 19 72

Drilling Machine Operator's Certification:
This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.
[Signed] (Drilling Machine Operator) Date 3/18, 19 72
Drilling Machine Operator's License No. 500

Water Well Contractor's Certification:
This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.
Name (Person, firm or corporation) (Type or print)
Address
[Signed] (Water Well Contractor)
Date 3/18 19 72

T 10533

MARI 55762

RECEIVED

FEB 12 2008

WATER RESOURCES DEPT
SALEM, OREGON

STATE OF OREGON
WATER SUPPLY WELL REPORT
(as required by ORS 537.765)

Instructions for completing this report are on the last page of this form.

WELL I.D. # L 30621

START CARD # 101565

(1) OWNER: Well Number

Name Thomas Dearmond

Address 11463 Broadacres Rd.NE

City Hubbard State OR Zip 97032

(2) TYPE OF WORK

☐ New Well ☒ Deepening ☐ Alteration (repair/recondition) ☐ Abandonment

(3) DRILL METHOD:

☐ Rotary Air ☐ Rotary Mud ☒ Cable ☐ Auger

☐ Other

(4) PROPOSED USE:

☐ Domestic ☐ Community ☐ Industrial ☒ Irrigation

☐ Thermal ☐ Injection ☐ Livestock ☐ Other

(5) BORE HOLE CONSTRUCTION:

Special Construction approval ☐ Yes ☒ No Depth of Completed Well 178 ft.

Explosives used ☐ Yes ☒ No Type Amount

HOLE Diameter	From	To	SEAL Material	From	To	Sacks or pounds
10"	140	180				

How was seal placed: Method ☐A ☐B ☐C ☐D ☐E

☒ Other Seal was not disturbed

Backfill placed from ft. to ft. Material

Gravel placed from 135 ft. to 180 ft. Size of gravel pea

(6) CASING/LINER:

	Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing:	10"	+1'	140	.250	☒	☐	☒	☐
					☐	☐	☐	☐
					☐	☐	☐	☐
					☐	☐	☐	☐
Liner:					☐	☐	☐	☐
					☐	☐	☐	☐

Final location of shoe(s)

(7) PERFORATIONS/SCREENS:

☐ Perforations Method

☒ Screens Type Johnson Material stainless

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
130	130'8"	Packer		9"x10'		☐	☐
130	8"-136'	.080		10"	tele	☐	☐
136	156'	.180		10"	tele	☐	☐
156	176'6"	.015		10"	tele	☐	☐
176'6"	178			8"	pipe	☒	☐

~~178 Bottom plate & lift bail~~

(8) WELL TESTS: Minimum testing time is 1 hour

☒ Pump ☐ Bailer ☐ Air ☐ Flowing Artesian

Yield gal/min	Drawdown	Drill stem at	Time
750	80'		1 hr.

Temperature of water 53 Depth Artesian Flow Found

Was a water analysis done? ☐ Yes By whom

Did any strata contain water not suitable for intended use? ☐ Too little

☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other

Depth of strata:

(9) LOCATION OF WELL by legal description:

County Marion Latitude Longitude

Township 4S N or S Range 1W E or W. WM.

Section 32 SE 1/4 NW 1/4

Tax Lot 800 Lot Block Subdivision

Street Address of Well (or nearest address) 10852 Broadacres Rd Hubbard, OR 97032

(10) STATIC WATER LEVEL:

31'6" ft. below land surface. Date 4/18/01

Artesian pressure lb. per square inch. Date

(11) WATER BEARING ZONES:

Depth at which water was first found 140'

From	To	Estimated Flow Rate	SWL
140'	179	750 gpm	31½

(12) WELL LOG:

Ground Elevation

Material	From	To	SWL
Existing well	0	140	
Gravel	140	145	31 6"
Sand	145	147	31'6"
Gravel & sand	147	159	31 6"
Clay	159	161	31 6"
Sand coarse	161	167	31'6"
Sand & gravel	167	179	31'6"
Clay	179	180	

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JUN 11 2001
WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED
MAY 21 2008
WATER RESOURCES DEPT
SALEM OR

Date started 1/18/01 Completed 5/10/01

(unbonded) Water Well Constructor Certification:

I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.

WWC Number

Signed Date

(bonded) Water Well Constructor Certification:

I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.

WWC Number 7833

TD

RECEIVED
JUL 27 1990
WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED
FEB 12 2008
WATER RESOURCES DEPT.
SALEM, OREGON

4S/1W/32b

STATE OF OREGON

WATER WELL REPORT

(as required by ORS 537.765)

(START CARD) # 18453

(1) OWNER:

Name Tom DeArmond

Address 11463 broadacres Rd. NE

City Hubbard State OR Zip 97032

Well Number

(2) TYPE OF WORK:

☒ New Well ☐ Deepen ☐ Recondition ☐ Abandon

(3) DRILL METHOD

☐ Rotary Air ☐ Rotary Mud ☒ Cable

☐ Other

(4) PROPOSED USE:

☐ Domestic ☐ Community ☐ Industrial ☒ Irrigation

☐ Thermal ☐ Injection ☐ Other

(5) BORE HOLE CONSTRUCTION:

Special Construction approval Yes ☐ No ☒ Depth of Completed Well 189' ft.

Explosives used Yes ☐ No ☒ Type Amount

HOLE Diameter	From	To	SEAL Material	From	To	Amount sacks or pounds
20"	0	18	Bentonite	0	18	34 sacks
16"	18	193				

How was seal placed: Method ☐ A ☐ B ☐ C ☐ D ☐ E

☒ Other Granular bentonite OAR 690-210-340

Backfill placed from 189 ft. to 193 ft. Material Gravel

Gravel placed from 150 ft. to 189 ft. Size of gravel pea

(6) CASING/LINER:

	Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing:	16"	+1½	169	.250	☒	☐	☒	☐
					☐	☐	☐	☐
					☐	☐	☐	☐
					☐	☐	☐	☐
Liner:					☐	☐	☐	☐
					☐	☐	☐	☐

Final location of shoe(s) 169'

(7) PERFORATIONS/SCREENS:

☐ Perforations Method

☒ Screens Type Material stainless

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
148	170			10"ID	pipe	☒	☐
170	180	140		10"ID	screen	☒	☐
180	184	200		10"ID	screen	☒	☐
184	189			10"ID	pipe	☒	☐
189	Bottom	plate & lift bail				☐	☐
						☐	☐

RECEIVED
MAY 21 2003
WATER RESOURCES DEPT
SALEM, OREGON

(8) WELL TESTS: Minimum testing time is 1 hour

☒ Pump ☐ Bailer ☐ Air ☐ Flowing Artesian

Yield gal/min	Drawdown	Drill stem at	Time
1100	60'		1 hr.
1100	66'		3 Hrs.
1100	71'		6 Hrs.

Temperature of water 53 degrees Depth Artesian Flow Found

Was a water analysis done? ☐ Yes By whom

Did any strata contain water not suitable for intended use? ☐ Too little

☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other

(9) LOCATION OF WELL by legal description:

County Marion Latitude Longitude

Township 4S N or S, Range 1W E or W, WM.

Section 32 NE ¼ NW ¼

Tax Lot 00700 Lot Block Subdivision

Street Address of Well (or nearest address) 10852 Broadacres R
Hubbard, OR 97032

(10) STATIC WATER LEVEL:

46 ft. below land surface. Date 7/2/90

Artesian pressure lb. per square inch. Date

(11) WATER BEARING ZONES:

Depth at which water was first found 121'

From	To	Estimated Flow Rate	SWI
121	137	500	46
170	186	1100	46

(12) WELL LOG:

Ground elevation

Material	From	To	SWI
Clay brown	0	31	
Clay grey	31	68	
Clay grey,sandy	68	76	
Clay grey	76	84	
Sand black,silt	84	109	
Sand black	109	112½	
Clay grey	112½	114	
Sand,gravel,clay grey	114	118	
Sand black	118	121	
Gravel,sand brown	121	137	
Clay grey	137	159	
Clay sandy grey	159	163	
Sand black,silt,clay	163	173	
Sand,gravel black	173	175	
Sand black	175	180	
Sand& gravel	180	186	
Clay grey	186	193	

RECEIVED
JUL 27 1990
WATER RESOURCES DEPT.
SALEM, OREGON

Date started 5/8/90 Completed 7/2/90

(unbonded) Water Well Constructor Certification:

I certify that the work I performed on the construction, alteration, abandonment of this well is in compliance with Oregon well constructi standards. Materials used and information reported above are true to my b knowledge and belief.

WWC Number

Signed Date

(bonded) Water Well Constructor Certification:

I accept responsibility for the construction, alteration, or abandonme work performed on this well during the construction dates reported above. work performed during this time is in compliance with Oregon w construction standards. This report is true to the best of my knowledge a belief.

WWC Number 783

Signed Date 7/23/90

T 10533

OWR - WRD #1

10

.GINAL
e Original, and
uplicate with the
STATE ENGINEER,
SALEM, OREGON

975
MARION

RECEIVED
JUN 14 1957

WATER WELL DRILLERS REPORT
STATE OF OREGON

Do Not Fill In — State Well No. 4/1W-30 R(+) 31A
State Permit No. 460

(1) OWNER:
Name Jesse C. Owne
Address Rt 1 Hubbard, Ore.

(2) LOCATION OF WELL:
County MARION Owner's number, if any—
R. F. D. or Street No. ROUTE 1
Bearing and distance from section or subdivision corner

(3) TYPE OF WORK (check):
New well [X] Deepening [ ] Reconditioning [ ] Abandon [ ]
If abandonment, describe material and procedure in Item 11.

(4) PROPOSED USE (check):
Domestic [ ] Industrial [ ] Municipal [ ]
Irrigation [X] Test Well [ ] Other [ ]

(5) EQUIPMENT:
Rotary [ ]
Cable [X]
Dug Well [ ]

(6) CASING INSTALLED:
Threaded [ ] Welded [X]

FROM	ft. to	ft.	Diam.	Gage or Wall
0	134 ft.	10	"	"

Type and size of shoe or well ring 10"
Describe joint

If gravel packed

Diameter of Bore	from ft.	to ft.

Size of gravel:

(7) PERFORATIONS:
Type of perforator used Cutting torch
SIZE of perforations 3/4 in., length, by 1/4 in.

FROM	ft. to	ft.	perf per foot	No. of rows
121	134	"	3	10

SCREENS:
Give Manufacturer's Name, Model No. and Size

(8) CONSTRUCTION:
Was a surface sanitary seal provided? [ ] Yes [X] No To what depth ft.
Were any strata sealed against pollution? [ ] Yes [ ] No
If yes, note depth of strata

FROM	ft. to	ft.

METHOD OF SEALING

(9) WATER LEVELS:
Depth at which water was first found 119 ft.
Standing level before perforating 13 ft.
Standing level after perforating 13 ft.

Log Accepted by:
[Signed] Jesse C. Owne Owner Dated 5/27, 1957

(10) WELL TESTS:
Was a pump test made? [X] Yes [ ] No If yes, by whom? STELLER
Yield: 450 gal./min. with 70' ft. draw down after hrs.
Artesian flow g.p.m.
Shut-in pressure lbs. per square inch.
Bailer test g.p.m. with ft. drawdown
Temperature of water Was a chemical analysis made? [ ] Yes [X] No
Was electric log made of well? [ ] Yes [X] No

(11) WELL LOG:
Diameter of well, 10 inches.
Total depth 137 ft. Depth of completed well 134 ft.

Formation: *Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.*

ft. to	ft.	
1	12	BROWN CLAY
12	74	BLUE "
74	90	SHALE
90	119	BLUE CLAY
119	121	BLACK SAND
121	134	SAND & GRAVEL
134	137	BLUE CLAY

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FEB 12 2008
WATER RESOURCES DEPT
SALEM, OREGON

Ground elevation at well site feet above mean sea level.
Work started APRIL 1957 Completed MAY 1957

Well Driller's Statement:
This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

NAME EDMOND DANSKEY
(Person, firm, or corporation) (Typed or printed)
Address ROUTE 1 BOX 336
Driller's well number
[Signed] Edmond Danskey (Well Driller)
License No. 153 Dated 5/27, 1957

RECEIVED
JAN 23 2006

T 10533

TO

OWRD - Wrm #2

WELL #2 CONSTRUCTION INFORMATION

The well was constructed by a previous land owner.

The well is approximately 130' in depth.

There is a 12" steel casing at land surface.

RECEIVED
FEB 12 2008
WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED
JAN 23 2006

T 10533

MART 60942 owner #3 NENE SEC 31 4S 1W

STATE OF OREGON
WATER SUPPLY WELL REPORT
(as required by ORS 537.765 & OAR 690-205-0210)

WELL LABEL # L 75918

START CARD # 163498 TQ

#3

(1) LAND OWNER
Owner Well I.D. OWNER5

First Name Tom Last Name DeArmond

Company Oregon Turf & Trees

Address 18381 Boones Ferry Rd. NE

City Hubbard State OR Zip 97032

(2) TYPE OF WORK
☒ New Well ☐ Deepening ☐ Conversion ☐ Alteration (repair/recondition) ☐ Abandonment

(3) DRILL METHOD
☐ Rotary Air ☐ Rotary Mud ☒ Cable ☐ Auger ☐ Cable Mud ☐ Reverse Rotary ☐ Other

(4) PROPOSED USE
☐ Domestic ☒ Irrigation ☐ Community ☐ Industrial/ Commercial ☐ Livestock ☐ Dewatering ☐ Thermal ☐ Injection ☐ Other

(5) BORE HOLE CONSTRUCTION
Special Standard ☐ (Attach copy)

Depth of Completed Well 306.66 ft.

BORE HOLE

Dia	From	To
20	0	6
20	6	80
16	80	308

SEAL

Material	From	To	Amt	sacks/ lbs
Bentonite Chips	0	6	10	S
Cement	6	80	86	S

How was seal placed: Method ☐ A ☐ B ☒ C ☐ D ☐ E

☐ Other

Backfill placed from ft. to ft. Material

Filter pack from 246.66 ft. to 306.66 ft. Material gravel Size 4/10

Explosives used: ☐ Yes Type Amount

(6) CASING/LINER

Casing	Liner	Dia	+	From	To	Gauge	Stl	Plstc	Wld	Thrd
◉	○	16	☒	1	244.62	.375	◉	○	☒	☐
◉	○	12	☒	1.75	246.66	.250	◉	○	☒	☐
◉	○	12	☐	300.66	306.66	.250	◉	○	☒	☐
○	○		☐				○	○	☐	☐
○	○		☐				○	○	☐	☐

Shoe ☒ Inside ☐ Outside ☐ Other Location of shoe(s) 244.62

Temp casing ☐ Yes Dia From To

(7) PERFORATIONS/SCREENS
Perforations Method

Screens Type v wire Material stainless steel

Perf/ Screen	Casing/ Liner	Screen Dia	From	To	Scrn/slot width	Slot length	# of slots	Tele/ pipe size
Screen		12	246.66	275.66	.07			12
Screen		12	275.66	300.66	.125			12

(8) WELL TESTS: Minimum testing time is 1 hour
◉ Pump ○ Bailer ○ Air ○ Flowing Artesian

Yield gal/min	Drawdown	Drill stem/Pump depth	Duration (hr)
1,175	38.6	110	1
1,175	42	114	3
1,175	42.3	114	4

Temperature 53 °F Lab analysis ☐ Yes By

Water quality concerns? ☐ Yes (describe below)

From	To	Description	Amount	Units

(9) LOCATION OF WELL (legal description)
County MARION Twp 4 S N/S Range 1 W E/W WM

Sec 32 NW 1/4 of the NW 1/4 Tax Lot 900

Tax Map Number Lot

Lat ° ' " or DMS or DD

Long ° ' " or DMS or DD

◉ Street address of well ○ Nearest address

10333 Broadacres Rd. NE Hubbard, OR 97032

(10) STATIC WATER LEVEL

	Date	SWL(psi)	+	SWL(ft)
Existing Well / Predeepening				
Completed Well	06-27-2007		☒	72.2

Flowing Artesian? ☐ Dry Hole? ☐

WATER BEARING ZONES Depth water was first found 123

SWL Date	From	To	Est Flow	SWL(psi)	+	SWL(ft)
11-14-2006	123	132	10			40
11-17-2006	176	189	25			40
12-04-2006	199	214	30			40
12-19-2006	246	302	3,000			40

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(11) WELL LOG
Ground Elevation

Material	From	To
Topsoil & large gravel	0	1
Clay brown hard	1	8
Clay gray soft, silty	8	74
Clay dark gray	74	81
Sand black fine & silt	81	91
Clay silty dark gray	91	96
Sand & clay gray	96	110
Clay gray sticky	110	113
Clay green & gray, sticky	113	123
Cemented sand & gravel	123	132
Clay gray & green, sandy	132	150
Clay blue sticky	150	154
Clay green sticky	154	159
Clay green	159	167
Clay gray soft	167	176
Sand & clay gray, cemented	176	186
Sand	186	189
Clay gray, soft	189	199
sand and clay	199	210

Date Started 10-23-2006 Completed 08-27-2007

(unbonded) Water Well Constructor Certification

I certify that the work I performed on the construction, deepening, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.

License Number Date 9/24/07

Password : (if filing electronically)

Signed

(bonded) Water Well Constructor Certification

I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.

License Number 783 Date 09-13-2007

Password : (if filing electronically)

Signed

Contact Info (optional) Grosson Well Drilling (503)982-2060

ORIGINAL - WATER RESOURCES DEPARTMENT

THIS REPORT MUST BE SUBMITTED TO THE WATER RESOURCES DEPARTMENT WITHIN 30 DAYS OF COMPLETION OF WORK

Form Version: 0.88

T 10533

,ER SUPPLY WELL REPORT -
ɹtinuation page

WELL I.D. # L 75918

START CARD # 163498

(5) BORE HOLE CONSTRUCTION

BORE HOLE Dia	From	To	SEAL Material	From	To	Amt	sacks/ lbs

FILTER PACK

From	To	Material	Size

(6) CASING/LINER

Casing	Liner	Dia	+	From	To	Gauge	Stl	Plstc	Wld	Thrd

(7) PERFORATIONS/SCREENS

Perf/ Screen	Casing/ Liner	Screen Dia	From	To	Scrn/slot width	Slot length	# of slots	Tele/ pipe size

(8) WELL TESTS: Minimum testing time is 1 hour

Yield gal/min	Drawdown	Drill stem/Pump depth	Duration (hr)

Water Quality Concerns

From	To	Description	Amount	Units

(10) STATIC WATER LEVEL

Water Bearing Zones

SWL Date	From	To	Est Flow	SWL(psi)	+	SWL(ft)

(11) WELL LOG

Material	From	To
sand , silt clay	210	211
Sand	211	214
Clay green	214	218
Clay blue sticky	218	236
Clay dark gray	236	237
Sand black fine & silty	237	239
Clay green	239	240
Clay gray sticky	240	243
Clay & sand layers	243	246
Sand black, coarse	246	270
Gravel & sand	270	302
Clay green	302	303
Clay gray	303	305
Sand & clay	305	308

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Comments/Remarks

#7 Perforations/Screens: 306'8" (306.66) Bottom plate & lift bail.

STATE OF OREGON

COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

This Is to Certify, *That* PIONEER TRUST COMPANY
TRUSTEE UNDER AGREEMENT WITH JOHN HOOPER

of P. O. Box 2305, Salem, , *State of* Oregon, 97308 , *has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of* one well

a tributary of Pudding River *for the purpose of* irrigation of 30.6 acres and supplemental irrigation of 39.5 acres

under Permit No. G-5281 *and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from* October 5, 1970
that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.87 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SE¼ SW¼, as projected within Dubois DLC 98, Section 12, T. 5 S., R. 2 W., W. M., 1540 feet North and 1070 feet East from the SW Corner, Dubois DLC 98

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth *of one cubic foot per second per acre,* or its equivalent for each acre irrigated and shall be further limited to a diverson of not to exceed 2½ acre feet per acre for each acre irrigated during the irrigation season of each year,

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

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

Primary	Supplemental
4.4 acres SW¼ SW¼ 7.0 acres SW¼ SE¼ Both as projected within Dubois DLC 98 Section 12	19.5 acres SE¼ SW¼ As projected within Dubois DLC 98 Section 12
9.4 acres NW¼ NE¼ 4.3 acres NE¼ NW¼ 5.5 acres NW¼ NW¼ All as projected within Dubois DLC 98 Section 13 T. 5 S., R. 2 W., W. M.	20.0 acres NE¼ NW¼ As projected within Dubois DLC 98 Section 13 T. 5 S., R. 2 W., W. M.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described. and is subject to the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed this date. August 3, 1977

James E. Sexson
Water Resources Director

T 10533

Recorded in State Record of Water Right Certificates, Volume 36 *, page* 44644

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JUN 30 1950
STATE ENGINEER
SALEM, OREGON

REGISTRATION NO. LR-100

CERTIFICATE NO. GR-121

Registration Statement

OF CLAIMANT OF RIGHT TO APPROPRIATE GROUND WATER

(Under Chapter 708, Oregon Laws 1955.)

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SALEM, OREGON

TO THE STATE ENGINEER OF OREGON:

I, Emmett J. Rose

of RI Box 334 Hubbard County of Marion

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 One Well. (Flowing well, pump well, infiltration trench, or tunnel)

2. Location is One mi. west of Hubbard Oregon (Approximate distance and direction from nearest city or town)

and is more particularly described as follows:

(a) 1650 ft. S 1050 W of NE Corner Sec. 32 T 4 S R 1 W (Give distance and bearing to corner of section or other legal subdivision)

being within SE¼ NE¼ (Smallest legal subdivision) of Sec. 32, Twp. 4 S (N. or S.), Rge. 1 W (E. or W.)

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

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

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

3. Construction Work was begun on April 10th (Date); was completed on April 18 1951 (Date)

and the ground water claimed was first used for the purposes set out below, on May 1951 (Date)

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

from 1951 (Date) to 1955 (Date)

4. Quantity of water claimed and used is 175 gallons per minute, 2 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 128 feet. Type Drilled (Dug or drilled)

diameter 10 inches. Elevation of ground at well site 175' (As near as known) feet, mean sea level.

Depth to water table 26 feet. Aug 1951

7. Capacity of Well: 340 g.p.m. with 40 feet drawdown.

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

Date of test April 18 1951

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

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

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

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

10 inch diameter Black Steel from 0 to 128 feet

____ inch diameter ____ from ____ to ____ feet

____ inch diameter ____ from ____ to ____ feet

____ inch diameter ____ from ____ to ____ feet

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

9. **Perforated Casings or Screens:**

No 3/4 by 2" perforations (number per foot and size of perforations, or describe screen) from 122' to 128'

____ from ____ to ____

____ from ____ to ____

____ from ____ to ____

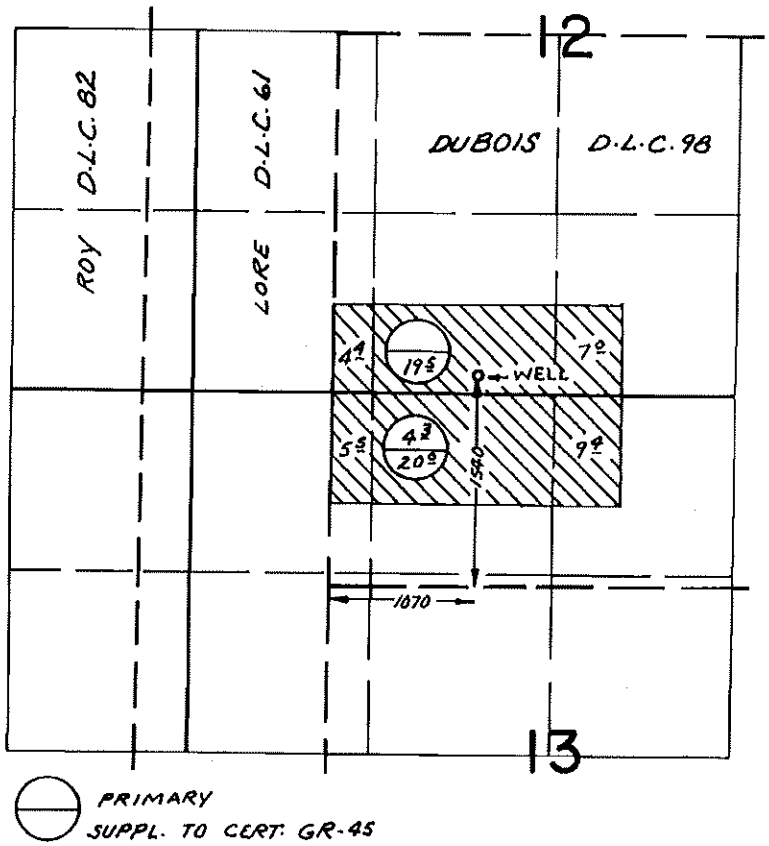
10. **Log of Well:** (Describe each stratum or formation clearly, indicate if water bearing, and give thickness and depth as indicated.)

MATERIAL	Thickness (Feet)	Depth to Bottom (Feet)
Sod		
Soil	3	3'
Yellow silt & clay	25'	28'
Blue shale	50'	78'
Black sand watering bearing	16'	94'
Blue shale	11'	105'
Black sand	9'	114'
Black sand & fine gravel	6'	120'
Black sand & Coarse gravel	8'	128'

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SALEM, OREGON

GR-131 A

T.5S.R.2W.W.M.



FINAL PROOF SURVEY
UNDER

Application No. G-5331 Permit No. G-5281
IN NAME OF

PIONEER TRUST CO.

Surveyed AUG. 3, 1976., by R. MUCKEN

T 10533

DFN-6LL-195

Oregon Water Resources Department
Land Use Information Form

THIS FORM IS NOT REQUIRED IF: 1) water is to be diverted, conveyed, and/or used only on federal lands; or 2) the application is for a water-right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and all of the following apply: a) only the place of use is proposed for change, b) there are no structural changes, c) the use of water is for irrigation, and d) the use is located in an irrigation district or exclusive farm-use zone.

Applicant Name: Oregon Turf and Tree by Thomas DeArmond

Mailing Address: 18381 Boones Ferry Road NE

City: Hubbard State: Oregon Zip: 97032 Day Phone: 503-981-8873

This application is related to a Measure 37 claim. ☐ Yes ☑ No

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g. Rural Residential/RR-5)	Water to be:	Proposed Land Use:
4S	1W	30	S 1/2	800&900	Primary / EFU	☐ Diverted ☑ Conveyed ☑ Used	
		32	NWSW	1000	Primary / EFU	☐ Diverted ☑ Conveyed ☑ Used	
		29	SWNW	300	Primary / EFU	☐ Diverted ☑ Conveyed ☑ Used	
		32	NE	400	Primary / EFU	☐ Diverted ☑ Conveyed ☑ Used	

List all counties and cities where water is proposed to be diverted, conveyed, or used. Marion

B. Description of Proposed Use

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SALEM, OREGON

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

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

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

Estimated quantity of water needed: 2 ☑ 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 Nursery Use

Briefly describe: Water rights from another property will be transferred to the above listed property utilizing existing wells, pipe lines and sprinkler systems to use the water for nursery operations.

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

Receipt for Request for Land Use Information

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

T 10533

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form.

This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

X Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): 136.020.

☐ Land uses to be served by proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.)
If approvals have been obtained but all appeal periods have not ended, check "Being pursued".

Type of Land-Use Approval Needed (e.g. plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ 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.

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SALEM, OREGON

Name: David Ekline Title: Senior Planner
Signature: [signature] Phone: 503-588-5038 Date: 10/16/07
Government Entity: Marion 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: _____

T-10533
&
T-10535

Oregon Water Resources Department
Land Use Information Form

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City: Hubbard State: Oregon Zip: 97032 Day Phone: 503-981-8873

This application is related to a Measure 37 claim. ☐ Yes ☑ No

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A. Land and Location

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

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4S	1W	29	NWSW	300	EFU	☐ Diverted ☑ Conveyed ☑ Used	
						☐ Diverted ☐ Conveyed ☐ Used	
						☐ Diverted ☑ Conveyed ☑ Used	
						☐ Diverted ☐ Conveyed ☐ Used	

List all counties and cities where water is proposed to be diverted, conveyed, or used. Marion Co.

B. Description of Proposed Use

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

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

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

Estimated quantity of water needed: 2 ☑ 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 Nursery Use

Briefly describe: Water rights from another property will be transferred to the above listed property utilizing existing wells, pipe lines and sprinkler systems to use the water for nursery operations.

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

Receipt for Request for Land Use Information

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

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form.

This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

☑ Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): MCC 2136.020

☐ Land uses to be served by proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.)
If approvals have been obtained but all appeal periods have not ended, check "Being pursued".

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		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ 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: Jennifer Brown Title: Assistant Planner

Signature: _____ Phone: 503-588-5038 Date: 7/3/08

Government Entity: Marion 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: _____

CERT 44644

Last revised: October 13, 2006

Water Right Transfer Supplemental Form B
AFFIDAVIT ATTESTING TO THE USE OF WATER

State of ~~Oregon~~ Washington)
) ss
County of Thurston)

I, John R. Donaldson, in my capacity as Sr. Vice President,
mailing address PO Box 3487 Lacey, WA 98509 (Capital Development Co)
telephone number (360) 491-6850, being first duly sworn depose and say:

1. I attest that:

☒ Water was used during the previous five years on the entire authorized place of use of the water right proposed for transfer as described on the accompanying transfer application; **or**

☐ The water right was leased instream at some time within the last five years. The instream lease number is as follows: _____; **or**

☐ The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.

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2. My knowledge of the exercise or status of the water right is based on (check one):

☒ Personal observation ☐ Professional expertise

3. My knowledge is specific to the use of water at the following locations:

Township		Range		Mer	Sec	¼ ¼ Section	Gov't Lot or DLC	Acres (if applicable)
5	S	2	W	WM	12	SWSW	98	4.4
						NENW	98	4.3
						NWNE	98	5.5
								supplemental
5	S	2	W	WM	12	SESW	98	12.1
					13	NENW	98	13.5

(continues on reverse side)

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more space. Supporting documentation must be attached.

T 10533

4. The water right was exercised for the authorized purpose described below (e.g., crops grown):

grass seed and hay

5. The water delivery system used to apply water as authorized by the right is described below:

50 HP elec motor, turbine pump, 3240' 6" alum main line, 5400' 3" & 4" alum handlines, 135 rainbird 30 sprinklers 11/64.

6. One or more of the following documentation supporting the above statements is attached:

- ☐ Copy of a water right certificate that was issued within the last five years (not a remaining right certificate),
- ☐ Copies of receipts from sales of irrigated crops or for expenditures relating to the use of water,
- ☐ Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers,
- ☐ Dated aerial photographs of the lands or other photographs containing sufficient detail to establish the location and date of the photograph,
- ☐ Dedicated power usage records or receipts,
- ☐ Instream lease number_____,
- ☑ Other: second affidavit attesting to the use of water

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WATER RESOURCES DEPT
SALEM, OREGON

certificate 44644

Signature of Affiant

11-26-07
Date

SRS. UP

Signed and sworn to (or affirmed) before me this 26th day of November, 2007.

Notary Public
State of Washington
SANDRA M. CARON
MY COMMISSION EXPIRES
Feb 25, 2010

Sandra M. Caron
Notary Public for Oregon

My Commission Expires: 2-25-2010

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more space. Supporting documentation must be attached.

T 10533

Last revised: October 13, 2006

Water Right Transfer Supplemental Form B
AFFIDAVIT ATTESTING TO THE USE OF WATER

State of Oregon)
) ss
County of MARION)

I, JEFF BARRY, in my capacity as CWIRE,
mailing address 55 SW YAMHILL ST, SUITE 400, PORTLAND, OR 97204
telephone number (____)_____, being first duly sworn depose and say:

1. I attest that:

☒ Water was used during the previous five years on the entire authorized place of use of the water right proposed for transfer as described on the accompanying transfer application; **or**

☐ The water right was leased instream at some time within the last five years. The instream lease number is as follows: _____; **or**

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2. My knowledge of the exercise or status of the water right is based on (check one):

☐ Personal observation ☒ Professional expertise

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SALEM, OREGON

3. My knowledge is specific to the use of water at the following locations:

Township		Range		Mer	Sec	¼ ¼ Section	Gov't Lot or DLC	Acres (if applicable)
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						NENW	98	4.3
						NWNE	98	5.5
								supplemental
5	S	2	W	WM	12	SESW	98	12.1
					13	NENW	98	13.5

(continues on reverse side)

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more space. Supporting documentation must be attached.

T 10533

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- ☐ Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers,
- ☐ Dated aerial photographs of the lands or other photographs containing sufficient detail to establish the location and date of the photograph,
- ☐ Dedicated power usage records or receipts,
- ☐ Instream lease number _____,
- ☑ Other: second affidavit attesting to the use of water

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WATER RESOURCES DEPT
SALEM, OREGON

certificate 44644

Signature of Affiant

1/17/08
Date

Signed and sworn to (or affirmed) before me this 17th day of Jan, 2008.

OFFICIAL SEAL
KAREN L. MORGAN
NOTARY PUBLIC - OREGON
COMMISSION NO. 396853
MY COMMISSION EXPIRES NOV. 8, 2009

Karen L. Morgan
Notary Public for Oregon

My Commission Expires: 11-8-2009

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more space. Supporting documentation must be attached.

After Recording Return To:

Capital Development Company
P.O. Box 3487
Lacey, WA 98509-3487

RECEIVED
FEB 12 2008
WATER RESOURCES DEPT
SALEM, OREGON

QUIT CLAIM DEED
WATER CONVEYANCE AGREEMENT
FOR TRANSFER OF INTEREST IN A WATER RIGHT

By this agreement, Grantor, K & R Holdings Evergreen Meadows, LLC, an Oregon limited liability company, the owner of the lands ("Lands") described as Lot 1, Town Center at Woodburn, Marion County, Oregon, for an in consideration of Ten and no/100 Dollars ($10.00) and other goods and valuable consideration, hereby releases its claim and responsibility for 7.94 acres of water rights* that are appurtenant to the Lands, and quit claims to CAPITAL DEVELOPMENT COMPANY ("Capital"), Grantee, all rights, title and interest in the said water rights as are appurtenant to the Lands. The water rights in question are further described as a portion of Permit #G-5281, priority date of October 5, 1970, as located on land commonly known as: Marion County Tax Assessor Parcel Numbered 052W12C02000. (*Certificate No. 44644)

By entry of this deed, Grantor hereby notifies any subsequent purchaser of the Lands that Grantor, as owner of the subject land, approved the transfer (including a change in the place and type of use and point of diversion) of the water rights that are appurtenant to the subject Lands, and that upon completion of a transfer, by election of Capital, the subject Land no longer will have appurtenant water rights.

Furthermore, upon signing of this agreement, Grantor shall no longer be liable for any district assessments or charges pertaining to the described 7.94 acres of water rights incurred.

This agreement is binding upon the heirs, executors, administrators, successors and permitted assigns of the parties to this agreement.

Situated in the County of Marion, State of Oregon.

Signed December 7, 2007

K & R Holdings Evergreen Meadows, LLC, Grantor

STATE OF OREGON)
) ss.
COUNTY OF WASHINGTON)

This instrument was acknowledged before me on December 7th 2007 by Sean T. Keys as Manager of K & R Holdings Evergreen Meadows, LLC.

Dated: December 7, 2007

Notary Public in and for the State of Oregon. My commission expires: 9/25/2010

OFFICIAL SEAL
KIMBERLY A THOMPSON
NOTARY PUBLIC - OREGON
COMMISSION NO. 410313
MY COMMISSION EXPIRES SEPTEMBER 25, 2010

T 10533

FEB 0 7 2008

After Recording Return To:

Capital Development Company
P.O. Box 3487
Lacey, WA 98509-3487

RECEIVED
FEB 12 2008
WATER RESOURCES DEPT
SALEM, OREGON

QUIT CLAIM DEED
WATER CONVEYANCE AGREEMENT
FOR TRANSFER OF INTEREST IN A WATER RIGHT

By this agreement, Grantor, Montebello Estates I, LLC, an California limited liability company, the owner of the lands ("Lands") described as Lot 2, Town Center at Woodburn, Marion County, Oregon, for an in consideration of Ten and no/100 Dollars ($10.00) and other goods and valuable consideration, hereby releases its claim and responsibility for 20.03 acres of water rights that are appurtenant to the Lands, and quit claims to CAPITAL DEVELOPMENT COMPANY ("Capital"), Grantee, all rights, title and interest in the said water rights as are appurtenant to the Lands. The water right in question is further described as a portion of Permit #G-5281, priority date of _____, as located on land commonly known as: Marion County Tax Assessor Parcel Numbered 052W1301400.

By entry of this deed, Grantor hereby notifies any subsequent purchaser of the Lands that Grantor, as owner of the subject land, approved the transfer (including a change in the place and type of use and point of diversion) of the water rights that are appurtenant to the subject Lands, and that upon completion of a transfer, by election of Capital, the subject Land no longer will have appurtenant water rights.

Furthermore, upon signing of this agreement, Grantor shall no longer be liable for any district assessments or charges pertaining to the described 20.03 acres of water rights incurred.

This agreement is binding upon the heirs, executors, administrators, successors and permitted assigns of the parties to this agreement.

Situated in the County of Marion, State of Oregon.

Signed 1/28, 2008

Montebello Estates I, LLC

(Grantor)

STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN JOAQUIN)

This instrument was acknowledged before me on January 28 2008 by Schyler T. Eto as authorized member of Montebello Estates I, LLC.

T 10533

Dated: January 28 2008

of



Notary Public in and for the State

California. My commission expires: 2/19/09

Reel 2260 Page 106

RECORDING REQUESTED BY
Fidelity National Title Company of Oregon

GRANTOR'S NAME
Pioneer Trust Bank, N.A.

GRANTEE'S NAME
Capital Development Company

SEND TAX STATEMENTS TO:
Capital Development Company
P.O. Box 3487
Lacey, WA 98509

AFTER RECORDING RETURN TO:
Capital Development Company
P.O. Box 3487
Lacey, WA 98509

RECEIVED
FEB 12 2008
WATER RESOURCES DEPT
SALEM, OREGON

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY BARGAIN and SALE DEED

Fidelity National Title

PIONEER TRUST BANK, N.A. which was formerly known as Pioneer Trust Company, as TRUSTEE and PIONEER TRUST BANK, N.A. which was formerly known as Pioneer Trust Company, Grantor, conveys to

Capital Development Company, A Washington corporation, Grantee, the following described real property, situated in the County of Marion, State of Oregon,

SEE EXHIBIT ONE ATTACHED HERETO AND MADE A PART HEREOF

VACATING ANY AND ALL RIGHTS TO EASEMENT AND MAINTENANCE AGREEMENT RECORDED 1/2/75 IN REEL 6, PAGE 1218;

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS FULFILLMENT OF THAT CERTAIN CONTRACT RECORDED September 9, 1991, in Book 882, Page 388, Mariion County, Oregon. (See ORS 93.030)

Book 47

AFTER RECORDING RETURN TO: TICOR TITLE INSURANCE CO.

DATED: December 31, 2003

Pioneer Trust Bank, N.A.

By: Susan I. Cobb
Trust officer

STATE OF OREGON
COUNTY OF Marion

This instrument was acknowledged before me on January 2, 2004
by Susan I. Cobb
as Trust Officer
of Pioneer Trust Bank, N.A.

Loraine Hansen
NOTARY PUBLIC FOR OREGON
MY COMMISSION EXPIRES: March 27, 2005

OFFICIAL SEAL
LORAINE HANSEN
NOTARY PUBLIC - OREGON
COMMISSION NO. 343393
MY COMMISSION EXPIRES MARCH 27, 2005

T 10533

Escrow No. 04-800642-CJJ-22
Title Order No. 00800642

EXHIBIT ONE

A parcel of land lying in the A. Dubois Donation land Claim No. 98, and the M. Lore Donation Land Claim No. 61, in Sections 12, 13 and 14, Township 5 South, Range 2 West of the Willamette Meridian, in the City of Woodburn, Marion County, Oregon, more particularly described as follows:

Beginning at a 5/8 inch iron rod marking the Southwest corner of the A. Dubois Donation Land Claim No. 98, in said Township and Range and running thence South 00°39'31" West 530.27 feet to a 1/4 inch iron pipe; thence North 89°32'20" West 2110.97 feet to a point on the Easterly right of way line of Interstate Highway 5; thence along said right of way line North 35°53'54" East 3649.14 feet to a point on the Westerly line of said Donation Land Claim No.98; thence along said Donation Land Claim line South 00°31'65" West 69.04 feet; thence continuing along said Easterly right of way line North 35°57'00" East 246.21 feet; thence South 88°51'55" East 1349.22 feet; thence North 00°40'55" East 27.96 feet to a point on the Southerly line of West Hayes Street; thence along said Southerly line South 88°51'55" East 828.17 feet to a point on the Westerly line of Evergreen Road; thence along said Westerly line South 00°47'17" West 2111.00 feet to a 5/8 inch iron rod; thence North 89°28'13" West 2110.60 feet to a point on first said Westerly line of said Donation Land Claim No. 98; thence along said Westerly line South 00°31'55" West 470.58 feet to the point of beginning, all in Marion County, Oregon.

EXCEPTING THEREFROM that portion described in Deed to Capital Develop., recorded January 18, 2001 in Reel 1744, Page 496.

ALSO EXCEPTING THEREFROM that portion described in deed to Capital Development Company, recorded December 21, 2001 in Reel 1879, Page 70.

ALSO EXCEPTING THEREFROM that portion described in deed to Capital Development Company, recorded December 26, 2001 in Reel 1880, Page 327.

ALSO EXCEPTING THEREFROM that portion described in deed to Capital Development Company, recorded April 25, 2002 in Reel 1934, Page 297.

ALSO EXCEPTING THEREFROM that portion lying within the exterior boundary lines of MONTEBELLO 1 and MONTEBELLO 2.

RECEIVED
FEB 12 2008
WATER RESOURCES
SALEM, OREGON

WATER RIGHTS PURCHASE AGREEMENT

This Agreement is dated the 16th day of July, 2007, by and between Capital Development Company, a Washington Corporation, its successors and assigns ("Seller"), and Tom Dearmond, its successors and assigns ("Buyer").

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FEB 12 2008
WATER RESOURCES
SALEM, OREGON

RECITALS:

WHEREAS, Seller owns certain valid groundwater rights within the Willamette Basin, ("water rights"); and

WHEREAS, Buyer desires to purchase said water rights under the terms and conditions contained herein.

WITNESSETH:

1. Agreement to Sell and Purchase Water Rights. Seller hereby agrees to sell and convey to Buyer, and Buyer hereby agrees to purchase and acquire from Seller all of Seller's right, title and interest in and to the water rights subject to the terms of this Agreement to the extent the water rights are accepted for transfer by the Oregon Water Resources Department, State of Oregon.

2. Purchase Price and Terms. Buyer shall pay Seller One Thousand Dollars ($1,000.00) per acre for each acre of water rights accepted by the Oregon Water Resources Department for transfer, up to a total of 109.6 acres as shown on the attached map. Such purchase price shall be based upon consumptive use. Seller has designated GSI Water Solutions, Inc. an Oregon Corporation, having its principal place of business at 55 SW Yamhill St. Suite 400, Portland, Oregon 97204 as its broker ("Broker"). Buyer shall be obligated to purchase only that portion of the water rights accepted by the Oregon Water Resources Department for transfer.

3. Warranties of Seller. Seller does hereby represent, covenant and warrant to Buyer that the following are true now and will be at closing.

(a) Authority. Seller has the full right and authority to enter into this Agreement and to consummate the transactions intended in this Agreement, and no other consent to do so is required.

(b) Title to Water Rights. Seller now has, and at closing will have, good and merchantable, fee simple title to the water rights. The water rights are free and clear of all liens, security interests, mortgages, pledges, encumbrances, ditch fees, taxes and assessments, and charges or claims of whatever nature. To the best of Seller's knowledge, the water rights are in good standing with the Oregon Water Resources Department (OWRD),

and have not been forfeited or abandoned, and are not subject to judgment, suit, lien, receivership, or any other encumbrance whatsoever.

(c) Judgments or Litigation. Seller has no knowledge of any outstanding judgments against Seller that would in any manner affect the consummation of this transaction or constitute any cloud upon the title to the water rights- Seller has no knowledge of any pending litigation, proceedings, or investigations, or any threats of litigation, proceedings or investigations, which might result in any cloud upon the title to the water rights, or any other material change in the value of the water rights.

(d) Continued Cooperation. Seller shall, within reason, cooperate with Buyer before, during and after closing to effectuate the transactions contemplated in this Agreement including, without limitation, the execution of any documents or the taking of any action (or the restraining from taking of any action) necessary or desirable to achieve the intended results herein.

4. Conditions Precedent. All obligations of Buyer to close this transaction are subject to the fulfillment of each of the following conditions before or at closing:

(a) Seller's Compliance. Seller will have performed and complied with all agreements and conditions required herein. Seller understands and agrees that it will be necessary to execute and file certain documents with the Oregon Water Resources Department, prior to closing, and Seller agrees to sign any such documents requested for filing by Buyer.

(b) Proof of Title. Within two (2) weeks after the execution of this Agreement, Seller shall provide Buyer a land deed or other suitable document indicating that the Seller has title concerning the water rights. Seller shall take all other action necessary to provide documentation reasonably requested by Buyer to prove or support the free and clear title and validity of the water rights.

(c) Approval of the Transfer by OWRD. Prior to closing, the OWRD must verify that the water rights are valid and approve a Final Order transferring all or a portion of the water rights for transfer to the Buyer's place of use and point of diversion. If OWRD fails to give the approval, this Agreement, except as described below, shall terminate and shall be null and void, all documents shall be returned to Seller, the earnest money deposit shall be returned to Buyer and neither party shall be subject to any further obligation hereunder.

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FEB 12 2009
WATER RESOURCES
SALEM, OREGON

5. Escrow.

(a) Delivery of Documents. Upon execution of this Agreement, Seller and Buyer shall, as appropriate, execute and deliver to Broker the following documents, in a form acceptable to Buyer, to be held until closing as provided herein:

(i) Seller shall provide documentation showing that the Seller has title concerning the water rights.

(ii) Buyer shall prepare a transfer application and provide Buyer with a copy.

RECEIV
FEB 12 2008
WATER D
SALEM

(b) Earnest Money Deposit. An earnest money deposit in the amount of $5,000 shall be deposited by Buyer with Broker within 5 business days of executing this agreement.

(c) Filing With OWRD. Upon receipt of the earnest money deposit and the documents, the Request for Transfer of Water Rights shall be filed with OWRD by the Buyer within ~~30~~ T.D. 60 days of executing this agreement.

(d) Fulfillment of Conditions Precedent. Upon fulfillment of the conditions precedent, the purchase price, adjusted by the number of acres accepted by OWRD for transfer, shall be paid to Seller and the documents shall be delivered to Buyer. If the conditions precedent have not been fulfilled to the satisfaction of Buyer prior to or at closing, the earnest money shall be returned to Buyer, the documents shall be returned to the Seller, this Agreement shall be null and void and of no further force and effect, and neither party shall be subject to any further obligation hereunder.

6. Closing. Closing of this transaction shall be at the time and place as agreed by the parties.

7. Miscellaneous Provisions.

(a) Additional Documentation. Any other documentation that maybe required to close and consummate the transaction after the signing of this Agreement shall be made and delivered by the parties as required.

(b) Indemnification. Seller, Buyer, and Broker shall each indemnify and hold the other harmless from and against any and all claims, demands, causes of action, debts or liabilities arising out of or on account of any breach of any provision of this Agreement.

(c) Notices. All notices and other communications, required to be given hereunder, shall be in writing as follows:

If to Seller(s):

Name of Individual(s) or Officer:
John R. Donaldson; Sr. Vice President
Capital Development Corporation
711 Sleater-Kinney Rd. SE
Lacey, WA 98503

p: 360-491-6850
f: 360-459-8747
johnd@capdevco.com

If to Buyer(s):

Tom Dearmond
11463 Broadacres Rd.
Hubbard, OR 97032

p: (503) 981-0319
thdearmond@yahoo.com

If to Broker(s):

Jeff Barry, CWRE
GSI Water Solutions, Inc.
55 SW Yamhill St.
Suite 400
Portland, OR 97204

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FEB 12 2008
WATER RESOURCES
SALEM, OREGON

P: 503-239-8799
f: 503-239-8940
jbarry@gsiwatersolutions.com

(d) Binding Effect. All of the agreements between the parties shall be binding upon and inure to the benefit of the parties, their successors, personal representative, heirs or assigns.

(e) Captions. The captions of any articles, paragraphs or sections hereof are made for convenience only and shall not control or affect the meaning or construction of any other provisions hereof.

(f) Attorney's Fees. Buyer and Seller shall be responsible for any fees or costs of their respective attorneys and consultants, and for any attorney's and consultants fees incurred by them in the enforcement of any of the terms and provisions of this Agreement, or in connection with any of the water rights or transfer process described herein.

(g) Entire Agreement. This Agreement between the parties hereto and constitutes the entire Agreement and understanding between the parties with respect to the subject matter hereof. No alteration, modification. or amendment hereto shall be valid except in writing and when signed by the parties.

8. Representations. All statements contained in this Agreement or any other instrument delivered by or on behalf of Seller as provided in this Agreement, or in connection with this transaction, will be deemed representations and warranties by Seller as provided in this Agreement. All representations. warranties, indemnities, and agreements made by Seller or Buyer in this Agreement shall survive closing.

SELLER:

John R. Donaldson SVP Scott Watson SEVP _____
(Name of Individual(s) or Entity) (Type of Entity)

BUYER:

Tom DeArmond, A _____
(Name of Individual(s) or Entity) (Type of Entity)

By: Tom DeArmond 8-15-07
(Name & Title) Date

ACKNOWLEDGEMENTS FOR CORPORATION

RECEIVED
FEB 12 2008
WATER RESOURCES DEPT
SALEM, OREGON

STATE OF Washington)
) ss.
COUNTY OF Thurston)

Subscribed and sworn to before me this 16th day of July, 2007, by John R. Donaldson, who personally appeared before me and did state that he/she is authorized to sign the above instrument by action of the Board of

T 10533

Directors/Trustees as memorialized in a Minute to that has been entered into the Minute Book of the company.

Sandra M. Caron
Notary

My Commission Expires: February 25, 2010
(SEAL)

Notary Public
State of Washington
SANDRA M. CARON
MY COMMISSION EXPIRES
Feb 25, 2010

STATE OF
Washington
)
) ss.
COUNTY OF
Thurston
)

Subscribed and sworn to before me this 16th day of July, 2007, by G. Melvin Hastings, who personally appeared before me and did state that he/she is authorized to sign the above instrument by action of the Board of Directors/Trustees as memorialized in a Minute to that has been entered into the Minute Book of the company.

Sandra M. Caron
Notary

My Commission Expires: February 25, 2010
(SEAL)

Notary Public
State of Washington
SANDRA M. CARON
MY COMMISSION EXPIRES
Feb 25, 2010

ACKNOWLEDGEMENT FOR INDIVIDUAL(S)

RECEIVED
FEB 12 2008
WATER RESOURCES DEPT
SALEM, OREGON

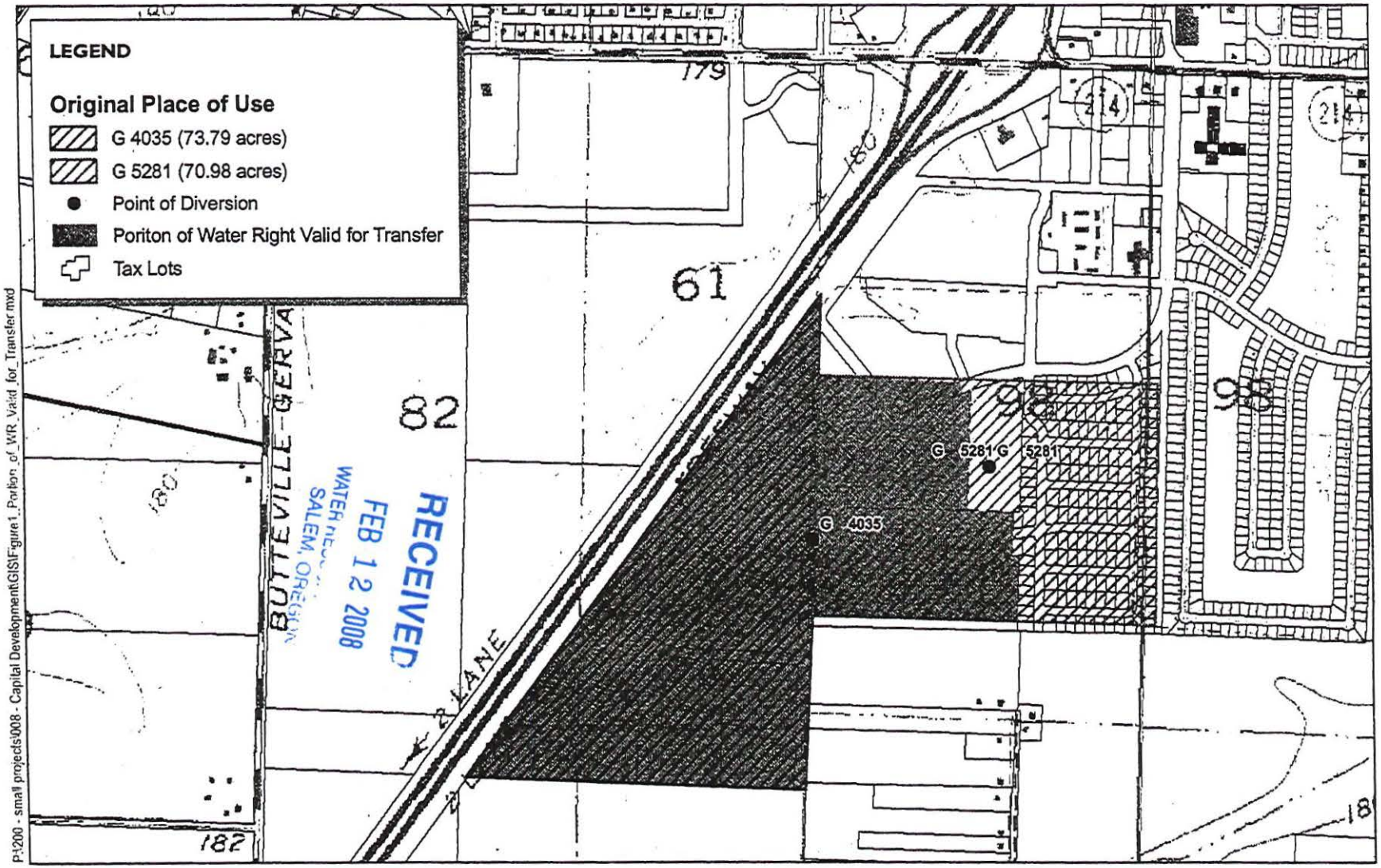
STATE OF
Oregon
)
) ss.
COUNTY OF
Marion
)

Subscribed and sworn to before me by Tom DeArmond, who appeared personally before me this 15th day of August, and who did swear, affirm, certify, depose, and warrant that he/she/they have signed the hereinabove instrument as his/her/their sui juris act and who is/are legally authorized to sign the hereinabove instrument and do hereby attach documentary evidence of his/her/their authority if acting on behalf of any fictitious legal entity of public or private law.

Karen L. Morgan
Notary

My Commission Expires: 11-8-2009
(SEAL)

OFFICIAL SEAL
KAREN L. MORGAN
NOTARY PUBLIC - OREGON
COMMISSION NO. 396853
MY COMMISSION EXPIRES NOV. 8, 2009



Map Date: 7-12-2007

0 500 1000
Feet

Remaining acres available for transfer

Permit	Acres
G-4035	73.54
G-5281	36.12
Total	**109.62**

Figure 1
Water Rights Valid for Transfer
Woodburn, OR
Capital Development Corp.

GSI Water Solutions, Inc.

T 10533

45-072

45 - 72

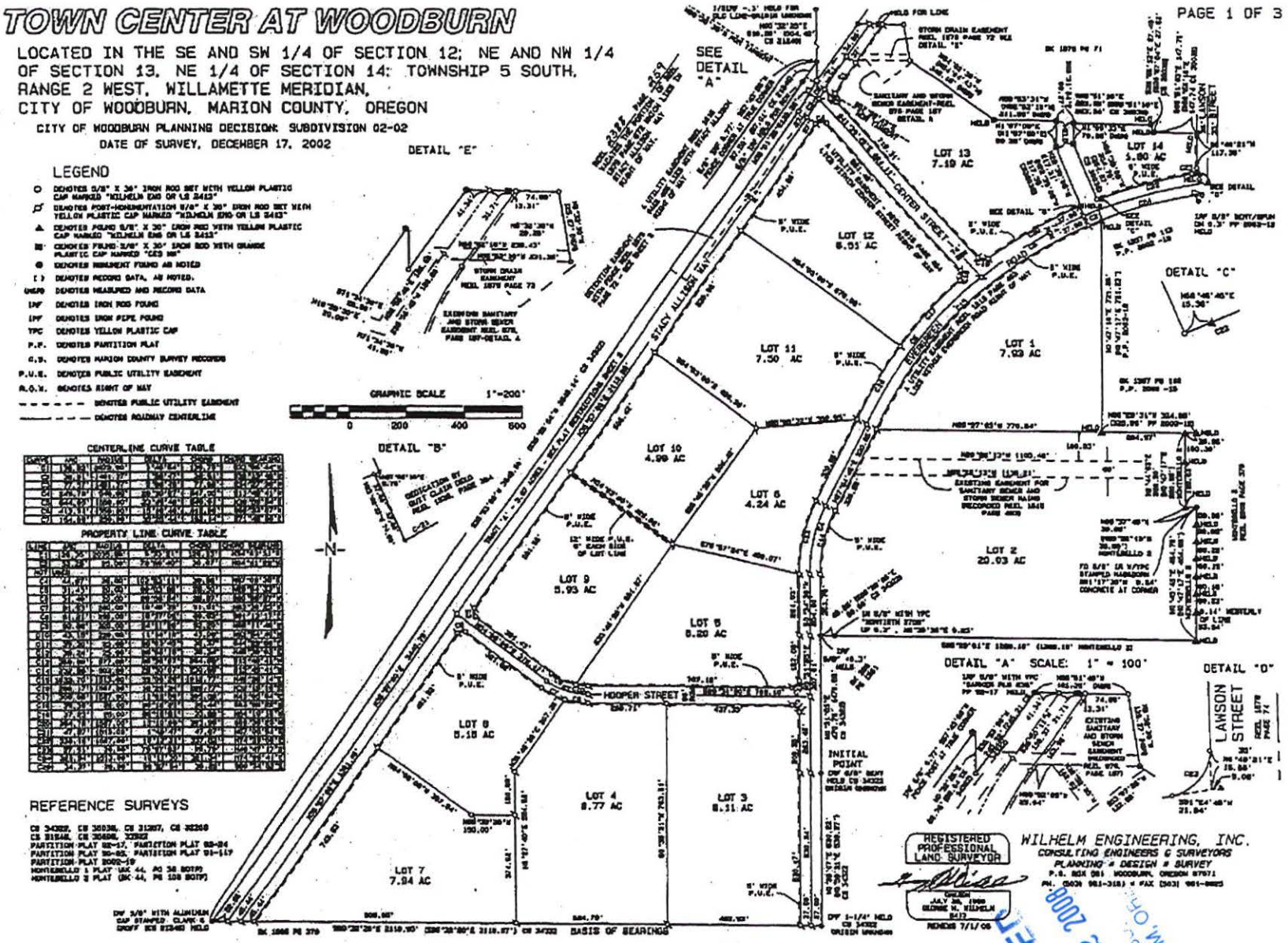
PAGE 1 OF 3

TOWN CENTER AT WOODBURN

LOCATED IN THE SE AND SW 1/4 OF SECTION 12; NE AND NW 1/4 OF SECTION 13, NE 1/4 OF SECTION 14; TOWNSHIP 5 SOUTH, RANGE 2 WEST, WILLAMETTE MERIDIAN, CITY OF WOODBURN, MARION COUNTY, OREGON

CITY OF WOODBURN PLANNING DECISION: SUBDIVISION 02-02

DATE OF SURVEY, DECEMBER 17, 2002



REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON JULY 30, 1999 GLORIA M. WILHELM 2172

RENEWS 7/1/08

WILHELM ENGINEERING, INC.
CONSULTING ENGINEERS & SURVEYORS
PLANNING • DESIGN • SURVEY
P.O. BOX 261 WOODBURN, OREGON 97071
PH. (503) 981-3183 • FAX (503) 981-8883

RECEIVED
FEB 12 2008
WATER RESOURCES DEPT.
SALEM, OREGON

T 10533

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # 91431

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

COPY

INVOICE # _____

RECEIVED FROM: T.H DeArmondaSon

BY: _____

APPLICATION	
PERMIT	
TRANSFER	See below

CASH: ☐ CHECK:# ☒ 12471 OTHER: (IDENTIFY) ☐ _____

TOTAL REC'D $ 3700.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407	COPIES		$
_____	OTHER:	(IDENTIFY) _____	$

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407	COPY & TAPE FEES	T-10532 - 1200.00	$
0410	RESEARCH FEES	T-10533 - 120.00	$
0408	MISC REVENUE: (IDENTIFY)	T-10534 - 500.00	$
TC162	DEPOSIT LIAB. (IDENTIFY)	T-10535 - 800.00	$
0240	EXTENSION OF TIME		$

RECEIVED
OVER THE COUNTER

WATER RIGHTS:

		EXAM FEE		RECORD FEE
0201	SURFACE WATER	$	0202	$
0203	GROUND WATER	$	0204	$
0205	TRANSFER	$ 3700.00		

WELL CONSTRUCTION

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

_____ OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211	WELL CONST START FEE	$	CARD #	
0210	MONITORING WELLS	$	CARD #	

_____ OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY

		LIC NUMBER	
0233	POWER LICENSE FEE (FW/WRD)		$
0231	HYDRO LICENSE FEE (FW/WRD)		$
_____	HYDRO APPLICATION		$

_____ TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ $

RECEIPT: 91431 DATED: 2/12/08 BY: L. Pasalich

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

T 10533

STATE OF OREGON
WATER RESOURCES DEPARTMENT
725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

COPY

RECEIPT # 91430 INVOICE # _____

RECEIVED FROM: T.H. DeArmond & Son
BY: _____

APPLICATION	
PERMIT	
TRANSFER	

CASH: ☐ CHECK:# ☒ 12470 ☐ OTHER: (IDENTIFY) _____

TOTAL REC'D $ 375.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407	COPIES	47124	$
4108	OTHER:	(IDENTIFY) Reimbursement Authority	$ 375.00

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

4270 WRD OPERATING ACCT

MISCELLANEOUS T-10532

0407	COPY & TAPE FEES	10533	$
0410	RESEARCH FEES	10535	$
0408	MISC REVENUE: (IDENTIFY)		$
TC162	DEPOSIT LIAB. (IDENTIFY)		$
0240	EXTENSION OF TIME		$

RECEIVED
OVER THE COUNTER

WATER RIGHTS:

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

WELL CONSTRUCTION

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

_____ OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211	WELL CONST START FEE	$	CARD #	
0210	MONITORING WELLS	$	CARD #	

_____ OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

_____ TREASURY OTHER / RDX

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

RECEIPT: 91430 DATED: 2/12/08 BY: L. Faulds

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

T 10533

Dorothy Pedersen

From: Dorothy Pedersen
Sent: Tuesday, April 08, 2008 5:54 PM
To: 'Terrance Anthony'
Subject: RE: DeArmond 'working' DPDs
Attachments: 10532-wm-rev.pdf; 10533-wm-rev.pdf; 10535-wm-rev.pdf

Terry,

Attached are the watermaster reviews for T-10532, T-10533 and T-10534. I'll send the groundwater reviews as soon as they are completed.

Here are some comments to the drafts:

T-10532
I think you are on the right track with the separation in the places of use and links with the two groups of wells. We will end up with only one certificate, however, so here is a suggestion based on how some of the older rights have been structured. Generally they termed the two POUs as "Tract 1 and Tract 2".

It might help the flow of thought to put current finding #8 right after the description of the certificate (by the way, I'd not include the Well Log number in the certificate POA description, since it is not on the certificate).

Then you could put the finding about the proposed place of use.

Then, divide the cfs of the right proportionate to the acreage in the two new POU tracts, and reword the finding about the change in POA to state that T-10532 proposes to change the POA "x" cfs from the authorized well to one group of wells for use on the lands in tract 1 and to change the POA for "y" cfs to another group of wells for use on the lands in tract 2. Then show your POA tables. Generally the Department lists the well name at the beginning of the table cells in the "survey coordinates" column, followed by a colon and the coordinates.

T-10533
I'd suggest re-arranging the change findings as follows:
First have the change in character of use for the primary portion (x cfs and acres, and x annual acre-feet) to nursery and explain that it will be transferred onto lands that have another irrigation right under Certificate xxxx or Groundwater Registration xxxxx that is also proposed to be changed to nursery use under T-xxxx that is being processed concurrently.

Then have the change in place of use for both the primary (changed to nursery) and the supplemental irrigation (no change in character of use) and show the tables for the new POUs.

Then have the change in points of appropriation for use on the new POUs (with cfs divided as in T-10533).

T-10535
It appears to me that there will not be a remaining right certificate because all of the right has either an additional POA or a change in character of use to nursery, so just divide it out to describe what acres get which changes. Because of the character of use change for part, you'll need to quantify cfs, acreage and acre-feet that are available for each character of use.

Often we will add a column in the "from land" POU table that tells what type or types of change are proposed for each row in the table. Then you can add in the POA change that all of the listed part of the right is to have that change. Then follow that with the finding that describes the change to nursery with "Nursery Use" in the heading of the table.

Since this change to nursery is not a "doubling up" of rate as in T-10532, but a "stacking with another right" as in

T-10533, you can copy and paste the statement that it is to be in combination with the other right that is being transferred onto it under the other transfer(s) being processed concurrently. This right, itself, will not give them 1/40th cfs/acre.

I hope this is helpful. Let me know if you have further questions or comments. These are certainly more complex than the average transfer, and require some creativity with the template structure. It's always hard to know where the line is between creativity and consistency.

Thanks,
Dorothy

From: Terrance Anthony [mailto:conservationstrategies@comcast.net]
Sent: Sunday, April 06, 2008 8:34 PM
To: Dorothy Pedersen
Subject: DeArmond 'working' DPDs

Dorothy,

I'm sending you my working DPDs for the DeArmond transfers (attached). At this time everything appears to be in order and they are near completion. I'm hoping you will have time to glance at them while we await the Groundwater review--not necessarily for detail, but just to make sure I'm understanding all the subleties of these nursery use transfers.

Thanks!

Terry

Terrance Anthony
ph 503.282.1953
fax 503.493.2512
conservationstrategies@comcast.net

T-10533

WORK ORDER

Work Order #: **R09 108 09**

Water Right Contract Work

This Work Order hereby incorporates by reference all of the terms and conditions contained in the Price Agreement between the State of Oregon acting by and through Oregon Water Resources Department and **Terrance Anthony.**

Contractor Data	Water Resource Data
Project Contact: Terrance Anthony	Project Officer: Dorothy Pedersen
Title:	Field Services Division
Address: 2532 NE 32nd Court	Address: 725 Summer Street NE, Suite A
Portland, OR 97212	Salem, OR 97301-1266
Phone: (503) 282-1953	Phone: (503) 986-0890
Fax: (503) 493-2512	Fax: (503) 986-0903
E-Mail: conservationstrategies@comcast.net	E-Mail: Dorothy.I.Pedersen@wrd.state.or.us

Work Order Effective Date: **March 21, 2008.**

Part I. General Information. This Work Order is in effect between the contractor and the Department for the processing of water right applications as described in the Master Agreement.

Part II. Work; Acceptance Criteria; Deliverables and Delivery Schedule: – See **Exhibit A** (Statement of Work for delivery schedule.

Part III. Special Considerations. There is no Special Consideration related to this Work Order.

Part IV. Payment Provisions. Unless otherwise specified, payments related to this Work Order shall be made only upon receipt and approval of the final product - The Product includes all deliverables - the Final Check List, Electronic and Paper Reports.

Payment for this work shall be processed upon receiving related invoice and the completed Deliverable Cover Sheet.

Part V. Travel and Other Expenses.
Agency shall not reimburse Contractor for any travel expense under this Contract.

Part VI. Contract Amendments.

The Agency reserves the right to amend the Contract for the Anticipated Amendments, listed below, in accordance with the rules of OAR 125-246-0560.

ANTICIPATED AMENDMENTS
None. Unless specified by the Agency.

Exhibit A

Statement of Work

Reimbursement authority
Itemized Estimate
For
Transfer

Application Number: **T-10533**

Name of Applicant: **Thomas H. DeArmond**

	Item	Time
1	Review of application for completeness.	2.0
2	Review of "From" lands to confirm consistency with existing right(s) and ownership.	3.0
3	Review of "To" lands for conflicts and preparation of draft deficiency letter (*if necessary*).	4.0
4	Preparation of draft preliminary determination, DPD cover letter and contact list.	5.0
5	Preparation of PD public notice, PD cover letter (and remaining right certificate(s) if necessary), and processing documentation.	4.0
	Total Estimated Time:	18.0

Total estimated cost is 18.0 hours at $90.00 per hour = $1,620.00

- **Estimated date of completion for the Draft Preliminary Determination once a Work Order has been executed is no later than: April 4, 2008***

**Dates are contingent on the Applicant's expeditious resolution of any deficiency.*

Contractor shall notify OWRD in advance if more than **18.0** hours is needed to complete the work described in the Statement of Work above.

Invoices for this Work Order shall be sent to:

Salem Opeifa
Loan Servicing Specialist
725 Summer Street NE, Suite A
Salem, OR 97301-1271

CONTRACTOR, YOU WILL NOT BE PAID FOR SERVICES RENDERED PRIOR TO NECESSARY APPROVALS.

Agency may terminate this Work Order:

a. Immediately upon written notice if the Department fails to receive funding from the Applicant.
b. Upon receiving a written Termination Notice from the Applicant.

Contractor will be paid for all work performed up to the time of the written Termination Notice but not to exceed the total amount of this Work Order.

ACCEPTANCE OF TERMS BY CONTRACTOR:

_____
Name

_____
Signature Date

APPROVED BY AGENCY:

_____
Tracy Louden Date
Administrator
Administrative Services
Oregon Water Resources Department

_____
Reviewed as to Legal Sufficiency by Assistant Attorney General Date
(All work orders more than $75,000 must be approved by the AG's Office)

Reimbursement Authority Process
Itemized Estimate Sheet
for
Water Rights Transfer

Application Number T-10533

Name of Applicant: Thomas H. DeArmond

Proposed Timeline

2/19/08	Public Notice (start of 30-day comment period).
4/4/08	Completion of draft preliminary determination--1 week after contracts signed and removal of deficiencies, but not before the end of the Public Notice comment period and receipt of all agency reviews (Watermaster, groundwater and ODFW as applicable).
5/9/08	Deadline for applicant review of draft preliminary determination--30 days or more after draft PD mailed to applicant, depending on issues to be resolved.
5 working days after DPD comments received	**Completion of contract work:** Submittal of PD cover letter, PD public notice (and remaining rights certificates if applicable)--within 5 business days after comments received from applicant that the draft is satisfactory, or after the end of the period for applicant to comment on draft PD and remedy deficiencies.

*For purposes of water right transfers, all deliverables must be in **Microsoft Word** except remaining right certificates for which electronic copies of the existing certificates are currently available in WordPerfect.*

Estimate

	Item	Time
1	Review of application for completeness.	2.0
2	Review of "From" lands to confirm consistency with existing right(s) and ownership.	3.0
3	Review of "To" lands for conflicts and preparation of draft deficiency letter (*if necessary*).	4.0
4	Preparation of draft preliminary determination, DPD cover letter and contact list.	5.0
5	Preparation of PD public notice, PD cover letter (and remaining right certificate(s) if necessary), and processing documentation.	4.0
	Total Estimated Time:	18.0

(Indicate the estimated amount of time, in ½ hour increments, needed to complete each item listed.)

Prior to preparing an estimate, contact Department staff if work could not be performed consistent with the proposed timeline. In developing the estimate, review the transfer application, transfer map, existing certificate, and final proof map. Pay particular attention to the clarity of the existing rights and the complexity of the request.

Name of Consultant: Conservation Strategies

Authorized Representative: _____ Date: 3-3-08

Revised 11/5/2004 DIP

Dorothy Pedersen

From: Dorothy Pedersen
Sent: Friday, February 29, 2008 2:28 PM
To: 'Terrance Anthony'
Subject: RE: T-10532 - 10535
Attachments: 10532-RA-ReviewChecklist.doc; 10532-DPD Cover Approval template.doc; 10532-DPD Cover Deny-template.doc; 10532-dpd-template.doc; 10532-pd-cov-template.doc; 10533-RA-ReviewChecklist.doc; 10533-DPD Cover Approval template.doc; 10533-DPD Cover Deny-template.doc; 10533-dpd-template.doc; 10533-pd-cov-template.doc; 10535-RA-ReviewChecklist.doc; 10535-DPD Cover Approval template.doc; 10535-DPD Cover Deny-template.doc; 10535-dpd-template.doc; 10535-pd-cov-template.doc; Contact List.dot; PD_notice.dot; DeficLet.dot; supplemental-lang.dot; 10533-rr-44644-template.doc

Hi Terry,

Attached are templates for the projects.

1) We have allowed irrigation use to be transferred to a smaller place of use at a proportionally higher duty with a change in character of use to nursery, since the usual rate and duty for nursery use is greater than that for irrigation. As long as there is no net increase in water use, the change can be made without enlargement. One transfer of that type that you can access on line is T-7569.

2) To confirm non-use, two affidavits are filed alleging non-use, leading to a cancellation proceeding that is conducted through the Office of Administrative Hearings. In the transfer process we are looking for evidence of use in the last five years, consisting of one affidavit and one or more other pieces of documentation. Usually we expect to see one of the documentation types listed in OAR 690-380-3000(12). If it is not possible for the applicant to provide meter readings, sales receipts, dated aerial photos, etc., we have accepted a second affidavit from another person with personal knowledge of the use of water.

Dorothy

From: Terrance Anthony [mailto:conservationstrategies@comcast.net]
Sent: Thursday, February 28, 2008 8:53 PM
To: Dorothy Pedersen
Subject: Re: T-10532 - 10535

Dorothy,

I've reviewed the files and have estimates ready. However as these are very quirky transfers, I'd really like to take a look at the templates before I send them in. If that's problematic, let me know.

Also:
1) can you confirm, or point me to the legal document that says doubling up the water rights for nursery use is indeed allowed? Is there an official formula that I should use? How is the new duty expressed?

2) are two affidavits, each based solely on personal observation, sufficient by themselves to confirm non-use?

Thanks,

Terry

Terrance Anthony
ph 503.282.1953
fax 503.493.2512
conservationstrategies@comcast.net

----- Original Message -----
From: Dorothy Pedersen
To: Terrance Anthony
Sent: Tuesday, February 26, 2008 7:18 AM
Subject: RE: T-10532 - 10535

Terry,

The reason you did not receive T-10534 is that it is a groundwater registration modification that will be processed by the Department, concurrently with the transfers you have. I expect the groundwater reviews to be completed within a month, but if you have not received the review by the time you are developing the draft preliminary determination, let me know and I'll check on it.

Have a good day,
Dorothy

From: Terrance Anthony [mailto:conservationstrategies@comcast.net]
Sent: Monday, February 25, 2008 9:37 PM
To: Dorothy Pedersen
Subject: T-10532 - 10535

Hi Dorothy,

I received three DeArmond transfers in the mail today (T-10534 was missing...?). I'll hold off on an estimate until I hear from you.

btw, What is a realistic timeframe to expect the groundwater report for these?

Terry

Terrance Anthony
ph 503.282.1953
fax 503.493.2512
conservationstrategies@comcast.net

Shipping Checklist for Reimbursement Authority File

File T- 10533 Applicant: Thomas DeArmond

Agent/Contact: Don Knauer

Ship to Contractor: Terrance Anthony

Items included:

- [x] Copy of front of file folder
- [x] Reimbursement Authority Estimate Application
- [x] Transfer Application form
- [x] Transfer map
- [x] Evidence of use affidavit
- [x] Supporting documentation for evidence of use
- [x] Land-use Information form
- [x] Lot book report (or deed if instream or temporary transfer, or application received before 7/1/03)
- [x] Certificate or copy of decree for each right to be transferred
- [x] Final Proof map or decree map for each right to be transferred
- [x] Well logs (if change in POA, SW POD-to-GW POA change)
- [ ] Watermaster review (all transfers)
- [x] NA ODFW review (if change in POD)
- [ ] GW review (if ΔPOA, or POD-to-POA change) → will send later
- [ ] Transfer review checklist Will email with templates
- [x] Final Deliverable cover sheet
- [x] Itemized Estimate sheet for contractor

Additional things to check:

- [ ] All regular application processing fees paid
- [x] Reimbursement Authority $125 fee paid for preparing estimate
- [x] Date of WRD initial Public Notice 2-19-08

Number of sheets copied 39

File contents copied by L. Powell Date 2/21/08

Reimbursement Authority Process
Itemized Estimate Sheet
for
Water Rights Transfer

Application Number T-10533

Name of Applicant: Thomas H. DeArmond

Proposed Timeline

2/19/08	Public Notice (start of 30-day comment period).
4/4/08	Completion of draft preliminary determination--1 week after contracts signed and removal of deficiencies, but not before the end of the Public Notice comment period and receipt of all agency reviews (Watermaster, groundwater and ODFW as applicable).
5/9/08	Deadline for applicant review of draft preliminary determination--30 days or more after draft PD mailed to applicant, depending on issues to be resolved.
5 working days after DPD comments received	**Completion of contract work:** Submittal of PD cover letter, PD public notice (and remaining rights certificates if applicable)--within 5 business days after comments received from applicant that the draft is satisfactory, or after the end of the period for applicant to comment on draft PD and remedy deficiencies.

*For purposes of water right transfers, all deliverables must be in **Microsoft Word** except remaining right certificates for which electronic copies of the existing certificates are currently available in WordPerfect.*

Estimate

	Item	Time
1	Review of application for completeness.	
2	Review of "From" lands to confirm consistency with existing right(s) and ownership.	
3	Review of "To" lands for conflicts and preparation of draft deficiency letter (*if necessary*).	
4	Preparation of draft preliminary determination, DPD cover letter and contact list.	
5	Preparation of PD public notice, PD cover letter (and remaining right certificate(s) if necessary), and processing documentation.	
	Total Estimated Time:	

(Indicate the estimated amount of time, in ½ hour increments, needed to complete each item listed.)

Prior to preparing an estimate, contact Department staff if work could not be performed consistent with the proposed timeline. In developing the estimate, review the transfer application, transfer map, existing certificate, and final proof map. Pay particular attention to the clarity of the existing rights and the complexity of the request.

Name of Consultant: Conservation Strategies

Authorized Representative: _____ Date: _____

Revised 11/5/2004 DIP

Reimbursement Authority
Final Deliverables Cover Sheet
for
Transfers

Transfer # T-10533 Applicant: Thomas H. DeArmond

The following items have been submitted electronically*:

- ☐ Contact List
- ☐ Draft Preliminary Determination (DPD)
- ☐ DPD Cover Letter
- ☐ PD Notice
- ☐ PD Cover Letter
- ☐ Remaining Right Certificates (one for each right that is not entirely affected by the transfer)
- ☐ Instream Water Right Certificate (if needed)

*NOTE: Transfer documents should be submitted in MS Word format preferably, or "rich text" format.

The following items are enclosed:

- ☐ Review checklist
- ☐ Marked copy of transfer application
- ☐ (for POU changes) Plat Card Report marked to indicate any other rights on the "From" lands
- ☐ (for POU changes) Plat Card Report marked to indicate rights overlapping proposed POU
- ☐ Notes or sketches, maps, etc. from evaluation of changes, injury evaluation, etc. that will help document what was considered in reaching the findings and determination in the Preliminary Determination.
- ☐ Copies of each certificate that is only partially included in the transfer, marked as needed to show what portion of the right is being affected, and what remains unchanged.

☐ **Signature of Contractor:** _____ **Date:** _____

For WRD use only:

WRD approval by: _____ **Date:** _____

RECEIVED

FEB 12 2008

WATER RESOURCES DEPT
SALEM, OREGON

WATER RESOURCES DEPARTMENT

REIMBURSEMENT AUTHORITY ESTIMATE APPLICATION

House Bill 2551(2003 Oregon Laws) authorizes the Oregon Water Resources Department to expedite or enhance regulatory processes voluntarily requested under the agreement. The voluntary agreement can be entered into with any person requesting services and agreeing to pay the Department's costs of providing the service.

The Department has established a pool of qualified contractors to perform expedited services for water right transfers and water right certificates.

The purpose of this application is to obtain an estimate from the next qualified contractor in the appropriate pool. There is a non-refundable application fee of $125.00 per request. The contractor will provide an estimate of the cost and of the time required to process and develop a recommendation on the request of a: *(check one)*:

REQUEST	TYPE	FILE NUMBER
☒	Transfer Application	T-10533
☐	Certificate Request	

	Applicant Information	Applicant's Representative/Contact
Name: (Please Print)	Tom DeArmond	Don Knauer
Address:	11463 Broadacres Rd. NE	PO Box 5416
	S Hubbard ORE 97032	Salem ORE 97304
Phone:	503-981-0319	503-585-8474
Fax		
E-Mail Address:		

I understand the following:

- There is a non-refundable application fee of $125.00 per request.
- That upon receipt of my non-refundable application fee in the amount of $ 125.00, OWRD will assign my request to the next contractor in the pool of contractors performing expedited services.
- That this fee covers the copying, the mailing cost, as well as the cost for the contractor to evaluate and provide the estimate for processing of the request.
- That OWRD will provide all pertinent information to the assigned contractor within one (1) business day.
- That OWRD will, within fourteen (14) days, notify me in writing of the estimates of costs and time frame for the expedited service.
- That upon receiving the estimates I may agree or decline to enter into a formal contract to pay the estimated cost in advance to initiate the expedited service.
- An incomplete or inaccurate application may delay the process and increase the cost to process my request.
- Expedited processing does not guarantee a favorable review of my request.

I certify that I am the *(check one)* ☒ Applicant ☐ Applicant's Representative ☐ Other *(Please specify)*_____

Signature: Tom DeArmond **Name:** Tom DeArmond 2-12-08

OWRD USE ONLY

Contractor Assigned:	**Total Amount Paid: $**_____
OWRD Approval:	

Revised: 6/21/2004

T 10533