

Application No. G C 5692  
 Permit No. G G 8348  
 Certificate No. 49643  
 Name WEBBER & SONS, INC.  
 By \_\_\_\_\_  
 Address Route 1, Box 123 24700 S. Mulino Rd.  
Canby, OR 97013

Stream Index, Page No. 2-125  
 Transparency Appl Map File G 5693  
 No log when

Date filed December 22, 1971  
 Priority December 22, 1971  
 Action suspended until \_\_\_\_\_  
OK Cert

Return to applicant \_\_\_\_\_  
 Date of approval NOV 30 1978

**CONSTRUCTION**

Date for beginning NOV 30 1979  
OCT 1 1980  
 Date for completion \_\_\_\_\_  
 Extended to \_\_\_\_\_

Date for application of water OCT 1 1981  
 Extended to \_\_\_\_\_

**PROSECUTION OF WORK**

Form "A" filed \_\_\_\_\_  
 Form "B" filed \_\_\_\_\_  
 Form "C" filed Completed

**FINAL PROOF**

MAY 20 1980 SEP 22 1980  
 Blank mailed \_\_\_\_\_  
 Proof received \_\_\_\_\_  
 Date certificate issued OCT 28 1980

**FEES PAID**

| Date            | Amount       | Receipt No.  |
|-----------------|--------------|--------------|
| <u>12-22-71</u> | <u>25.00</u> | <u>26561</u> |

\$1 Cert. Fee

**FEES REFUNDED**

| Date | Amount | Check No. |
|------|--------|-----------|
|------|--------|-----------|

**ASSIGNMENTS**

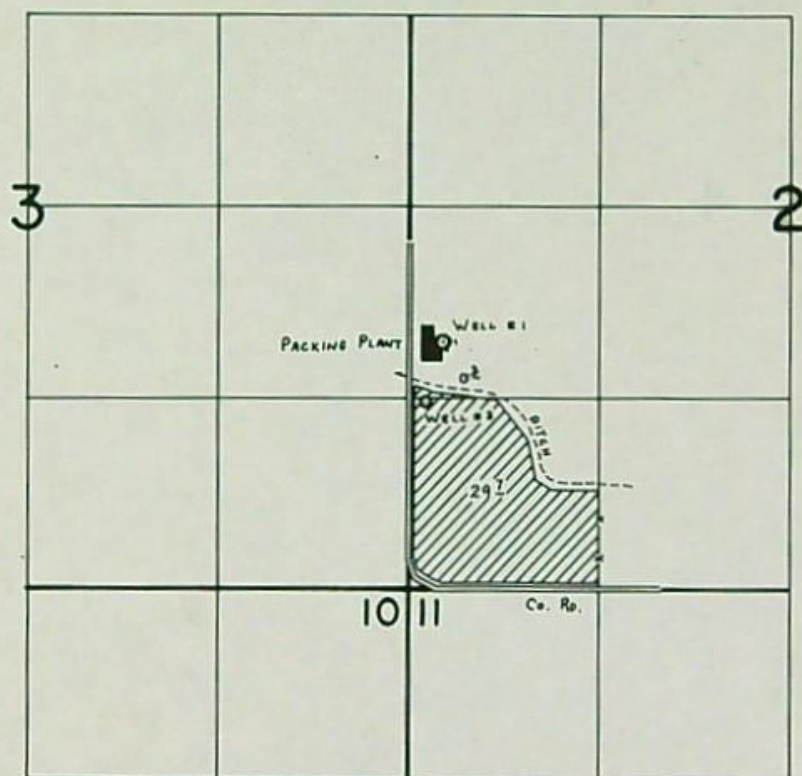
| Date | To Whom | Address | Volume | Page |
|------|---------|---------|--------|------|
|------|---------|---------|--------|------|

**REMARKS**

Form 130 sent JUN 26 1980

T-9998

T.4S. R.1E. W.M.



WELLS LOC:  
 #1 - 1700' N. & 240' E.  
 #3 - 1280' N. & 120' E. } Both From S.W. Cor. Sec. 2.

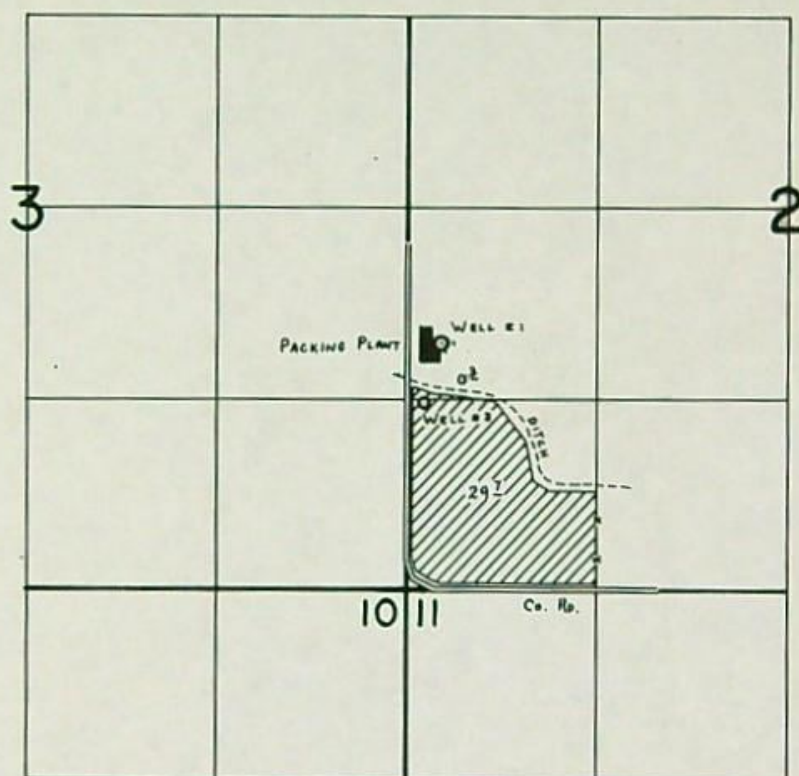
# FINAL PROOF SURVEY UNDER

G-5692                      G-8348  
 Application No. ~~G-5693~~ Permit No. ~~G-8349~~  
 IN NAME OF

WEBBER & SONS, INC - JOHN C. WEBBER

Surveyed Oct. 10, 1979, by C.L. HUGHES

T.4S. R.1E. W.M.



WELLS LOC:  
 #1 - 1700' N. & 240' E.  
 #3 - 1280' N. & 120' E. } Both From S.W. Cor. Sec. 2.

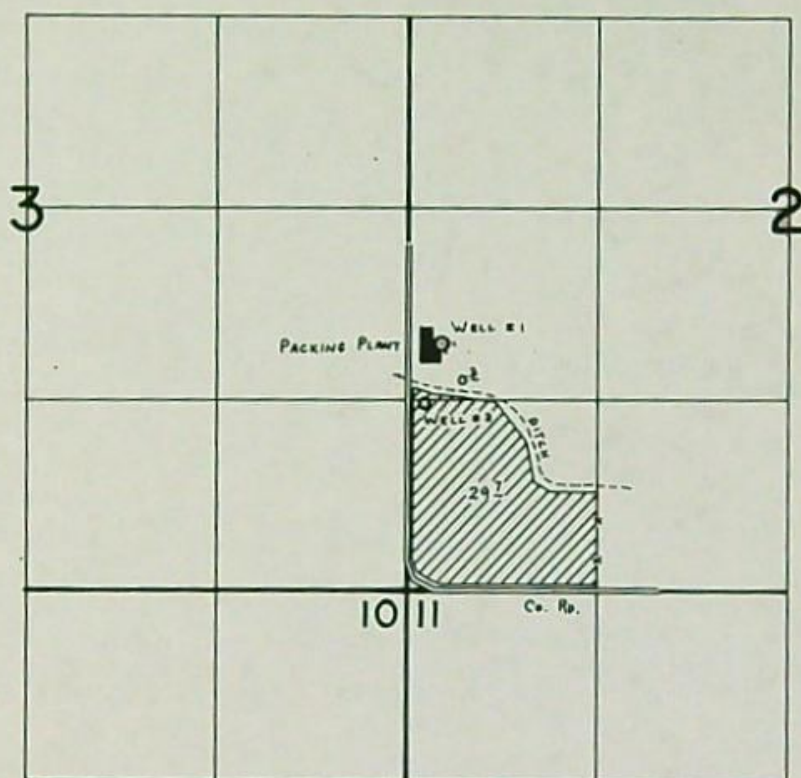
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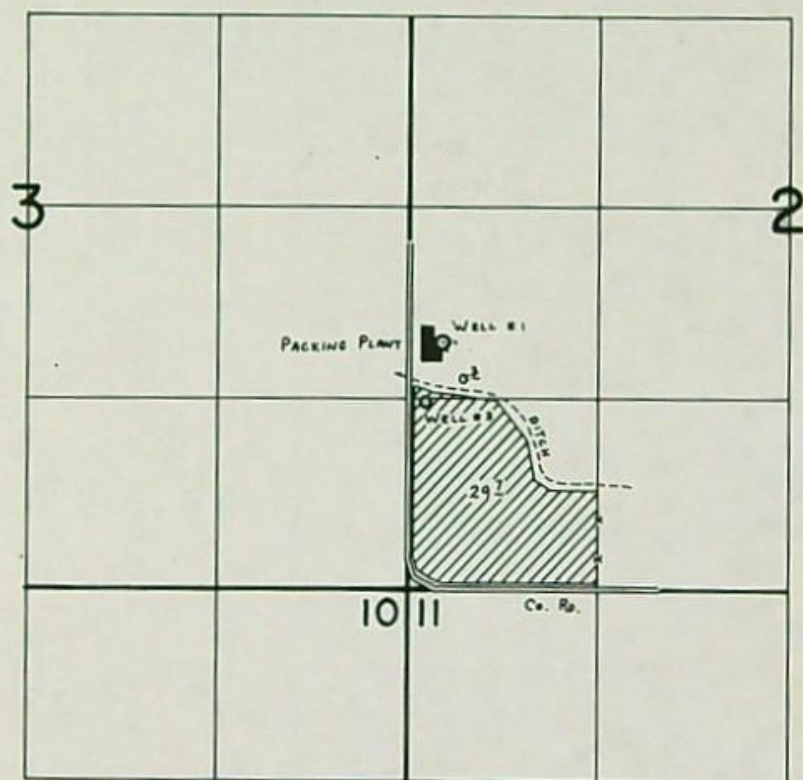
**FINAL PROOF SURVEY**  
 UNDER

G-5692                      G-8348  
 Application No. G-5693 Permit No. G-8349  
 IN NAME OF

**WEBBER & SONS, INC - JOHN C. WEBBER**

Surveyed Oct. 10, 1979, by C. L. HUGHES

T.4S. R.1E. W.M.



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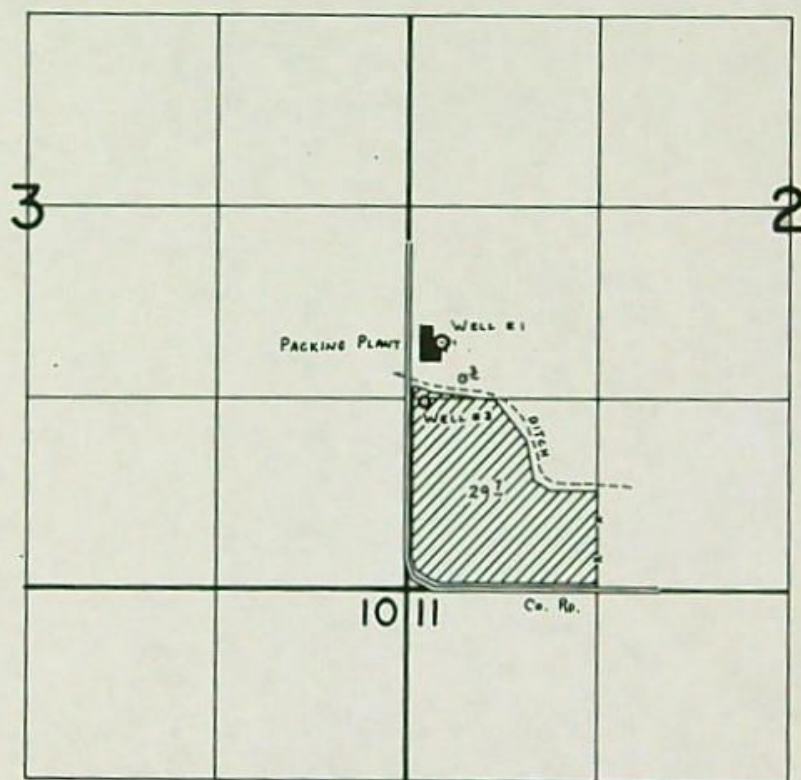
# FINAL PROOF SURVEY UNDER

Application No. G-5692 Permit No. G-8348  
 Application No. G-5693 Permit No. G-8349  
 IN NAME OF

WEBBER & SONS, INC - JOHN C. WEBBER

Surveyed Oct. 10, 1979, by C. L. HUGHES

T.4S. R.1E. W.M.



WELLS LOC:  
 #1 - 1700' N. { 240' E.  
 #3 - 1280' N. { 120' E. } Both From S.W. Cor. Sec. 2.

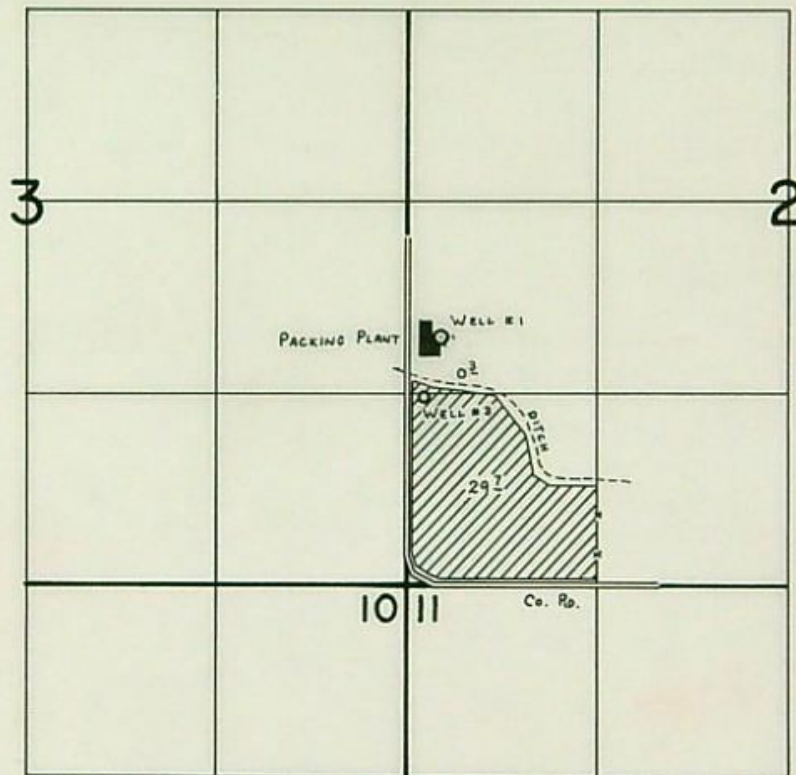
**FINAL PROOF SURVEY**  
 UNDER

Application No. G-5692 Permit No. G-8348  
 IN NAME OF

**WEBBER & SONS, INC - JOHN C. WEBBER**

Surveyed Oct. 10, 1979, by C. L. HUGHES.

T.4S. R.1E. W.M.



WELLS LOC:  
#1- 1700' N. & 240' E. }  
#3- 1280' N. & 120' E. } Both FROM S.W. COR. SEC. 2.

**FINAL PROOF SURVEY**  
UNDER

G-5692                      G-8348  
Application No. G-5693 Permit No. G-8349...  
IN NAME OF

**WEBBER & SONS, INC - JOHN C. WEBBER**

Surveyed Oct. 10, 1979, by C. L. HUGHES

30-83

2 Jobs

287

Permit No. G- G 8348

## APPLICATION FOR A PERMIT

## To Appropriate the Ground Waters of the State of Oregon

I, WEBBER & SONS, INC., (Name of applicant)  
 of RT 1 BOX 123 CANBY, county of CLACKAMAS,  
 state of OREGON, do hereby make application for a permit to appropriate the  
 following described ground waters of the state of Oregon, SUBJECT TO EXISTING RIGHTS:

If the applicant is a corporation, give date and place of incorporation

FEBRUARY 16, 1965 SALEM, OREGON

1. Give name of nearest stream to which the well, tunnel or other source of water development is  
 situated: MILK CREEK (Name of stream)

tributary of MOLALLA RIVER

2. The amount of water which the applicant intends to apply to beneficial use is \_\_\_\_\_ cubic  
 feet per second or 80 gallons per minute.

3. The use to which the water is to be applied is PACKING PLANT

4. The well or other source is located 1700 ft. N and 240 ft. E from the SW  
 corner of THE NW 1/4 OF THE SW 1/4 OF SEC 2, T 4 S, R 1 E W 1  
 (Section or subdivision)

(If preferable, give distance and bearing to section corner)

(If there is more than one well, each must be described. Use separate sheet if necessary)

being within the NW 1/4 SW 1/4 of Sec. 2, Twp. 4 S, R. 1 E,  
 W. M., in the county of Clackamas

5. The \_\_\_\_\_ to be \_\_\_\_\_ miles  
 (Canal or pipe line)  
 in length, terminating in the \_\_\_\_\_ of Sec. \_\_\_\_\_, Twp. \_\_\_\_\_,  
 R. \_\_\_\_\_, W. M., the proposed location being shown throughout on the accompanying map.

6. The name of the well or other works is WEBBER & SONS PACKING PLANT

## DESCRIPTION OF WORKS

7. If the flow to be utilized is artesian, the works to be used for the control and conservation of the  
 supply when not in use must be described.

8. The development will consist of ONE WELL having a  
 (Give number of wells, tunnels, etc.)  
 diameter of 8" inches and an estimated depth of 65' feet. It is estimated that 62'  
 feet of the well will require STEEL casing. Depth to water table is estimated 7'  
 (Kind) (Feet)



## MUNICIPAL SUPPLY—

13. To supply the city of \_\_\_\_\_  
in \_\_\_\_\_ county, having a present population of \_\_\_\_\_  
and an estimated population of \_\_\_\_\_ in 19\_\_\_\_.

ANSWER QUESTIONS 14, 15, 16, 17 AND 18 IN ALL CASES

14. Estimated cost of proposed works, \$ 2,700.00

15. Construction work will begin on or before .....

16. Construction work will be completed on or before 1964

17. The water will be completely applied to the proposed use on or before 6/15/64

18. If the ground water supply is supplemental to an existing water supply, identify any application for permit, permit, certificate or adjudicated right to appropriate water, made or held by the applicant. ....

*John C. Webber*  
(Signature of applicant)

Remarks:

STATE OF OREGON, } ss.  
County of Marion, }

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for ..... correction and completion .....

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before October 30, 19 78.

WITNESS my hand this 28th day of August, 1978

JAMES E. SEYSON

By

Ralph H. Jackson

Water Resources Director

XXXXXX

STATE OF OREGON, }  
County of Marion, } ss.

PERMIT

This is to certify that I have examined the foregoing application and do hereby grant the same, SUBJECT TO EXISTING RIGHTS and the following limitations and conditions:

The right herein granted is limited to the amount of water which can be applied to beneficial use and shall not exceed 0.18 cubic feet per second measured at the point of diversion from the well or source of appropriation, or its equivalent in case of rotation with other water users, from Webber & Sons Packing Plant Well

The use to which this water is to be applied is trib. Milk Cr.  
commercial use in packing plant

If for irrigation, this appropriation shall be limited to \_\_\_\_\_ 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 \_\_\_\_\_ acre feet per acre for each acre irrigated during the irrigation season of each year;

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

The well shall be cased as necessary in accordance with good practice and if the flow is artesian the works shall include proper capping and control valve to prevent the waste of ground water.

The works constructed shall include an air line and pressure gauge or an access port for measuring line, adequate to determine water level elevation in the well at all times.

The permittee shall install and maintain a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of ground water withdrawn.

The priority date of this permit is December 22, 1971

Actual construction work shall begin on or before November 30, 1979 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1980

Complete application of the water to the proposed use shall be made on or before October 1, 1981

WITNESS my hand this 30th day of November, 1978.

James E. Senon  
Water Resources Director

Application No. G-5692  
Permit No. G-G 8348

PERMIT  
TO APPROPRIATE THE GROUND  
WATERS OF THE STATE  
OF OREGON

This instrument was first received in the  
office of the State Engineer at Salem, Oregon,  
on the 22nd day of December  
1971, at 12:05 o'clock A. M.

Returned to applicant:

Approved:

Recorded in book No. \_\_\_\_\_ of \_\_\_\_\_  
Ground Water Permits on page \_\_\_\_\_

STATE ENGINEER  
Drainage Basin No. 2, page 125

Permit G-8348

Info: Mr. Weber. Well used as applied. In addition, they have another well for the same purpose.

Source: Two wells.

Well #1 - Depth - 65' SWL - 5' D.D. - 45' Casing - 6" steel  
Has access. Drilled 15 yrs ago.

pump - US 7½ HP @ 3600 RPM Jordan turbine 3½" disch.  
Goes into a pressure tank (3' dia x 10' long, reading  
 $\frac{80}{450}$  "18 cfs 84 psi). 3" line to plant. 80 GPM

Well #2 - Depth 160' SWL - 5' D.D. - 45' Casing - 6" steel  
No access. Drilled 6 yrs ago.

pump - 7½ HP submersible 100' down (75 GPM)  
2" line to plant.

Use: Washing of foods in packing plant. Both wells have been used simultaneously.

Tie: PTS-1979-41.

Chris Hughes

FE

10/10/79

Permit G 8348

Info: Mr. Weber. Well used as applied. In addition, they have another well for the same purpose.

Source: Two wells.

Well #1 - Depth - 65' SWL - 5' D.D. - 45' Casing - 6" steel  
Has access. Drilled <sup>(1965)</sup> 15 yrs ago.

pump - US 7½ HP @ 3600 RPM Jordan turbine 3½" disch.  
Goes into a pressure tank (3' dia x 10' long, reading  
84 psi). 3" line to plant. 80 GPM

Well #2 - Depth 160' SWL - 5' D.D. - 45' Casing - 6" steel  
No access. Drilled <sup>(1974)</sup> 6 yrs ago.

pump - 7½ HP submersible 100' down (75 GPM)  
2" line to plant

Use: Washing of foods in packing plant Both wells have been used simultaneously.

Tie: PTS 1779-21.

Chris Hughes

FE

10/10/79

Research of available information on this area indicate that alluvial deposits overlie Troutdale Fm. comprised of cemented gravel at approximately 50 feet below land surface. The wells develop most water from sand and gravel layers within the Troutdale. Similar pump test data also indicate withdrawal from the same formation. In conclusion, the above two wells should be considered to develop water from the same aquifer.

GCS 2/12/80

G-5692

## STATE OF OREGON

RECEIVED

SEP 30 1980

COUNTY OF

CLACKAMAS

WATER RESOURCES DEPT  
SALEM, OREGON

## Proof of Appropriation of Water

WEBBER AND SONS, INC.

of 24464 South Mulino Road, Canby  
has applied beneficially the waters of  
Webber and Sons Packing Plant Well

, State of Oregon 97013 ,

a tributary of Milk Creek  
commercial use in packing plant

for the purpose of

under Permit No. G-8348 and that the use of said waters has been completed under the  
terms of said permit; that the priority of the right dates from  
December 22, 1971  
that the amount of water for the purposes aforesaid, has been actually beneficially used in the  
amount of  
0.18 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the well.  
The well is located in the NW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 2, T. 4 S., R. 1 E., W.M.; 1700 feet  
North and 240 feet East from the SW Corner, Section 2

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 ----- of one cubic foot per second  
per acre,

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, and to which such right is appurtenant, is  
as follows:

NW $\frac{1}{4}$  SW $\frac{1}{4}$   
Section 2  
T. 4 S., R. 1 E., W. M.

I have read the above and foregoing proof of appropriation of water; I know the contents  
thereof, and that the facts therein stated are true.

IN WITNESS WHEREOF, I have hereunto set my hand this 15 day of September

1980

John C. Webber

S.W. COR. of  
the N.W. 1/4 of  
the S.W. 1/4 of  
Sec. 2, T.4.S./R.1.E, W.M.

30A

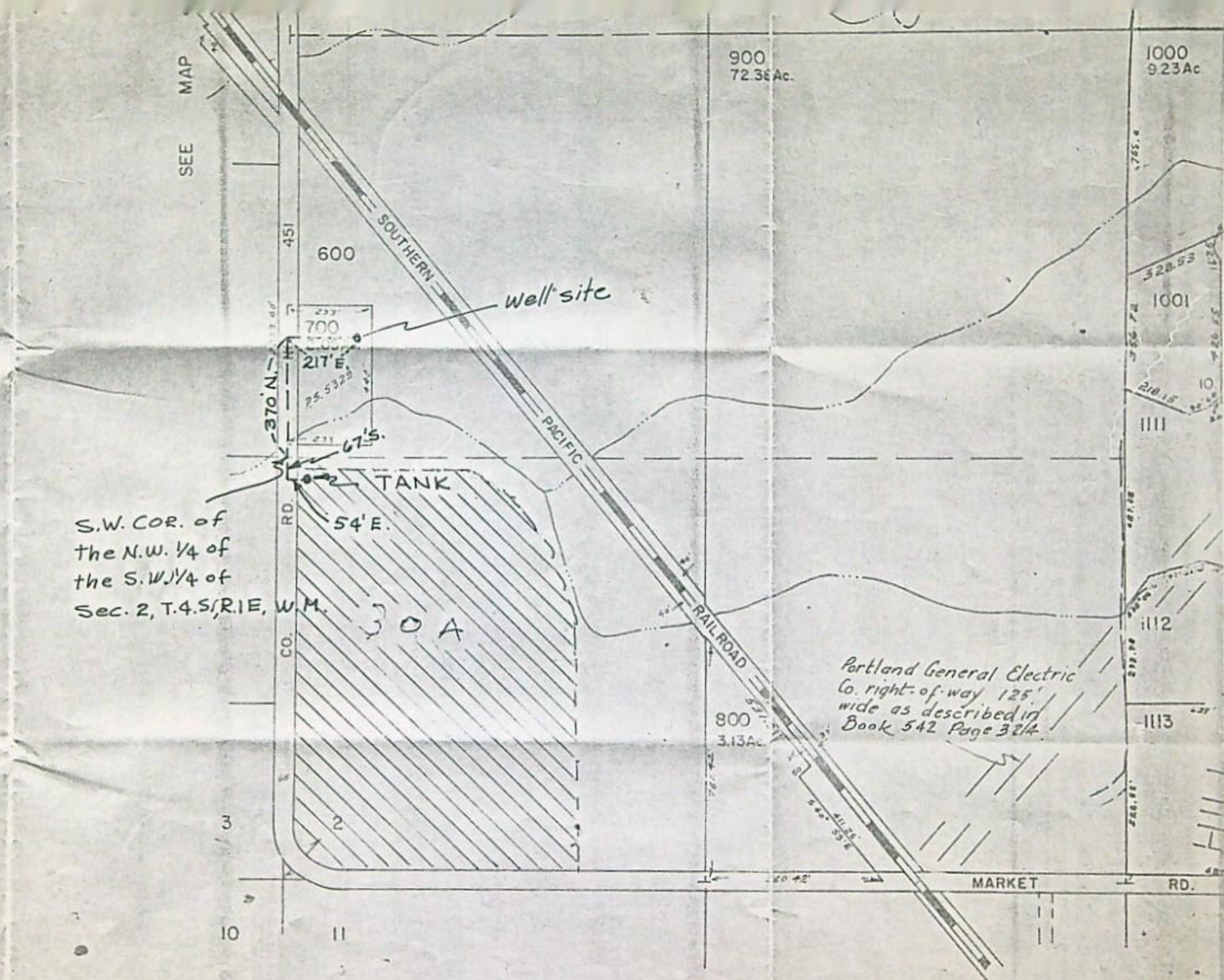
TANK  
54'E.

Well site

Portland General Electric  
Co. right-of-way 125'  
wide as described in  
Book 542 Page 32/4

Application No. G-5693 - G-5692  
Permit No. G 8349 G 8348

SEE MAP 4 IE





*Water Resources Department*  
MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-8508 or  
1-800-452-7813

September 17, 1980

John C. Webber  
2446 South Mulino Road  
Canby, OR 97013

Dear Mr. Webber:

REFERENCE: Files numbered G-5692 and G-5693

We have not received the completed proof of appropriation of water forms in connection with permits numbered G-8348 and G-8349 which were mailed to you on May 20, 1980. Unless the signed proofs are received, the law requires the cancellation of your permits.

In the event you no longer own the property and have no further interest in the permits, you could assign them to the new owner. We will furnish the necessary form upon request.

Sincerely,

THOMAS E. SHOOK  
Water Rights Engineer

TES:wpc  
2014A  
2310A

COPY



*Water Resources Department*

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-8508

September 5, 1980

File Nos. G-5692  
G-5693

Clackamas County Assessor  
Clackamas County Courthouse  
Oregon City, OR 97045

Attention: Juanita Orr

Dear Ms. Orr:

Could you please provide this office with the names and addresses of the current owners of the lands shown on the enclosed maps?

Your assistance is appreciated.

Sincerely,

Thomas E. Shook  
Water Rights Engineer

TES:lrs  
Enclosures

December 4, 1978

Webber and Sons, Inc.  
24700 South Mulino Road  
Canby, Oregon 97013

G-5962

G-8348

378-3066

G-5692

G-5693

August 28, 1978

John C. Webber  
24464 S. Mulino Road  
Canby, OR 97013

Dear Mr. Webber:

On January 4, 1978 I wrote you regarding water right applications No. G-5692, in the name of Webber & Sons, Inc. and No. G-5693 in the name of John C. Webber, enclosing superceding applications for your inspection and signature. This followed a telephone conversation, at which time we discussed the deficiencies in the original applications.

You did not return the applications, so on July 17, 1978 I wrote again requesting that the superceding applications be signed and returned. To date this has not been done.

From your lack of response, it is apparent that you have no further interest in securing rights to the uses of water proposed in the applications. I am therefore returning the original applications and map. Should you decide to sign and return the superceding applications, the originals and the map should be returned also. The applications have been endorsed so as to retain their date of priority if received in this office on or before October 30, 1978.

Very truly yours,

Ralph H. Jackson  
Water Rights Engineer

RHJ:jfv  
enclosures

378-3066

G-5692

G-5693

July 17, 1978

John C. Webber  
24464 S. Mulino Rd.  
Canby, OR 97013

Dear Mr. Webber:

On January 4, 1978 I sent you application forms which had been filled out from information previously submitted. The applications in question were for use of water from a well in the NW $\frac{1}{4}$  SW $\frac{1}{4}$  Section 2, Township 4S, Range 1E W.M. for a packing plant, submitted in the name of Webber and Sons, Inc., and for use of water from the same well for irrigation submitted in the name of John C. Webber. In a telephone conversation you indicated to me that you would review the applications and if they adequately described your use of water, you would sign them and send them back so we could proceed with processing the permits.

To date the applications have not been returned. I can only conclude that you have abandoned your interest in the use of water described in the two applications. If this is not the case, will you please return the applications. Otherwise, we will have no choice but to reject the applications.

In order to provide sufficient time for you to respond, we will take no further action for thirty days.

Very truly yours,

Ralph H. Jackson  
Water Rights Engineer

RHJ:jfv

ROBERT W. STRAUS  
GOVERNOR

*Water Resources Department*  
MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-3066

G-5692

G-5693

January 4, 1978

John C. Webber  
24464 S. Mulino Rd.  
Canby, Oregon 97013

Dear Mr. Webber:

As we discussed in our telephone conversation of December 30, I am enclosing application forms which have been filled in from information contained in your original applications submitted to the State Engineer in 1971. Will you please look them over and sign them in the space indicated on the third page. If you find errors or wish to make changes, you may do so in ink if you initial the corrections. I am also enclosing a copy of the application map for your reference.

Upon receipt of the signed forms, we will proceed to issue the permits.

Please accept my apologies for the long delay in processing these applications. The validity of the rights is not in question and the December 22, 1971 priority dates will be retained. Thank you for your assistance.

Yours Very Truly,

Ralph H. Jackson  
Water Rights Engineer

RHJ:slk  
Enclosures

COPY

April 11, 1972

G-5692  
G-5693

Mr. John C. Webber  
Route 1, Box 39  
Canby, OR 97013

Dear Mr. Webber:

This will acknowledge the signed affidavit of abandonment  
canceling certificate of registration GR-2381.

Your applications numbered G-5692 and G-5693 are now in  
satisfactory form for approval by issuance of permits.

Very truly yours,

THOMAS E. SHOOK  
Assistant

TES:kmp

March 27, 1972

G-5692  
G-5693  
GR-2517

Mr. John Webber  
Route 1, Box 39  
Canby, OR 97013

Dear Mr. Webber:

This will acknowledge your application for a permit to appropriate 80 gallons of water per minute from a well for use in a packing plant, a legal description, and the fee of \$25 for which our receipt numbered 26561 was handed to you. This application has been filed and numbered G-5692.

Also acknowledged is the application for a permit to appropriate 250 gallons of water per minute from a well for the irrigation of 30 acres, a reproducible map and the fee of \$20 for which our receipt numbered 26562 was handed to you. This application has been filed and numbered G-5693.

Enclosed is an affidavit of abandonment canceling a portion of certificate of registration recorded at page GR-2381. This must be notarized and returned so that our records can be cleared to allow issuance of a permit for primary irrigation.

Very truly yours,

THOMAS E. SHOOK  
Assistant

dg  
Enclosure

application # G-5692  
Receipt # 26561

RECEIVED  
MAR 20 1972  
STATE ENGINEER  
SALEM, OREGON

FORM No. 433-WARRANT DEED

KNOW ALL MEN BY THESE PRESENTS, That JOHN C. WEBBER and  
MILDRED L. WEBBER, husband and wife,

hereinafter called the grantor,  
in consideration of ----- Ten and No/100----- Dollars,

to grantor paid by WEBBER & SONS, INC., an Oregon corporation,

hereinafter called the grantee,  
does hereby grant, bargain, sell and convey unto the said grantee and grantee's successors and assigns  
certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or apper-  
taining, situated in the State of Oregon and the county therein named below, described as follows, to-wit:  
A tract of land located in the NW 1/4 of the SW 1/4 of Section 2, Township 4,  
South, Range 1 East of the Willamette Meridian in Clackamas County, Oregon  
and described as follows:

Beginning at a stone at the southwest corner of Section 2, Township 4 South,  
Range 1 East of the Willamette Meridian; thence North along the west line  
of said section 2, which is also the center line of Market Road 25, 1360 feet  
to an X in the pavement, from which a 3/4 inch iron pipe bears east 30 feet,  
said point being the true point of beginning of the tract to be described. From  
said true point of beginning running thence North 440.0 feet along the West line  
said section and center line said road to an X in the pavement from which a  
3/4 inch iron pipe bears east 30 feet; thence east 233 feet to a 3/4 inch iron pipe;  
thence South 440.0 feet to a 3/4 inch iron pipe; thence West 233.0 feet to the  
true place of beginning.

SAVE AND EXCEPT from the above described tract the west 30 feet thereof  
located within the boundaries of Market Road 25.

To Have and to Hold the above described and granted premises unto the said grantee and grantee's  
SUCCESSORS and assigns forever.  
And said grantor hereby covenants to and with said grantee and grantee's successors and assigns, that  
grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances

and that grantor will and  
grantor's heirs, executors and administrators shall warrant and forever defend the above granted premises  
and every part and parcel thereof against the lawful claims and demands of all persons whomsoever.

In construing this deed and where the context so requires, the singular includes the plural.

WITNESS grantor's hand and seal this 26 day of February, 1965.

*John C. Webber* (SEAL)  
*Mildred L. Webber* (SEAL)  
(SEAL)  
(SEAL)

STATE OF OREGON, County of Marion ) ss. February 26, 1965  
Personally appeared the above named JOHN C. WEBBER and MILDRED L.  
WEBBER, husband and wife,  
and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:  
*W.D. Babin*  
Notary Public for Oregon  
My commission expires 4-3-67

WARRANTY DEED

WEBBER, John C. and  
Mildred L.

TO  
WEBBER & SONS, INC., an  
Oregon corporation,

DeArmond & Sherman, Attys.  
687 Court St., Salem, Oregon

STATE OF OREGON, County of Marion ) ss. February 26, 1965  
1. I, Notary Public for Oregon, do hereby certify that the foregoing instrument is a true and correct copy of the original instrument as the same appears from the records of the County of Marion, Oregon, and that the same has been duly acknowledged by the parties thereto in my presence and in the presence of the witnesses named in the instrument.

654 PAGE 871

Witness my hand and seal of said Court  
this 26th day of February, 1965.  
Notary Public for Oregon  
My commission expires 4-3-67