

FILE#: G 13279

RUDOLPH H ETZEL
 ETZEL, OLGA; ETZEL, MARIE
 10510 S MACKSBURG RD
 CANBY, OR 97013

Application No. G13279Permit No. G11778

Certificate No. _____

Stream Index, Page No. 2

02-1140-0410-0040-010

Y 16 Dava Crystalline

FEES PAID

Date	Amount	Receipt No.
2/5/93	100.00	96815
2/5/93	100.00	96816
1/13/94	119.00	108729 REC
1/13/94	119.00	108735 REC
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

Date filed _____

Priority _____

Action suspended until FAD

Return to applicant _____

Date of approval _____

CONSTRUCTION

Date for beginning 7/25/95Date for completion OCT 1 1996

Extended to _____

Date for application of water OCT 1 1997

Extended to _____

PROSECUTION OF WORK

Form "A" filed 8/28/95Form "B" filed 8/28/95Form "C" filed 8/28/95

FINAL PROOF

Blank mailed _____

Proof received _____

Date certificate issued _____

ASSIGNMENTS

Date	To Whom	Address	Volume	Page

REMARKS

Form 90 a reminder sent 8-16-95
 B SERV

No Pump Test 7/6/2016 CLAC 18476 KCW-GW

SEC. 23, T.4S, R.1E, W.M.

RECEIVED

JUL 10 1996

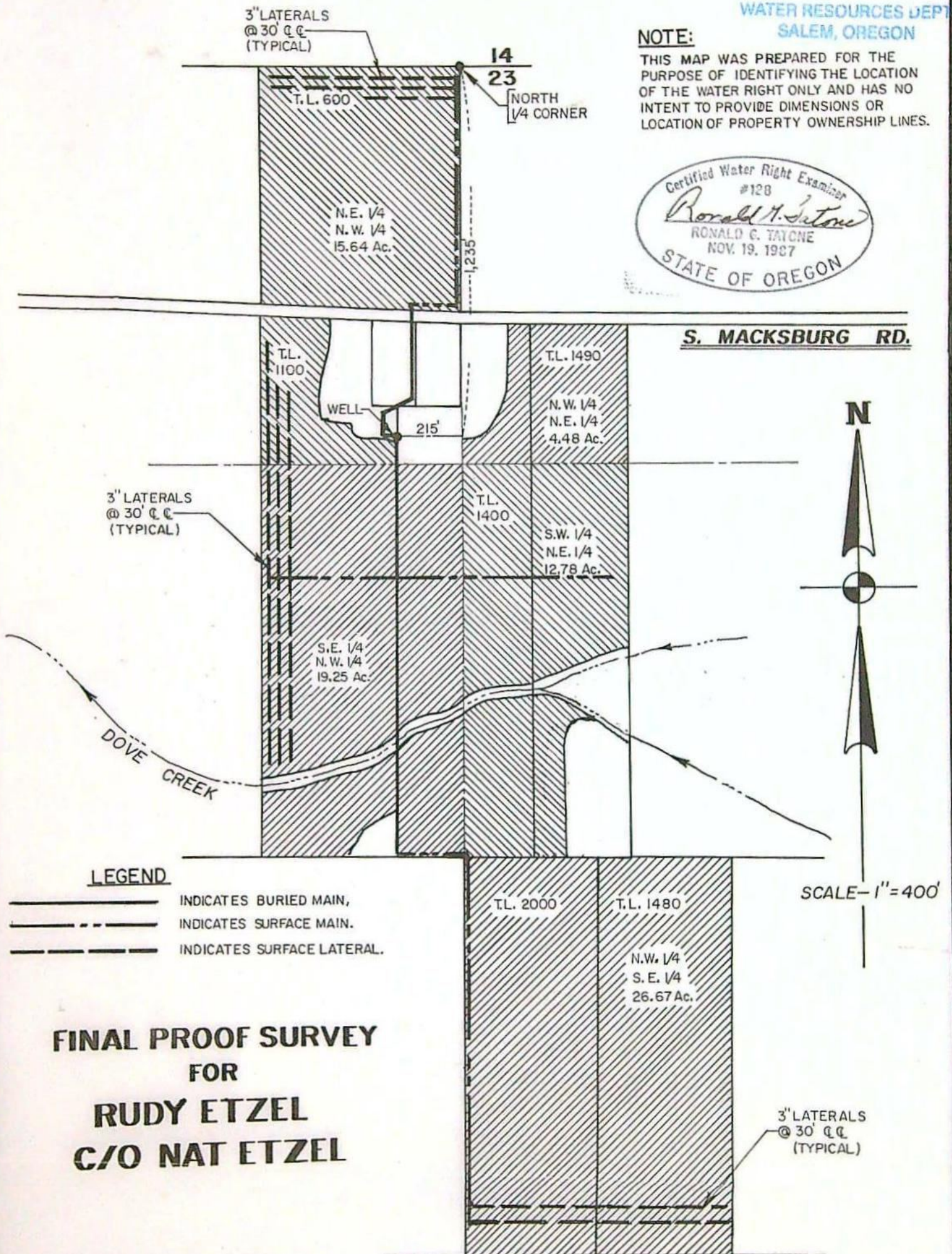
WATER RESOURCES DEPT
SALEM, OREGON

NOTE:

THIS MAP WAS PREPARED FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF THE WATER RIGHT ONLY AND HAS NO INTENT TO PROVIDE DIMENSIONS OR LOCATION OF PROPERTY OWNERSHIP LINES.



S. MACKSBURG RD.



APPLICATION NO. G-13279
PERMIT NO. G-11778

ZTec ENGINEERS, INC.

3737 S.E. 8TH AVE., PORTLAND, OR. 97202
PHONE: (503) 235-8795
FAX: (503) 233-7889

SEC. 23, T.4S, R.1E, W.M.

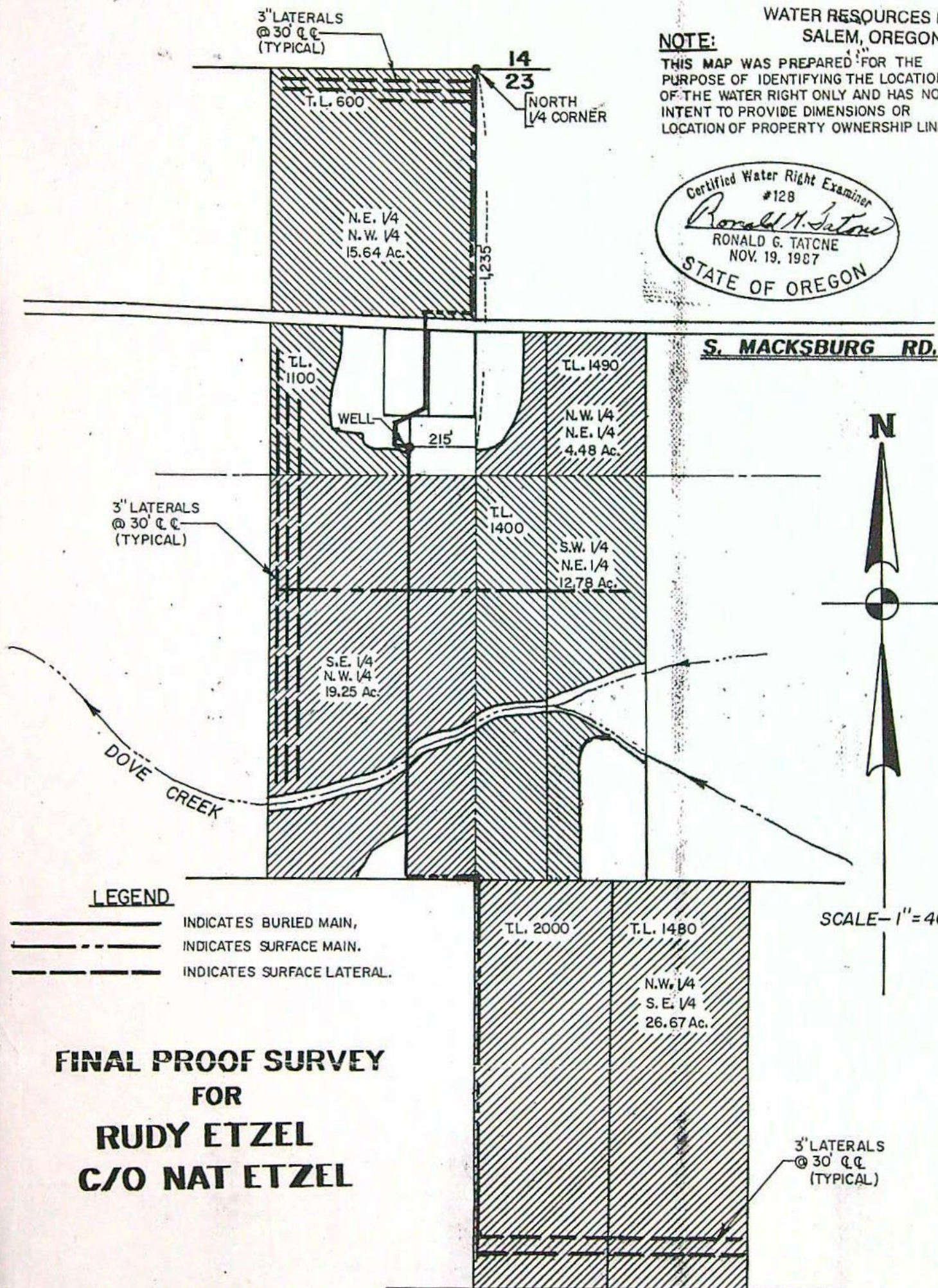
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WATER RESOURCES DEPT
SALEM, OREGON

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**FINAL PROOF SURVEY
FOR
RUDY ETZEL
C/O NAT ETZEL**

APPLICATION NO. G-13279

PERMIT NO. G-11778

ZTec ENGINEERS, INC.

3737 S.E. 8TH AVE., PORTLAND, OR. 97202

PHONE: (503) 235-8795

FAX: (503) 233-7889

NAT R. ETZEL
300 N. W. 10th Ave.
Canby, OR 97013

July 5, 1996

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WATER RESOURCES DEPT.
SALEM, OREGON

Oregon Water Resources Dept.
158 12th Street N. E.
Salem, OR 97310-0210

Re: File G-13279
Attn: Dallas Miller, Water Right Specialist

This is in response to your letter of June 3, 1996 regarding claim of beneficial use for the above referenced permit.

We request a certificate of water right. Enclosed herewith is a site report together with the mylar map of the final proof survey.

Thank you,



Nat Etzel

*P.S. Any other tasks
let us know.*

IMPORTANT—This form is a notice to the Water Resources Director that permittee is ready to make final proof to the extent to which the water has actually been applied to the intended use under the terms of the permit. Permittee is cautioned that Certificate of Water Right will be issued based on the extent of the quantity and use as determined by the final proof inspection and survey which will be made in response to the filing of this Form C.

NOTE: In the case of an irrigation permit, this Form C should not be mailed to the Water Resources Department until all of the land described in the permit, which it is intended to irrigate under this permit at any time, has actually been irrigated.

Fill out, detach and mail to the Water Resources Department, Salem, OR 97310, when all of the water has been applied.

Application No. **G13279**

NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE

I, **R.H. Etzel & parties**, the holder of Permit No. **G 11778**

to appropriate the public waters of the state of Oregon, completely applied the waters to a beneficial use in accordance with the terms of said permit, on the **23** day of **August**, 19**95**

Remarks: **Well is in use. Applying adequate water to most of 78.87 Acres**

IN WITNESS WHEREOF, I have hereunto set my hand this **23** day of **August**, 19**95**

Rudolph H. Etzel
(Signature of Applicant)

10510 S. Macksburg Rd
(Address)
Canby, OR 97013

Application No. **G13279**

NOTICE OF COMPLETION OF CONSTRUCTION

I, **Rudolph H. Etzel & parties**, the holder of Permit No. **G 11778**

to appropriate the public waters of the state of Oregon, completed the construction of the works described therein on the **15** day of **March**, 19**93**

Remarks: **Well was satisfactory 375 GPM**

If the works have less capacity than described in the permit, or you have definitely abandoned part of the proposed development, you should so state in order that our records may not be unnecessarily encumbered.

IN WITNESS WHEREOF, I have hereunto set my hand this **23** day of **August**, 19**95**

Rudolph H. Etzel
(Signature of Applicant)

10510 S. Macksburg Road
(Address)
Canby, OR 97013

Fill out, detach and mail to the Water Resources Department, Salem, OR 97310, when construction work is completed.

Application No. **G-13279**

NOTICE OF BEGINNING OF CONSTRUCTION

I, **Rudolph H. Etzel & parties**, the holder of Permit No. **G 11778**

to appropriate the public waters of the state of Oregon, began the actual construction of the works described therein on the **15** day of **January**, 19**93**

Remarks: **Well driller moved in & began drilling a 10" diameter well.**

authorized by your permit.

IN WITNESS WHEREOF, I have hereunto set my hand this **23** day of **August**, 19**95**

Rudolph H. Etzel
(Signature of Applicant)

10510 S. Macksburg Road
(Address)
Canby, OR 97013

Fill out, detach and mail to the Water Resources Department, Salem, OR 97310, when construction work is begun.

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JUL 10 1996

WATER RESOURCES DEPT.
SALEM, OREGON

June 19, 1996

**CLAIM OF BENEFICIAL USE AND SITE REPORT
FOR
APPLICATION G-13279 PERMIT G-11778**

BACKGROUND

An application to appropriate ground water was submitted in January 1993. The application requested the use of 443 gpm to be applied on 78.82 acres. A conflict involving Certificate of Registration GR-3397 submitted by Ben Kylo in 1959 was resolved. A permit, G-11778 was issued July 25, 1994 approving application G-13279.

INTRODUCTION

This survey authorized by Rudolph H. Etzel was conducted in the presence of his son Nat Etzel on June 17, 1996. The land is under the ownership of Rudolph H. Etzel and Marie Etzel. The site address is 10510 South Macksburg Road, Canby, Oregon 97013. The site phone is 266-9190. The elderly Mr. Rudolph Etzel lives on site and is cared for daily by his son, Nat. The residence phone for Nat Etzel is 266-1443 should it be necessary to acquire additional information.

SOURCE

CLAC 18476

The source is ground water pumped from a drilled well completed April 6, 1993 by W.W.C. Robert Kern No. 1277. The well drilled to a depth of 315 feet is cased to 295 feet with a 10 inch 0.25 gauge steel pipe and cement sealed to 20 feet below the ground surface. The casing is perforated from elevation 290 to 315 a length of 25 feet.

The static water level was reported at 52 feet below the surface on 4-6-93. The well log reports a yield of 300 gpm for a test period of 40 hours. This water is produced from a zone 290 to 315 feet below ground surface. No drawdown was reported on the well test. The well head has a 3/4 inch capped access vent.

PUMPING UNIT

The pumping unit furnished by Fishers Supply of Canby was reported to be a modified 8 stage Red Jacket pump driven by a 40 horsepower submersible induction motor.

The impellers were trimmed and a pump test dated March 19, 1994 was performed by

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WATER RESOURCES DEPT
SALEM, OREGON

Fisher Supply.

The test data sheet shows a static water elevation at 58 feet below the surface at the time of pump start up. The pump test was for a period of 4 hours discharging 400 gpm at a total drawdown of 97 feet (elev. 155 below ground surface).

ELECTRICAL DISTRIBUTION

The pump control panel is a Type 3R General electric CR 340E214F marked 50 horsepower, 3 phase, 60 cycle.

DISTRIBUTION/HEADER SYSTEM

The 40 horsepower submersible pumping unit discharges through a 4 inch galvanized pipe controlled by a 4" surface gate valve. The discharge may also be controlled by a manual regulator. Prior to being buried a 4x4x 3 inch plugged tee is provided for surface lateral connection. Immediately below surface a 6 inch tee provides extension for the buried main to extend to the North. This main is controlled by a 6 inch gate valve 12 feet West of the well casing. The 6 inch main to the North extends 400 feet to the Macksburg Road. The main continues under the road right-of-way a distance of 50 feet to a surface hydrant located 140 feet West of the East property line. This hydrant serves the continuation of a 6 inch surface aluminum main that extends East 140 feet to the East property line and then continues North to a point 30 feet South of the North property line a distance of approximately 760 feet.

The 6 inch main to the South is buried PVC and extends 474 feet to a 6 inch tee that serves a surface 6 inch aluminum main East and West. The surface main has hydrants spaced at 30 feet center to center. Each hydrant serves aluminum 3 inch laterals with 3/4 inch galvanized risers equipped with Rainbird sprinklers Model 30H with 9/64 inch orifice at 40 foot center to center.

The buried PVC 6 inch main continues South 520 feet to a 3 inch hydrant located on the North bank of Dove Creek. The 6 inch PVC main continues under Dove Creek and extends South 445 feet to a hydrant. The buried 6" PVC main then continues East a distance of 210 feet where it comes to the surface. Aluminum 6 inch surface main extends South 900 feet. The 6 inch surface mains and 3 inch laterals with 3/4 inch sprinkler risers are available to serve the area South of Dove Creek.

The risers are variable height ranging from 18 inches to 4 feet. Manufacturer discharge tables show a rate of 3.4 gpm for 9/64 inch nozzles at 35 psi serving a 40 foot radius.

The number of sprinklers operating at each setting is dependent on the type of crop being

Handwritten:
sprinkler
110X 3/4
40 ft = 0.83

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WATER RESOURCES DEPT.
SALEM, OREGON

irrigated and location. The maximum discharge of the pumping and supply system based on a drawdown at WSL of 155 feet below surface and a discharge pressure of 60 psi (TDH 300 ft) would result in a discharge of 375 gpm. (Taken from manufacturer performance curves).

This calculates to approximately 110 sprinklers.

USE

The primary 1995 crop was sugar beet seed and white radish. Crop rotation for continued production of these products require return of nutrients to the soil. Tall fescue is the present cover crop. An area of volunteer red clover was also found harvested.

Water use varies dependent on the yearly planting.

The use area as shown on the application map for the SW 1/4, NE 1/4 of Section 23 T.4S., R.1E. Has the same total area but a slightly different location. The triangle area between Dove Creek and tributary is not in production. An equivalent area South of Dove Creek has been put into production.

LIFT

USGS Quad Map represent the elevation at the well to be approximately 235 feet. The elevation at Dove Creek approximately 1000 feet North of the well represents the lowest site elevation at 200 feet. This represents an average grade of 3.5%. The maximum change in pressure is a positive 15 psi.

The elevation of the site South boundary is at elevation 230 feet and is 1800 feet South of Dove Creek. This represents a grade of 1.7%.

The elevation at the site North boundary is at elevation 240 feet. The difference in elevation from the well site is negligible (5 ft or 2 psi). The increase in discharge at the nozzle on the 3.5% slope mainline would be approximately 0.08 gpm per 100 feet and a maximum of 0.8 gpm at the low elevation of 200 feet.

SURVEY TIE

The well location was measured by instrument and found to be 1235 feet South and 215 West of the North one-quarter corner of Section 23, T.4S., R.1E., W.M.

Handwritten calculation:
pump $\frac{40 + 7.04}{200 + 152.4} = \frac{47.04}{352.4} = 0.1335$
 $\frac{241.6}{352.4} = 0.6858$

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WATER RESOURCES DEPT.
SALEM, OREGON

AFFIDAVIT

The final proof survey and inspection of the use as found to be completed under the terms and conditions of permit G-11778 was completed by me on June 17, 1996 and the facts contained in this report and accompanying final proof map are correct to the best of my knowledge.



C.W.R.E.

I, Rudolph Etzel agree to the findings of the CWRE and do submit this site report and map as my claim of Beneficial Use of the water as provided under the terms and conditions of my permit G-11778.

Rudolph Etzel
Rudolph Etzel

WITNESS

Herman Etzel
Herman Etzel

Marcia Etzel Wittrock
Marcia Etzel

Nat Etzel
Nat Etzel

SEC. 23, T.4S, R.1E, W.M.

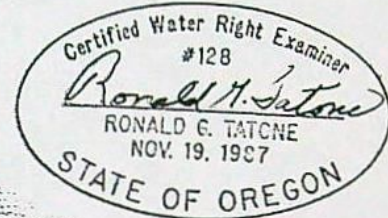
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SALEM, OREGON

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LOCATION OF PROPERTY OWNERSHIP LINES.



3" LATERALS
@ 30' C.C.
(TYPICAL)

14

23

NORTH
1/4 CORNER

T.L. 600

N.E. 1/4
N.W. 1/4
15.64 Ac.

1,235

S. MACKSBURG RD.

N

3" LATERALS
@ 30' C.C.
(TYPICAL)

T.L. 1100

WELL

215'

T.L. 1490

N.W. 1/4
N.E. 1/4
4.48 Ac.

T.L. 1400

S.W. 1/4
N.E. 1/4
12.78 Ac.

S.E. 1/4
N.W. 1/4
19.25 Ac.

DOVE CREEK

LEGEND

- INDICATES BURIED MAIN,
- - - - - INDICATES SURFACE MAIN.
- - - - - INDICATES SURFACE LATERAL.

SCALE - 1" = 400'

**FINAL PROOF SURVEY
FOR
RUDY ETZEL
C/O NAT ETZEL**

T.L. 2000

T.L. 1480

N.W. 1/4
S.E. 1/4
26.67 Ac.

3" LATERALS
@ 30' C.C.
(TYPICAL)

CLARK Gerry E

From: WOZNIAK Karl C
Sent: Wednesday, July 06, 2016 3:07 PM
To: CLARK Gerry E; KIM Amy J
Subject: RE: permit G-11778

We have no record of a pump test for this well.

Karl C. Wozniak | Hydrogeologist – Groundwater Section

Water Resources Department | Ph: 503.986.0843
725 Summer ST. NE., Suite A Salem OR 97301

From: CLARK Gerry E
Sent: Wednesday, July 06, 2016 12:00 PM
To: KIM Amy J
Cc: WOZNIAK Karl C
Subject: RE: permit G-11778

Amy,

I have taken a look at the file. I do find a Claim and some reference to a pump test, but have not found a pump test approval letter. The Claim makes reference to data from a pump Test, but the file does not contain the test. I am copying Karl in the Groundwater Section to see if he has any evidence of the Pump Test being submitted. I would hate to have the water user do a second test if one has already been completed.

In addition, I have updated WRIS to indicate that we have a Claim.

Gerry

Gerry Clark
Water Right Services Division
Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301

Phone: 503-986-0811

From: KIM Amy J
Sent: Wednesday, July 06, 2016 9:12 AM
To: CLARK Gerry E
Subject: permit G-11778

Hi Gerry,

Can you tell me if this is one of those cases where a claim has been filed without a pump test? The c-date is 1997. Someone is calling to see if it has water rights....thanks!

http://apps.wrd.state.or.us/apps/wr/wrinfo/wr_details.aspx?snp_id=22448

Amy Kim

CLARK Gerry E

From: CLARK Gerry E
Sent: Wednesday, July 06, 2016 12:00 PM
To: KIM Amy J
Cc: WOZNIAK Karl C
Subject: RE: permit G-11778

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Gerry Clark
Water Right Services Division
Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301

Phone: 503-986-0811

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Sent: Wednesday, July 06, 2016 9:12 AM
To: CLARK Gerry E
Subject: permit G-11778

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http://apps.wrd.state.or.us/apps/wr/wrinfo/wr_details.aspx?snp_id=22448

Amy Kim
Oregon Water Resources Department
District 20 Watermaster
(503) 722-1410
10722 SE Hwy 212
Clackamas, OR 97015

TO: Water Rights Section

Sept 12, 1993

FROM: Groundwater/Hydrology Section D. Woodcock
Reviewer's Name

SUBJECT: Application G- 13279

PER THE WILLAMETTE Basin rules, one or more of the proposed POA's is is not within 1/4 mi. feet/mile of a surface water source (Moltatta) and taps a groundwater source hydraulically connected to the surface water. Moltatta RIVER

BASED UPON OAR 690-09 currently in effect, I have determined that the proposed groundwater use

- a. ☐ will, or have the potential for substantial interference with the nearest surface water
b. ☒ will not source, namely _____; or
c. ☐ will, if properly conditioned, adequately protect the surface water from interference:
i. ☐ The permit should contain condition #(s) _____;
ii. ☐ The permit should contain special condition(s) as indicated in "Remarks" below;
iii. ☐ The permit should be conditioned as indicated in item 4 below; or
d. ☐ will, with well reconstruction, adequately protect the surface water from substantial interference.

BASED UPON available data, I have determined that groundwater for the proposed use

- a. ☐ will, or likely be available in the amounts requested without injury to prior rights and/or
b. ☐ will not within the capacity of the resource; or
c. ☒ can, if properly conditioned, avoid injury to existing rights or to the groundwater resource;
i. ☐ The permit should contain condition #(s) 4 I;
ii. ☐ The permit should contain special condition(s) as indicated in "Remarks" below;
iii. ☐ The permit should be conditioned as indicated in item 4 below.

- a. ☐ THE PERMIT should allow groundwater production from no deeper than _____ ft. below land surface;
b. ☐ The permit should allow groundwater production from no shallower than _____ ft. below land surface;
c. ☐ The permit should allow groundwater production only from the _____ groundwater reservoir between approximately _____ ft. and _____ ft. below land surface;
d. ☐ Well reconstruction is necessary to accomplish one or more of the above conditions.
e. ☐ One or more POA's commingle 2 or more sources of water. The applicant must select one source of water per POA and specify the proportion of water to be produced from each source.

REMARKS:

WELL CONSTRUCTION (If more than one well doesn't meet standards, attach an additional sheet.)

5. THE WELL which is the point of appropriation for this application does not meet current well construction standards based upon:
- a. ☐ review of the well log;
 - b. ☐ field inspection by _____;
 - c. ☐ report of CWRE _____;
 - d. ☐ other: (specify) _____
6. THE WELL construction deficiency:
- a. ☐ constitutes a health threat under Division 200 rules;
 - b. ☐ commingles water from more than one groundwater reservoir;
 - c. ☐ permits the loss of artesian head;
 - d. ☐ permits the de-watering of one or more groundwater reservoirs;
 - e. ☐ other: (specify) _____
7. THE WELL construction deficiency is described as follows: _____
8. THE WELL
- a. ☐ was, or constructed according to the standards in effect at the time of
 - b. ☐ was not original construction or most recent modification.
 - c. ☐ I don't know if it met standards at the time of construction.

RECOMMENDATION:

- A. ☐ I recommend including the following condition in the permit:
"No water may be appropriated under terms of this permit until the well(s) has been repaired to conform to current well construction standards and proof of such repair is filed with the Enforcement Section of the Water Resources Department."
- B. ☐ I recommend withholding issuance of the permit until evidence of well reconstruction is filed with the Enforcement Section of the Water Resources Department.
- C. ☐ REFER this review to Enforcement Section for concurrence.

THIS SECTION TO BE COMPLETED BY ENFORCEMENT PERSONNEL

I concur in G/H's recommendation A or B above relating to conditioning or withholding the permit.
_____, 1993.

(Signature)

I do not concur in G/H's recommendation A or B above relating to conditioning or withholding the permit for the following reasons: _____

_____, 1993.

(Signature)

(WRFORM8\91)

WATER RESOURCES DEPARTMENT MEMORANDUM

TO: Groundwater/Hydrology Files

Date SEPT 13, 1993

FROM: Douglas Woodcock

SUBJECT: Groundwater Application G- 13279

Applicant(s) seek 443 gpm (cfs) from ONE wells in the MOLALLA RIVER basin
sub basin
sub basin.

Pertinent 7 1/2 - minute quads YODER

Well WRD# CLAC 18476 T 45 R 1E S 23 QQ NENW County CLACKAMAS
Legal Description 1235 R 3 & 215 ft W of N 1/4 COR SEC 23
Well is 900 ft from UNNAMED CREEK TRIP MOLALLA (river/stream)
Well is 1000 ft from MOLALLA RIVER (river/stream)
Well elevation 238 ft. River/stream elevation 200 (CREEK) 140 (RIVER) ft.
Well elevation - river/stream elevation 38' (CREEK) 98' (RIVER)
Well depth 315 SWL 52' on 4/6/93
Sealed to 20 Depth first water found 49
Cased to 295 Perforations/screens 295 - 315
Lined to Perforations/screens
Well tests and types AIR 40 hrs @ 300 gpm
Confined or unconfined? CONFINED Direct hydraulic connection? NO
Potential to cause substantial interference? NO

Well WRD# T R S QQ County
Legal Description
Well is ft from (river/stream)
Well is ft from (river/stream)
Well elevation ft. River/stream elevation ft.
Well elevation - river/stream elevation
Well depth SWL on
Sealed to Depth first water found
Cased to Perforations/screens
Lined to Perforations/screens
Well tests and types
Confined or unconfined? Direct hydraulic connection?
Potential to cause substantial interference?

Conditioned water rights in area: G 13045, 13043

Other nearby water rights of record: SEE ATTACHED STREAM INDEX

Density of nearby wells: HIGH

Comments WELL IS DEVELOPED IN SAND & GRAVEL (TROUTDALE ?) WHICH UNDERLIES WILLAMETTE SILT. GROUND WATER IS CONFINED BY MULTIPLE LAYERS OF FINER MATERIAL (DESCRIBED AS CLAY BY DRILLER). OPEN INTERVAL IN WELL IS SCREENED FROM 295 - 315 ft. THIS IS SUBSTANTIALLY BELOW ANY SURFACE WATER WITHIN ONE MILE.

References used: WSP 1997

Doug

GROUNDWATER APPLICATION

G-13279

Estimated number of wells within one mile radius of POA:

TOTAL:	143	DOMESTIC:	110
		IRRIGATION/DOMESTIC:	7
		IRRIGATION:	24
		MUNICIPAL:	1
		UNKNOWN:	1

State observation wells within a five mile radius:

44: 10/22/65 - 4/15/93
63: (DATES NOT AVAILABLE)

Groundwater permits issued with conditions within a five mile radius:

APPLICATION # G-13085
13043



OREGON WATER RESOURCES DEPARTMENT



State of Oregon
Water Resources Department
158 12th ST NE, Salem, OR 97301
(503) 378-8455
www.wrd.state.or.us

FAX TRANSMITTAL

TO: Jim S FAX NUMBER: LOCAL (New) 503-585-1856
DATE: THURS AM 1-30-03 PAGES: _____, INCLUDING COVER SHEET
FROM: HERB PHONE: (503) 378-8455 EXT. 228

COMMENTS: _____

DATA

MAPS

FORMS

FOR: <u>2003</u>	DATE: <u>THUR 1-30</u>	TIME: <u>737 PM</u>
FROM: <u>Jim SUTHERTE</u>	FIRM: <u>PRIMOR SUPP</u>	
PHONE: <u>(503) - 585-</u>	EXTENSION: <u>585</u>	
MOBILE: <u>6-13279</u>	AREA CODE: <u>503</u>	NUMBER: <u>585</u>
	NUMBER: <u>6-13279</u>	TIME TO CALL: <u>585</u>

TELEPHONED	PLEASE CALL	<input checked="" type="checkbox"/>
RETURNED YOUR CALL	WILL CALL AGAIN	<input type="checkbox"/>
CAME TO SEE YOU	RUSH	<input type="checkbox"/>
WAITING TO SEE YOU	SPECIAL ATTENTION	<input type="checkbox"/>
WAITING TO SEE YOU	HOLDING LINE	<input type="checkbox"/>

MESSAGE: COPY PORTAL MAP
"FINAL PROOF"
TYPE 1 REG
FAX 503-585-1856
ADJACENT

SIGNED: KERRY RAYMOND SHARLEY
MESSAGE
2003 Cupid

FORM 4007
MADE IN U.S.A.

WATER RIGHTS

- Water Rights Information
- Adjudications
- Hydroelectric
- Certifications / Final Proofs
- Hearings / Contested Cases

NORTHWEST REGION

- District 16 Watermaster

FAX: (503) 378-6203

SEC. 23, T.4S, R.1E, W.M.

RECEIVED

JUL 10 1996

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SALEM, OREGON

NOTE:

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3" LATERALS
@ 30' C.C.
(TYPICAL)

14

23

NORTH
1/4 CORNER

T.L. 600

N.E. 1/4
N.W. 1/4
15.64 Ac.

1235

S. MACKSBURG RD.

T.L. 1100

WELL

215'

T.L. 1490

N.W. 1/4
N.E. 1/4
4.48 Ac.

T.L. 1400

S.W. 1/4
N.E. 1/4
12.78 Ac.

3" LATERALS
@ 30' C.C.
(TYPICAL)

S.E. 1/4
N.W. 1/4
19.25 Ac.

DOVE CREEK

N

LEGEND

- INDICATES BURIED MAIN,
- - - - - INDICATES SURFACE MAIN.
- INDICATES SURFACE LATERAL.

SCALE - 1" = 400'

**FINAL PROOF SURVEY
FOR
RUDY ETZEL
C/O NAT ETZEL**

APPLICATION NO. G-13279
PERMIT NO. G-11778

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3737 S.E. 8TH AVE., PORTLAND, OR. 97202
PHONE: (503) 235-8795
FAX: (503) 233-7889

3" LATERALS
@ 30' C.C.
(TYPICAL)

T.L. 2000

T.L. 1480

N.W. 1/4
S.E. 1/4
26.67 Ac.

STATE OF OREGON

COUNTY OF CLACKAMAS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

RUDOLPH H. AND OLGA ETZEL, AND MARIE ETZEL
10510 SOUTH MACKSBURG ROAD
CANBY, OREGON 97013

503-266-1443

to use the waters of A WELL in the DOVE CREEK BASIN for IRRIGATION OF 78.82 ACRES.

This permit is issued approving Application G-13279. The date of priority is FEBRUARY 5, 1993. The use is limited to not more than 0.99 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the well.

The well is located as follows:

SE 1/4 NW 1/4, SECTION 23, T 4 S, R 1 E, W.M.; 1235 FEET SOUTH AND 215 FEET WEST FROM THE N 1/4 CORNER OF SECTION 23.

The amount of water used for irrigation under this right, 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) and 2.5 acre-feet for each acre irrigated during the irrigation season of each year. The period of allowed use is March 1 through October 31.

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

A description of the proposed place of use under this permit is as follows:

NW 1/4 NE 1/4	4.48 ACRES
SW 1/4 NE 1/4	12.78 ACRES
NE 1/4 NW 1/4	15.64 ACRES
SE 1/4 NW 1/4	19.25 ACRES
NW 1/4 SE 1/4	26.67 ACRES
SECTION 23	
TOWNSHIP 4 SOUTH, RANGE 1 EAST, W.M.	

The well shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

- C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

This right is limited to any deficiency in the available supply of any prior right existing for the same land.

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

Actual construction work shall begin on or before July 25, 1995 and shall be completed on or before October 1, 1996. Complete application of water shall be made on or before October 1, 1997.

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

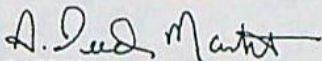
This permit is for beneficial use of water without waste. The water user is advised that new regulations may require use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water shall be limited when it interferes with any prior surface or ground water rights.

The Director of the Water Resources Department has found that the proposed use of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Issued this date, July 25, 1994.



A. REED MARBUT

Water Resources Department

by Martha O. Pagel
Director

July 11, 1996

RUDOLPH ETZEL, OLGA ETZEL, AND
MARIE (ETZEL) WITTROCK
10510 S MACKSBURG ROAD
CANBY, OR 97013.

REFERENCE: File G-13279

This will acknowledge that your claim of beneficial use and map in the name of RUDOLPH ETZEL, OLGA ETZEL, AND MARIE ETZEL were received on JULY 10, 1996. These will be reviewed in the future to insure they are complete and correct.

Please contact me if you have any questions.

Sincerely,

Don Knauer *DK*

DON KNAUER
Program Representative

DEK:tcb

cc: RONALD G. TATONE, CWRE #128
NAT ETZEL
300 NW 10TH AVE.
CANBY, OR 97013



Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Rudolph Etzel
10510 S. Macksburg Rd.
Canby, OR 97013

4a. Article Number

P- 56315

4b. Service Type

- | | |
|---|---|
| <input type="checkbox"/> Registered | <input checked="" type="checkbox"/> Certified |
| <input type="checkbox"/> Express Mail | <input type="checkbox"/> Insured |
| <input type="checkbox"/> Return Receipt for Merchandise | <input type="checkbox"/> COD |

7. Date of Delivery

6/6/96

5. Received By: (Print Name)

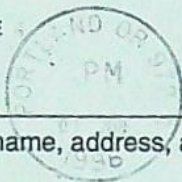
8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent)

X

Rudolph Etzel

UNITED STATES POSTAL SERVICE

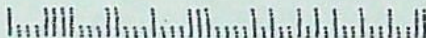


PHILATE

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Print your name, address, and ZIP Code in this box •

WATER RESOURCES DEPARTMENT
158 12th ST NE
SALEM OR 97310



June 3, 1996

WATER
RESOURCES
DEPARTMENT

RUDOLPH ETZEL
10510 S MACKSBURG RD
CANBY OR 97013

REFERENCE: File G-13279

This letter is in regard to your water use Permit G-11778. As we pointed out to you in our letter of August 29, 1995, your claim of beneficial use must be received in this office by August 28, 1996.

Oregon Administrative Rule 690-14-190 states: "The claim of beneficial use shall be submitted to the Department within one year after the use was reported..as being complete...Failure to comply with this section shall cause the Director to initiate permit cancellation proceedings as provided by ORS 537.260."

The "claim" consists of a site report and map of the developed use prepared by a Certified Water Rights Examiner, which accompany a request from the permittee for issuance of a certificate of water right.

You are hereby notified that unless your claim is received on or before August 28, 1996, your permit will be canceled without further notice.

If you have any questions, please contact the Water Rights Section.

Sincerely,

DALLAS MILLER
Water Rights Specialist

DM:jh

cc: Dave Jarrett, Watermaster
Ronald Tatone, CWRE

CERTIFIED - RETURN RECEIPT REQUESTED



Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

August 29, 1995

RUDOLPH, OLGA & MARIE ETZEL
10510 S MACKSBURG RD
CANBY OR 97013

WATER
RESOURCES
DEPARTMENT

REFERENCE: File G-13279

We have received your notice that complete application of water has been made under Permit G-11778.

In order to obtain a certificate of water right, you are required by law to hire a Certified Water Right Examiner (CWRE) to conduct the final proof survey of the completed use. This must be done within one year after the use is reported as being complete or within one year after the beneficial use date allowed in the permit, whichever occurs first. Accordingly, the map and claim of beneficial use must be received in this office on or before August 28, 1996. A list of Certified Examiners is enclosed for your information.

The Department requires that the CWRE has a copy of the permit or transfer order to compile the claim of beneficial use. All permit conditions need to be addressed in the claim and map you submit.

Upon receipt of the map and claim of beneficial use, the information will be reviewed and a brief field inspection may be conducted by a representative of this office. Following that, a proposed certificate of water right will be mailed to you for review.

In addition, before the Water Right Certificate is issued, you are required to submit a well pump test. This test must be done according to the instructions in the brochure. Forms and brochures are available upon request.

In the meantime, the permit you hold is valid evidence of your right to use the water.

If you have any questions, please contact the Water Rights Section at 378-3739, or toll-free within Oregon 1-800-624-3199.

Sincerely,

DALLAS MILLER
Water Rights Specialist

DM:jh

enclosure



Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

10510 S. Mackburg Rd
Canby, Oregon 97013
August 22, 1995

RECEIVED

AUG 28 1995

WATER RESOURCES DEPT.
SALEM, OREGON

to whom it may concern:

Thank you for notifying
us in your neglect
in returning this form

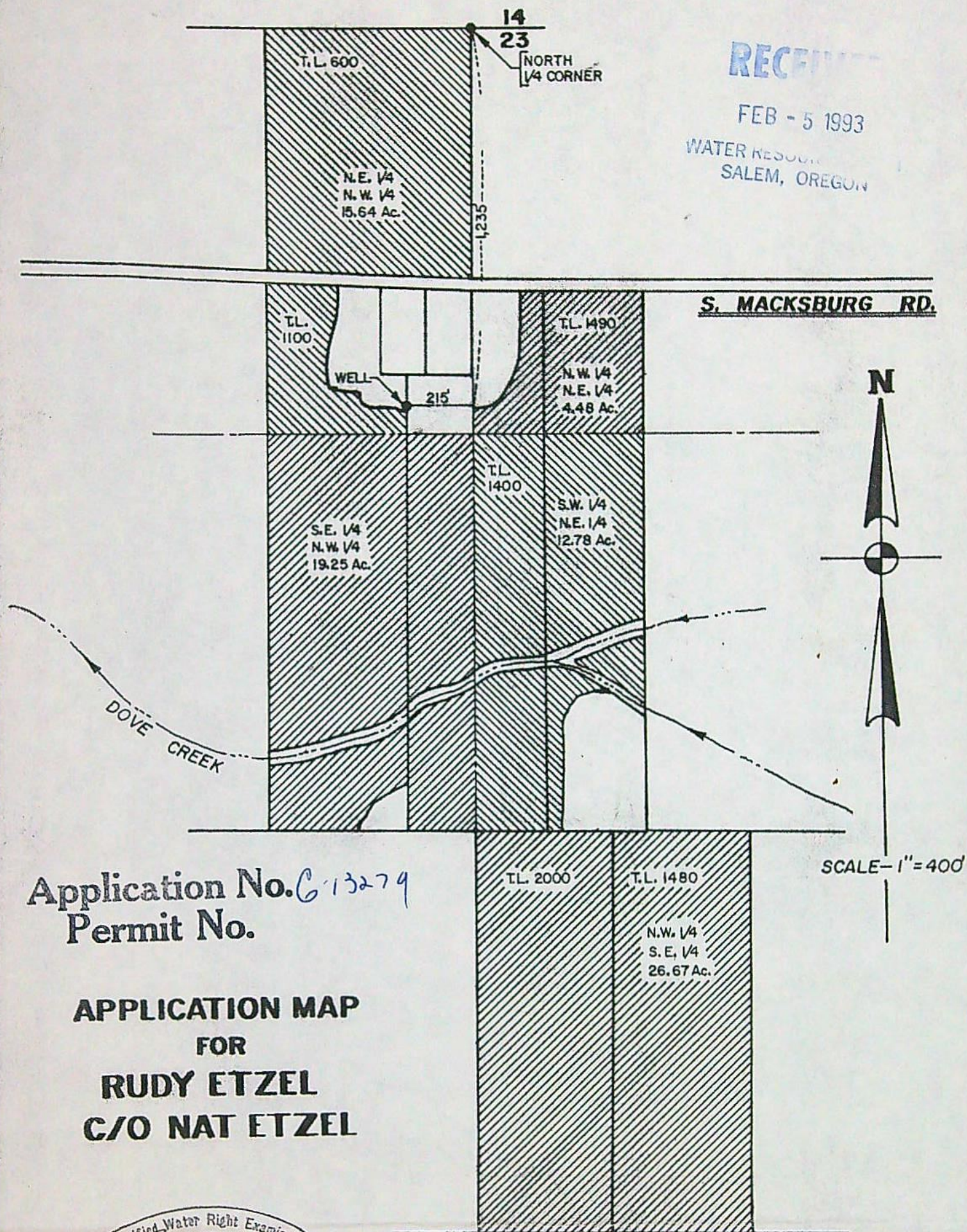
If there is anything
else we need to do
Please let us
immediately know.

Thank you

R. H. Etzel

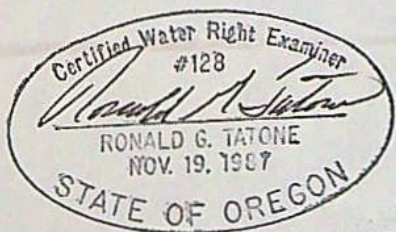
by Nat Etzel

SEC. 23, T.4S, R.1E, W. M.



Application No. *C-13279*
Permit No.

**APPLICATION MAP
FOR
RUDY ETZEL
C/O NAT ETZEL**

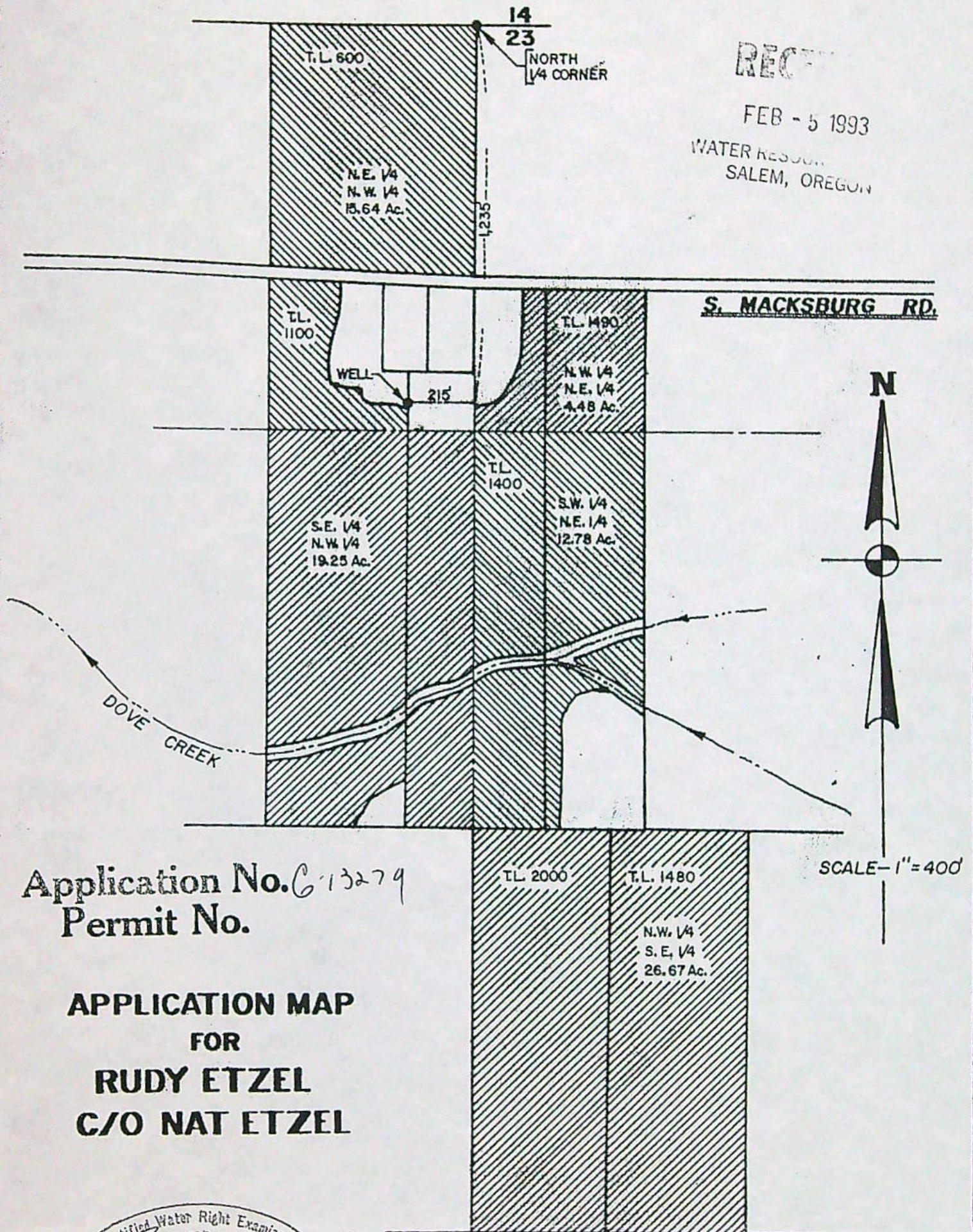


**ZAROSINSKI - TATONE
ENGINEERS, INC.**

3737 S.E. 8TH AVENUE, PORTLAND, OREGON 97202

PHONE: (503) 235-8795

SEC. 23, T.4S, R.1E, W.M.



Application No. *C-13279*
Permit No.

**APPLICATION MAP
FOR
RUDY ETZEL
C/O NAT ETZEL**

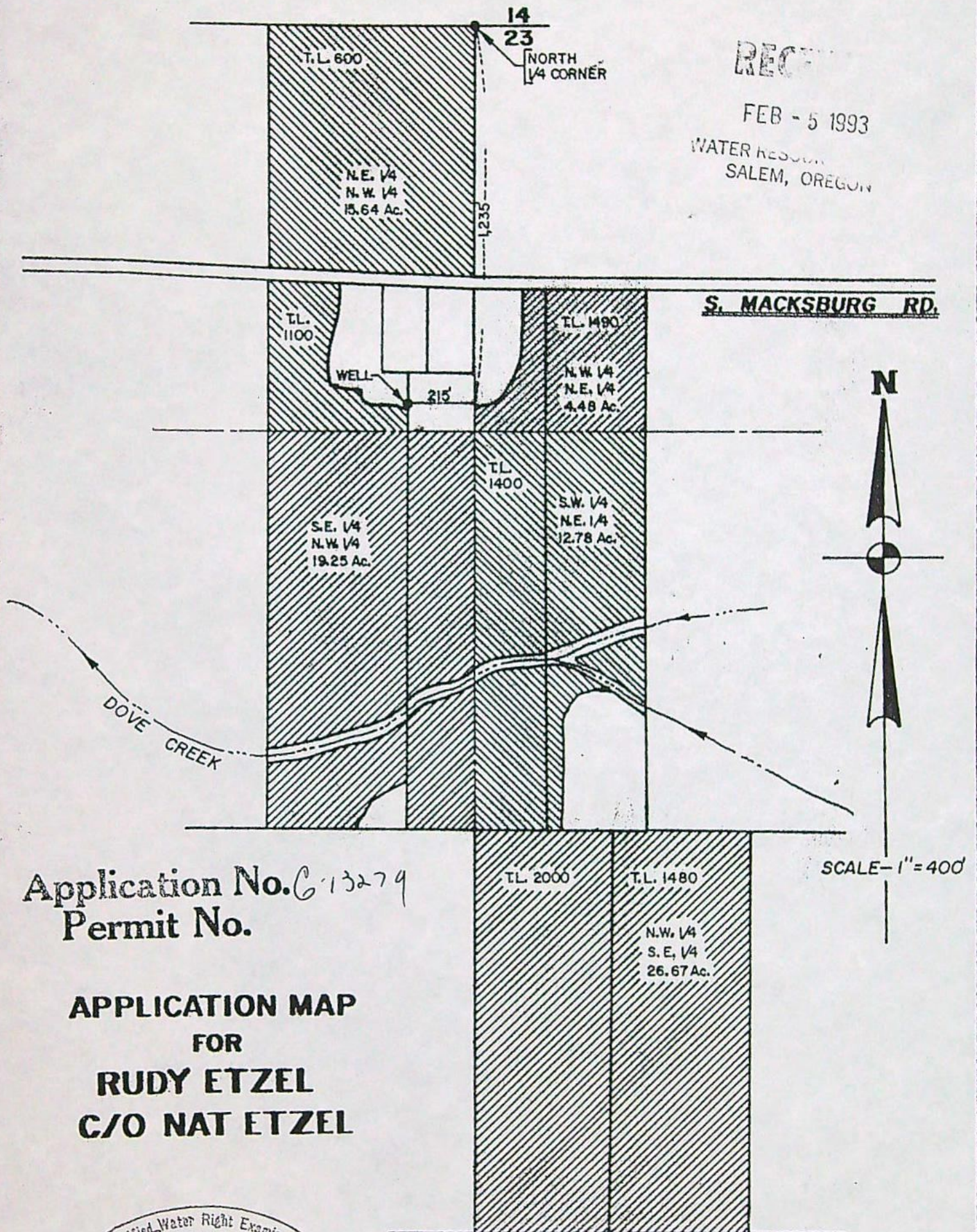


**ZAROSINSKI - TATONE
ENGINEERS, INC.**

3737 S.E. 8TH AVENUE, PORTLAND, OREGON 97202

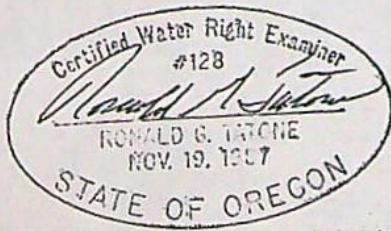
PHONE: (503) 235-8798

SEC. 23, T.4S, R.1E, W. M.



Application No. *C-13279*
Permit No.

**APPLICATION MAP
FOR
RUDY ETZEL
C/O NAT ETZEL**



**ZAROSINSKI - TATONE
ENGINEERS, INC.**

3737 S.E. 8TH AVENUE, PORTLAND, OREGON 97202

PHONE: (503) 235-8798

PUBLIC INTEREST REVIEW

The proposed water use described in Application # G-13279 has been evaluated according to the public interest standards set out in ORS 537.170 and OAR 690-11-195.

The Application requested the use of 0.985 CFS from the (a) well ~~tributary to/within the~~ Mollala River BASIN for the purpose(s) of IRR of 78.82 AC.
The Technical Review Report limits the proposed use to the Normal IRR SEASON.

The proposed use described in Application # G-13279 is not within a category required to be submitted to the Commission.

The Director of the Water Resources Department has evaluated the Application for the proposed water use and made the following public interest determination.

TECHNICAL REVIEW

If satisfactory-

Water use Application # G-13279 received a Satisfactory Report of Technical Review.

The Technical Review revealed that the proposed water use:

- a)-is not prohibited by statute or scenic waterway criteria;
- b)-is a classified use under the applicable basin program or an application for the use has been filed under ORS 536.295 and OAR 690 Division 82;
- c)-is consistent with conditions previously imposed by the Commission on appropriations from the same source;
- d)-will not conflict with (an) existing water right(s);
- e)-is supported by an available source of water.

NA / PD

If unsatisfactory-

Water use Application # _____ received an Unsatisfactory Report of Technical Review.

The Technical Review conducted according to OAR 690-11-160 on the water use application revealed that the proposed water use:

- a)-is prohibited by statute or scenic waterway criteria;
- b)-is not a classified use under the applicable basin program and an application for the use has not been filed under ORS 536.295 and OAR 690, Division 82;
- c)-cannot be modified to be consistent with conditions previously imposed by the Commission on appropriations from the same source;
- d)-would conflict with (an) existing water right(s), or
- e)-water is not available from the source to support the proposed water use.

As the result of the above finding based on the Technical Review conducted on this water use Application, the Director concluded that the proposed water use would impair or be detrimental to the public interest.

PUBLIC INTEREST REVIEW
CHECKLIST

The Director of the Water Resources Department has evaluated the proposed water use, as described in Application # G-13274, in light of current and planned uses and reasonably anticipated future demands for water from the water source as established in the record.

The evaluation has recognized known beneficial uses of water, including but not limited to the categories described in OAR 690-11-195(3)(a)-(d).

The Director has reviewed the elements of the proposed water use and has based the public interest determination on evidence in the record which included the following:

I. Existing claims to water from the same source.

DB

There are no conflicts with existing claims to water from the same source as is documented in the Report of Technical Review.

Comment: Applicant claims No interest in GR-3397 filed on the property by Ben Kylo. Permit will be conditioned to Avoid conflict.

II. Land use matters.

DB

The local government where the proposed water use is located has acknowledged receipt of the Land Use Information Form and has filed no objections to the proposed appropriation.

Comment: _____

DB

Public notice of the proposed water use was sent to all local governments which have requested such notice and none of those local governments have filed objections to the proposed water use.

Comment: _____

DB

There is nothing in the record to indicate the proposed water use is incompatible with Statewide Planning Goals or local comprehensive plans.

Comment: _____

NA

If local government approval has not been granted, there is nothing in the record to indicate conditions cannot be placed on the proposed water use to require local land use approval prior to initiation of the use.

Comment: _____

NA

An applicant for municipal water use has submitted information showing the proposed water use is compatible with comprehensive plan policies concerning urban services, urban growth boundaries, and Public Facilities Plans.

Comment: _____

III. Identified environmental concerns.

DB

The proposed water use does not appropriate water from any water body listed to receive Total Maximum Daily Loads and therefore, the water body has not been defined as water quality limited according to Section 303(d)(1) of the federal Clean Water Act according to the information supplied by the Oregon Department of Environmental Quality.

Comment: _____

IV. The character and extent of other natural resources which are present in the water source basin.

DB

The Oregon Department of Fish and Wildlife (ODFW) has been notified of the proposed water use and has made no objections regarding fish and other aquatic and wildlife species and populations.

Comment: _____

DB

There are no listed threatened or endangered species in the water source according to the information supplied by the Oregon Department of Fish and Wildlife.

Comment: _____

V. Riparian characteristics.

DB

There is nothing in the record to indicate the proposed use is likely to be detrimental to the riparian characteristics of the water source. This riparian review is not applicable to groundwater sources.

Comment: _____

VI. Recreational use and potential of the water source and its basin area.

DB

There is nothing in the record to indicate a conflict with known or reasonably anticipated recreational use.

Comment: _____

VII. Agricultural potential of the area.

DB

There is nothing in the record to indicate the proposed water use will conflict with known or reasonably anticipated agricultural practices.

Comment: _____

VIII. Designated historic, cultural, or natural resource protection areas.

DB

There is nothing in the record to indicate any conflict with any known or reasonably anticipated historic, cultural, or natural resource designations.

Comment: _____

IX. Identified health or safety requirements.

DB

There nothing in the record to indicate any identified health and safety requirements.

Comment: _____

PUBLIC INTEREST REVIEW
FINDINGS AND CONCLUSIONS

This public interest determination has considered the following standards as set out in ORS 537.170(5):

- a) The conservation of the highest use of the water for all purposes, including irrigation, domestic use, municipal water supply, power development, public recreation, protection of commercial and game fishing and wildlife, fire protection, mining, industrial purposes, navigation, scenic attraction or any other beneficial use to which the water may be applied for which it may have a special value to the public.
- b) The maximum economic development of the waters involved.
- c) The control of the waters of this state for all beneficial purposes, including drainage, sanitation and flood control.
- d) The amount of waters available for appropriation for beneficial use.
- e) The prevention of wasteful, uneconomic, impracticable or unreasonable use of the waters involved.
- f) All vested and inchoate rights to the waters of this state or to the use of the waters of this state, and the means necessary to protect such rights.
- g) The state water resources policy formulated under ORS 536.295 to 536.350 and 537.505 to 537.525.

The Director of the Water Resources Department, pursuant to OAR 690-11-185(4), has considered the facts set forth in the Application and its supporting data, the Director's Report of Technical Review and any objections which met the requirements of OAR 690-11-170(1).

The Director of the Water Resources Department has evaluated the proposed water use with respect to the information in the record

of the Department and has made the following public interest determination.

The Director has determined that the proposed water use described in Application # G-13279 :

____ WILL IMPAIR OR BE DETRIMENTAL TO THE PUBLIC INTEREST and therefore, the Director hereby proposes rejection of the application and shall schedule a contested case hearing.

✓
____ WILL NOT IMPAIR OR BE DETRIMENTAL TO THE PUBLIC INTEREST and therefore, the Director shall issue a water use permit with appropriate conditions.

A. Reed Marbut
A. Reed Marbut, Administrator
Water Rights/Adjudication Division

Signed this 25 day of July, 1994, in the office of the Director.

November 19, 1993

RUDOLPH H ETZEL
ETZEL, OLGA; ETZEL, MARIE
10510 S MACKSBURG RD
CANBY, OR 970013

Reference: File G 13279

Hello:

This letter informs you of the current status of your application for a water use permit and accompanies the Satisfactory Report of Technical Review For Water Use Permit(s). We apologize for the delay in transmitting this information and Report to you and for any inconvenience the wait may have caused you.

The enclosed Report of Technical Review is the Department's summary of a specialized analysis of various legal and scientific aspects of your application and proposed water use. We are required by the state of Oregon's administrative rules (in OAR 690-11-160) to conduct this official technical review of each application submitted to the Oregon Water Resources Department for a water use permit. This process was designed to insure that your application receives a fair evaluation and to secure protection of existing water rights and of the public at large.

AS THE RESULT OF OUR TECHNICAL EVALUATION OF YOUR APPLICATION, WE HAVE DETERMINED THAT YOUR APPLICATION SATISFIES THE REQUIREMENTS OF THE TECHNICAL REVIEW.

The Department will now move your application to the next phase of processing. This phase includes a public interest review of your proposed water use. No final action may be taken on your application until the public interest review is completed.

You should also note that the Report of Technical Review describes conditions currently anticipated which may limit the water use proposed in your application.

If you wish to object to any of the analyses contained in the Report, you must submit your objection to the Department in writing within 60 days of the date of mailing of this Report or by the date specified below. Your objection must allege that the technical review is defective and you may also submit evidence which demonstrates that your proposed water use will not impair or be detrimental to the public interest.

Copies of the Report of Technical Review will be distributed to all persons who have filed comments or otherwise expressed an interest in the water use proposed in your application. Interested parties must also submit their objections within the prescribed objection period. Those objections must allege that the technical review is defective and/or that the proposed water use may impair or be detrimental to the public interest.



3850 Portland Rd NE
Salem, OR 97310
(503) 378-3739
FAX (503) 378-8130

If an objection contains allegations that the technical review is defective, it must be accompanied by facts which support such allegations. If an objection contains allegations that the proposed water use may impair or be detrimental to the public interest, the objection must specify the particular public interest standards which apply as set out in Oregon Revised Statutes (ORS 537.170(5)) and Oregon Administrative Rules (OAR 690-11-195) and state facts showing how such standards would be violated.

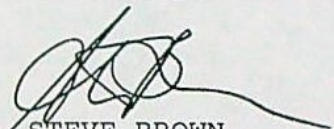
All evidence and objections must be received by our Salem office no later than 5:00 p.m. on or before January 28, 1994 or the Department may presume there is no opposition to any of the analyses set out in the technical review report. Evidence and objections must be addressed and delivered to: Oregon Water Resources Department, Water Rights Section, 3850 Portland Road, Northeast, Salem, Oregon 97310.

If objections and evidence are submitted on or before the above time and date, the Director of the Water Resources Department will evaluate each issue raised in the objections and either accept or deny them. Objectors are encouraged to indicate whether they would be interested in resolving their concerns through alternative dispute resolution.

If any of the objections are denied, the objector will be allowed thirty days to submit a protest to the denial. The protest must meet the standards set forth in OAR 690-02-030 through 080.

If you have any questions, please feel free to telephone me or any of the Department's Water Rights Section staff. My telephone number is 378-3739, in Salem, or you may call toll free from within the state to 1-800-624-3199.

Sincerely,



STEVE BROWN
Manager
Water Rights Division

Enclosures

SB/ts

Report Date: November 19, 1993

OREGON WATER RESOURCES DEPARTMENT

SATISFACTORY REPORT OF TECHNICAL REVIEW

FOR WATER USE PERMIT(S)

OBJECTIONS TO THE PROPOSED WATER USE AS DESCRIBED BELOW MUST BE RECEIVED IN WRITING BY THE OREGON WATER RESOURCES DEPARTMENT, 3850 PORTLAND ROAD N.E., SALEM, OREGON 97310, BY 5 P.M. ON OR BEFORE: January 28, 1994

1. APPLICATION FILE NUMBER - G 13279
2. MINIMUM APPLICATION INFORMATION

Applicant name/address/county/phone:

RUDOLPH H ETZEL
ETZEL, OLGA; ETZEL, MARIE
10510 S MACKSBURG RD
CANBY, OR 970013
CLACKAMAS Co. 503-266-1443

Date application received for filing and/or tentative date
of priority: 2/5/93

SOURCE: A WELL TRIBUTARY TO: MOLALLA RIVER

Purpose and/or use: IRRIGATION

Flow: 0.985 CUBIC FOOT PER SECOND (CFS)

Point of Diversion Location:

T 4 S, R 1 E, W.M.; SECTION 23, NENW

Place of use:

NWNE	4.48 ACRES
SWNE	12.78 ACRES
NENW	15.64 ACRES
SENE	19.25 ACRES
NWSE	26.67 ACRES

SECTION 23

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

GROUNDWATER AVAILABILITY

This is an application for use of groundwater. The Groundwater/Hydrology Section report indicates that:

Pursuant to OAR 690-09-040, the proposed groundwater

withdrawal will not have the potential to cause substantial interference with surface water.

In addition, the Groundwater/Hydrology Section has reported that the groundwater for the proposed use can, if properly conditioned, avoid injury to existing rights or to the groundwater resource.

CONFLICTS WITH OTHER WATER RIGHTS:

There are no existing rights from this point of diversion.

There are existing water rights appurtenant to the lands described in the application. See proposed permit conditions.

REPORT CONCLUSIONS:

Water in the amount of 0.985 CFS is likely available for 8 months of the 8 months normal period of use. Therefore, the Director finds that water is available in sufficient amount and during periods which will reasonably support the proposed use.

THE PROPOSED WATER USE, AS CONDITIONED, SATISFIES THE REQUIREMENTS OF THIS TECHNICAL REVIEW.

This Report of Technical Review sets out the Director's technical analysis of the application. In addition to this technical analysis, the Director will evaluate this application to determine whether the proposed water use might impair or be detrimental to the public interest under the standards set out in ORS 537.170(5) and OAR 690-11-195. Matters relating to public interest in the proposed water use which are raised in objections will be evaluated following the 60-day objection period.

PROPOSED PERMIT CONDITIONS

Application: G 13279

The following conditions will apply to water use under the permit, and will appear in the permit.

1. Use of water under this permit is subject to all prior rights.
2. Period of allowed use: MARCH 1 THROUGH OCTOBER 31
3. Rate of use: 0.985 cfs
4. The amount of water used for irrigation under this right, 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) and 2.5 acre-feet for each acre irrigated during the irrigation season of each year.
5. Water use development requirements:
 - A. Begin construction by (one year from issuance of permit).
 - B. Complete construction by October 1, 1995.
 - C. Completely apply the water to beneficial use by October 1, 1996.
6. The well shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times.
7. Measurement, recording and reporting conditions:
 - A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.
 - B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

- C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.
8. Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.
 9. This right is limited to any deficiency in the available supply of any prior right existing for the same land.
 10. Failure to comply with any of the provisions of the permit may result in action including, but not limited to, restrictions on the use, penalties, or cancellation of the permit.
 11. The permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.
 12. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.
 13. The use of water shall be limited when it interferes with any prior surface or ground water rights.
 14. If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

Application No. G-13279

State of Oregon
WATER RESOURCES DEPARTMENT

Application for a Permit to Appropriate Groundwater



Applicant(s) Rudolph H. & Olga Etzel and Marie Etzel
(Please print or type - use dark ink)

Mailing Address: 10510 S. Macksburg Road
Canby OR 97013 266-1443
City State Zip Daytime Phone No.

I (We) make application for a permit to appropriate the following described ground waters of the State of Oregon:

1. **THE DEVELOPMENT** (number of wells, tile lines, infiltration galleries, etc.):
Single well to be drilled

If development is less than one mile from a natural stream, give the following:

Distance from development to stream: 1000 ft.

Elevation difference between streambed and development: 40 ft.

NOTE: Wells must be constructed according to standards set by the department for the construction and maintenance of water wells. If the well is already constructed, please enclose a copy of the well driller's log with this application, and skip to Section 2 below.

Diameter of well: 10" Depth in feet: 320'

Type and size of well casing: 1/4 wall No. of feet: 320

Estimated depth to water: 300

Type of access port or measuring device: _____

Wells to be drilled by: Drilling Services

Address: 620 S. E. 2nd, Canby, OR 97013

If the water well is flowing artesian, describe your water control and conservation works: _____

2. **TOTAL AMOUNT OF WATER** to be applied to beneficial use: 0.985 cubic feet per second, OR 443 gpm gallons per minute. If water is to be used from more than one groundwater source, give the quantity of water from each: _____

3. **INTENDED USE(s) OF WATER:** Farm crops & orchard

If for more than one use, give the quantity of water from each source for each use; _____

If for **DOMESTIC** use, state the number of households to be supplied; _____

If for **MUNICIPAL OR QUASI-MUNICIPAL** use, state the present population to be served, and an estimate of the future requirements; (List population projections, water needs, anticipated areas to be provided water.)

If for **MINING** use, state the nature (gold, silver, etc.) of the mines to be served; _____

If for **IRRIGATION**, or other land area use, state the **TOTAL** number of acres to be developed under each use;

Irrigation	<u>78.82 acres</u>
Other (describe)	_____

4. **DESCRIPTION OF WATER DELIVERY SYSTEM:** Include dimensions and type of construction of diversion works, length and dimensions of supply ditches or pipelines, size and type of pump and motor. If for irrigation, describe the type of system (i.e., flood, wheel line, hand line, drip, other).

Pump - 50 HP Submersible
Mainline- 6"
Risers - Every 80'
System - Hand Line

5. **PROJECT SCHEDULE:** (List month and year)

Proposed date construction work will begin 1-25-93
Proposed date construction work will be completed 3-15-93
Proposed date water use will be completed 6-30-94

NOTE: A map prepared by a Certified Water Right Examiner (CWRE) and a complete legal description of the subject property are required under ORS 537.140 and OAR 690 as a part of your application. The legal description may be copied from your deed, title insurance policy, or land sales contract.

6. a) In the event any deficiencies are noted involving the application map enclosed herein, please return the map with instructions for correction to (check one):

 Applicant X CWRE Other (Identify in REMARKS section)

b) In the event any deficiencies are noted involving the application, please return the application with instructions for correction to (check one):

 X Applicant CWRE Other (Identify in REMARKS section)

7. Are all lands involved (including the proposed diversion site, place of use, and access for conveying the water) under your ownership? Yes . If not, list in the REMARKS section below, or on an attached sheet, the names and mailing addresses of the legal owners of all property involved in the proposed development.

NOTE: Prior to receiving a certificate of water right, the permit holder must submit to the Water Resources Department the results of a pump test meeting the department's standards. The Director will require water level or pump test results every ten years thereafter.

REMARKS: _____

I/We certify that the information I have provided in this application is an accurate representation of the proposed water use and is true and correct to the best of my knowledge:

Signature	<u>Marie F. Etzel</u>	Date	<u>2/2/93</u>
Signature	<u>Olga M. Etzel R. H. Etzel</u>	Date	<u>2/2/93</u>

NOTE: The permit, when issued, is for the beneficial use of water without waste. By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan. It is possible the land use you propose may not be allowed if it is not in keeping with the goals and acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

Signature of Applicant	<u>Marie F. Etzel</u>	Date	<u>2/2/93</u>
Signature of Co-Applicant, if any	<u>Olga M. Etzel R. H. Etzel</u>	Date	<u>2/2/93</u>

FOR WATER RESOURCES DEPARTMENT USE ONLY

Dear Applicant:

I certify that I have examined the foregoing application, together with the accompanying information, and am returning it to you for:

In order to retain its tentative priority, this application must be returned with the requested corrections or additions on or before:

_____, 19____.

WITNESS my hand this _____ day of _____, 19____.

Water Resources Director

By: _____

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the 5th day of February, 1993, at 8:00 o'clock, A M.

APPLICATION NO: G-13279

R. H. Etzel
10510 S. Macksburg Rd.
Canby, OR 97013

RECEIVED

JAN 13 1994

WATER RESOURCES DEPT.
SALEM, OREGON

January 3, 1994

Steve Brown, Manager
Water Rights Division
3850 Portland Road N. E.
Salem, OR 97310

Re: File - G-13279

Dear Mr. Brown:

Enclosed please find the following checks in payment of the permit fee of \$238.00:

R. H. Etzel check # 684 in the amount of \$119.00

Marie Etzel check # 1475 in the amount of \$119.00.

Concerning the water right conflict (GR-3397) referred to in your letter:

Ben Kyllø's water right ^{well} is not on our property, but on his.
The water from that well is not being used to irrigate our land.

Sincerely yours,

A. H. Etzel
R. H. Etzel

Marie Etzel
Marie Etzel

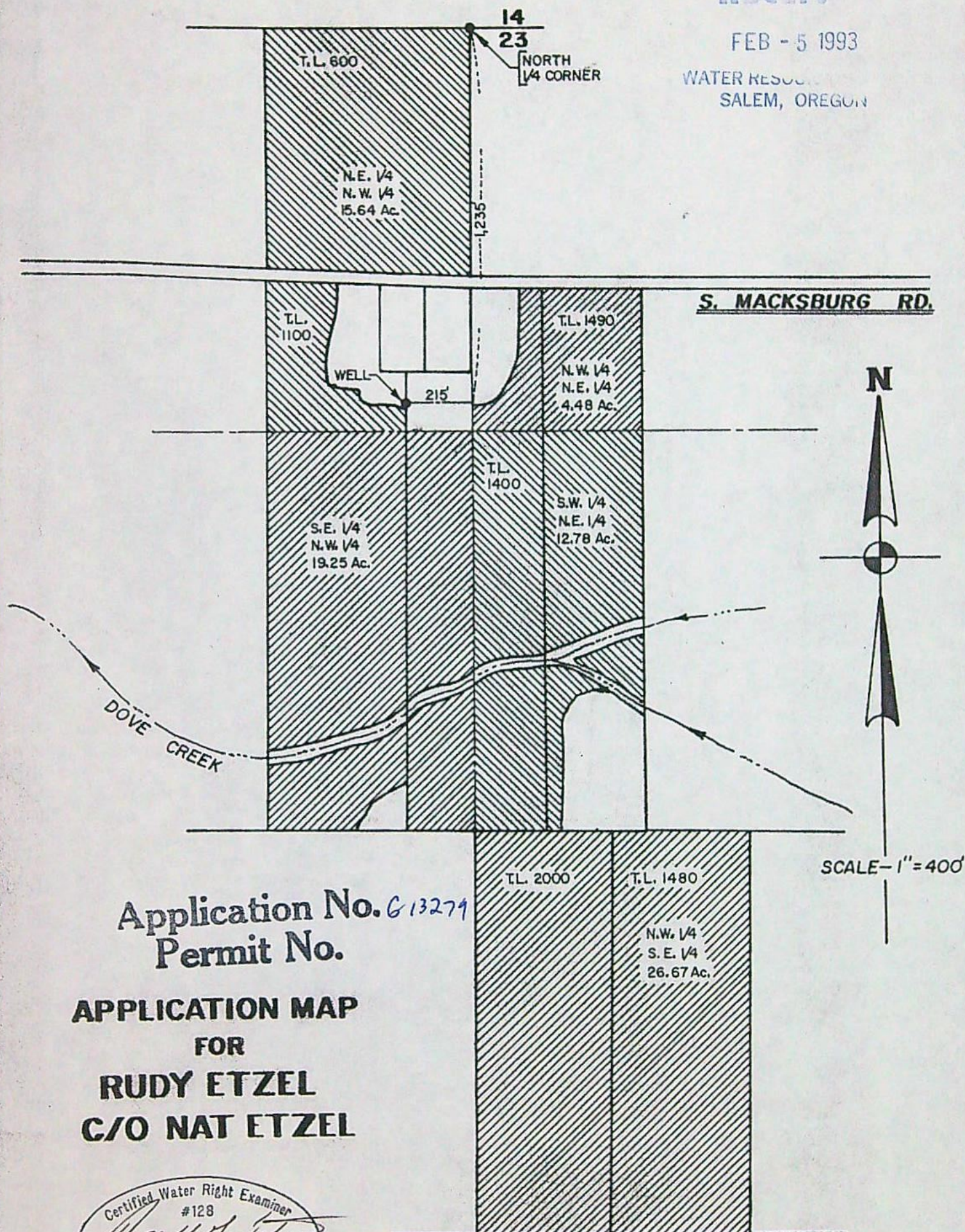
7/7/1994
This stat is not considered
As relinquish any rights that
may be appurtenant to the lands
under the GR certificates.
JHE

SEC. 23, T.4S, R.1E, W.1M.

RECEIVED

FEB - 5 1993

WATER RESOURCES
SALEM, OREGON



Application No. *G 13279*
Permit No.

APPLICATION MAP
FOR
RUDY ETZEL
C/O NAT ETZEL



**ZAROSINSKI - TATONE
ENGINEERS, INC.**

3737 S.E. 8TH AVENUE, PORTLAND, OREGON 97202

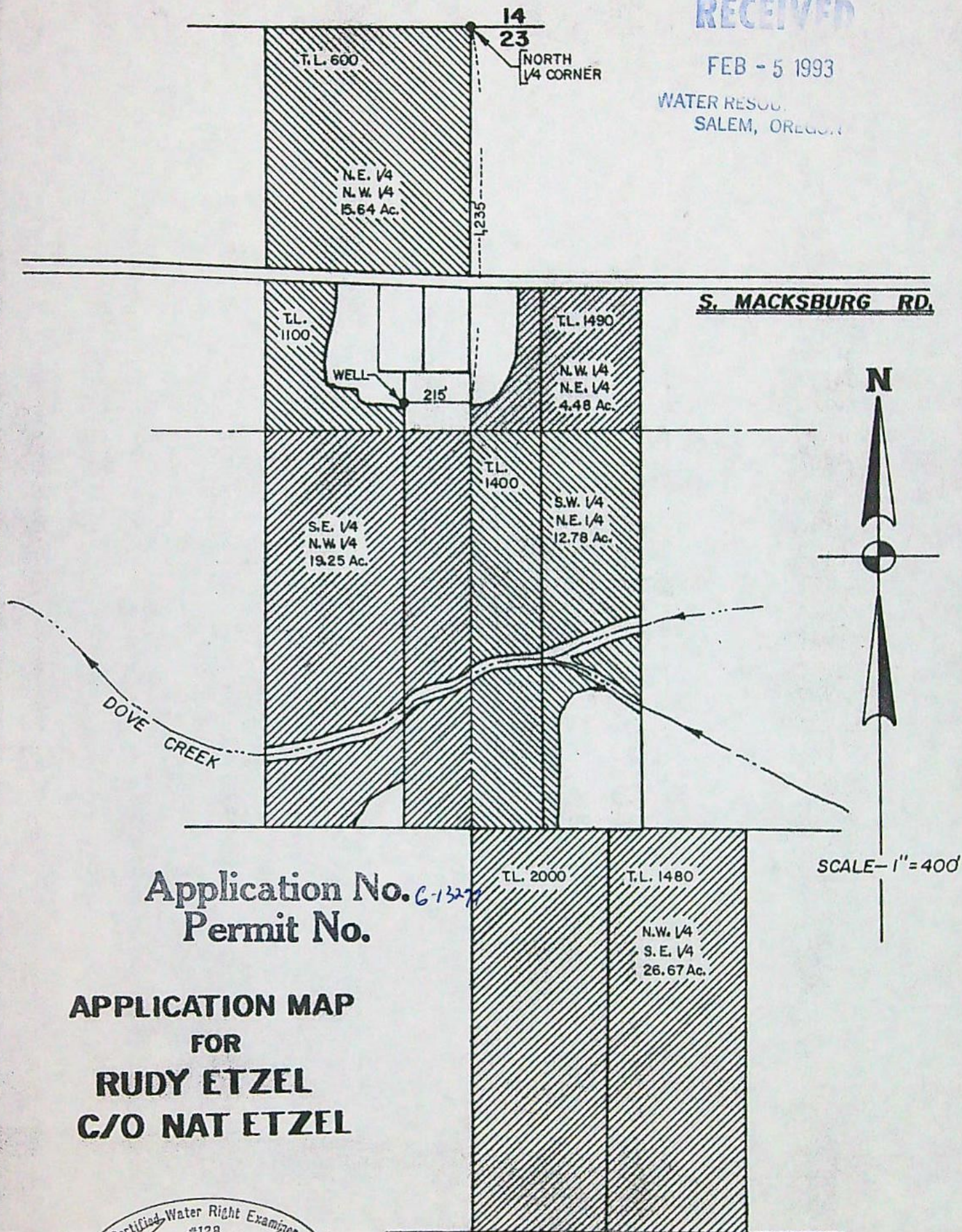
PHONE: (503) 235-6785

SEC. 23, T.4S, R.1E, W.M.

RECEIVED

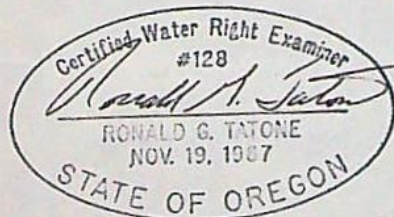
FEB - 5 1993

WATER RESOUR.
SALEM, OREGON



Application No. *C-13277*
Permit No.

APPLICATION MAP
FOR
RUDY ETZEL
C/O NAT ETZEL



**ZAROSINSKI - TATONE
ENGINEERS, INC.**

3737 S.E. 8TH AVENUE, PORTLAND, OREGON 97202

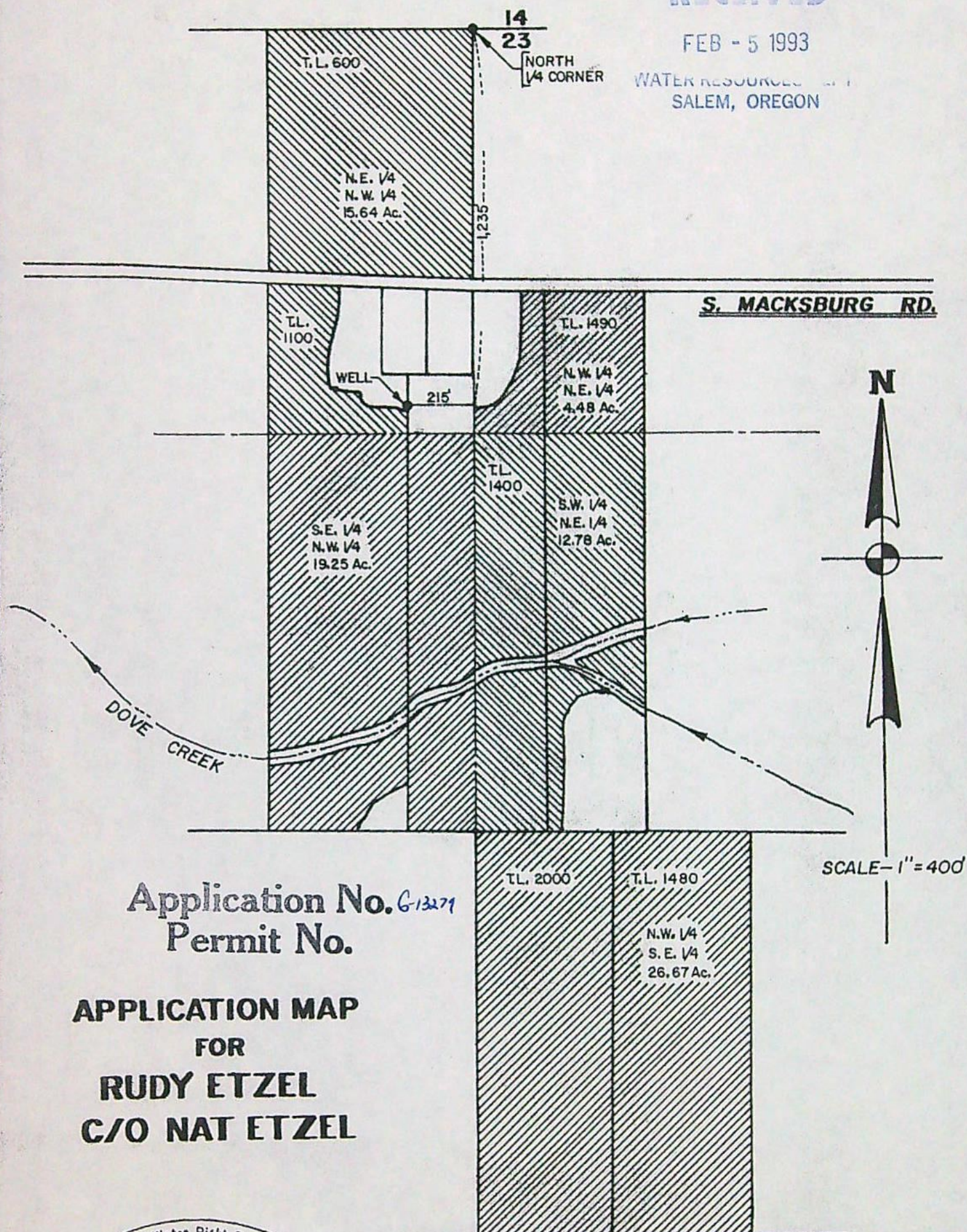
PHONE: (503) 238-8788

SEC. 23, T.4S, R.1E, W.M.

RECEIVED

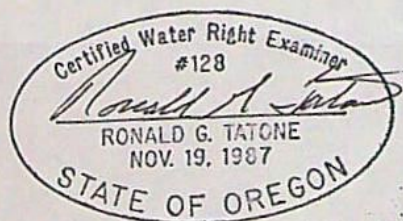
FEB - 5 1993

WATER RESOURCES DIV.
SALEM, OREGON



Application No. *G-13271*
Permit No.

APPLICATION MAP
FOR
RUDY ETZEL
C/O NAT ETZEL



**ZAROSINSKI - TATONE
ENGINEERS, INC.**

3737 S. E. 8TH AVENUE, PORTLAND, OREGON 97202

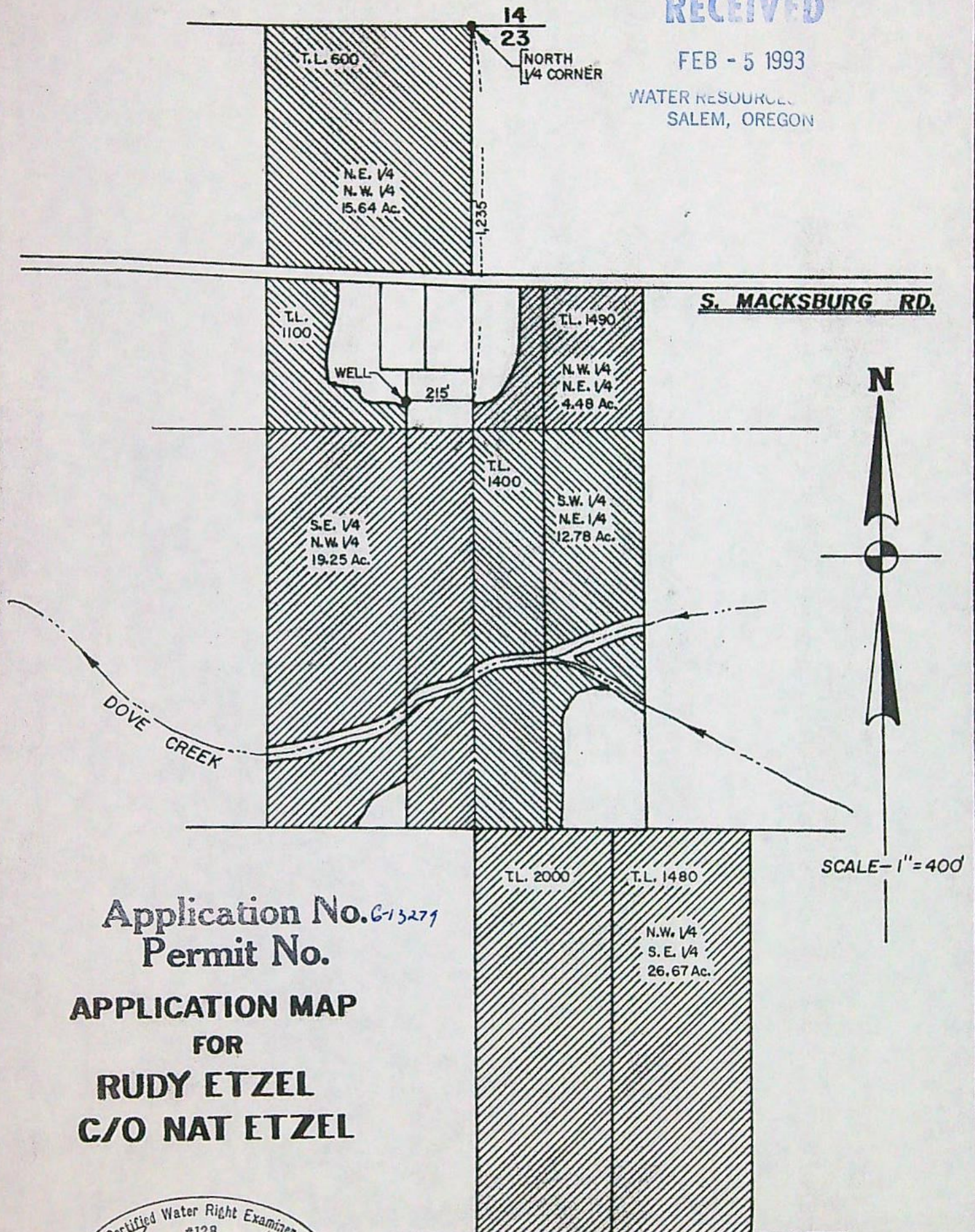
PHONE: (503) 235-6795

SEC. 23, T.4S, R.1E, W.M.

RECEIVED

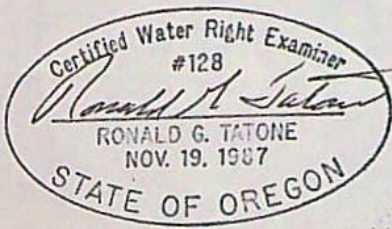
FEB - 5 1993

WATER RESOURCES
SALEM, OREGON



Application No. *G-13279*
Permit No.

APPLICATION MAP
FOR
RUDY ETZEL
C/O NAT ETZEL



**ZAROSINSKI - TATONE
ENGINEERS, INC.**

3737 S.E. 8TH AVENUE, PORTLAND, OREGON 97203

PHONE: (503) 235-6798

November 19, 1993

RUDOLPH H., OLGA, AND MARIE ETZEL
10510 S MACKSBURG RD
CANBY, OR 97013

Reference: File G 13279

Hello:

Under separate cover I have enclosed our report of technical review. This process is fairly new to staff and has taken more time to complete than anticipated; however, we believe that the process is more fair and will allow staff to deal with issues in a more timely manner. I truly apologize for the delay.

Your application file was recently reviewed. Before we can process your application further, you need to provide us with additional information, documentation, or fees.

Please send the following:

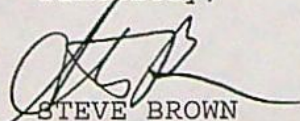
permit fees in the amount of \$238;

You have a conflicting water right situation on the property involved in the application. A claim, Certificate of Registration GR-3397, was submitted by Ben Kylo in 1959 and describes the use of 200 gallons of water per minute from an 8 inch well for the irrigation of 90 acres. If this well is not being used for irrigating your land a statement to that effect should be submitted. If it is, perhaps you should make a statement to the effect you are not relinquishing any interest in the claim. This problem must be resolved before a permit could be issued.

After the file is complete and the deadline for objections to the technical review expires, staff will again review the file for objections and further process your application as soon as possible.

Please feel free to contact me if you have any questions and I will be happy to address any concerns you may have.

Sincerely,



STEVE BROWN
Manager
Water Rights Division

cc: Tatone, CWRE
SB/ts



3850 Portland Rd NE
Salem, OR 97310
(503) 378-3739
FAX (503) 378-8130

Registration No. GR. 3721

Certificate No. GR. 3397

Registration Statement

OF CLAIMANT OF RIGHT TO APPROPRIATE GROUND WATER

TO THE STATE ENGINEER OF OREGON:

I, Ben Kyllö
of Rt. 3, Box 133 Canby County of Clackamas
(Mailing address)
State of Oregon, do hereby make application for a certificate of registration as evidence of a right to appropriate ground water.

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

2. Location is: 5 miles Southeast of Canby
(Approximate distance and direction from nearest city or town)

and is more particularly described as follows: 1340' S. and 800' W. of the NE Cor. Sec. 22

(a) 800 feet from NE 1/4 of Sec. 22
(Give distance and bearing to corner of section or other legal subdivision)

being within SW NW 1/4 of Sec. 23, Twp. 4S, Rge. 1E
(Smallest legal subdivision) (N. or S.) (E. or W.)

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

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

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

3. Construction Work was begun on May 1, 1955; was completed on July 1, 1955
(Date) (Date)

and the ground water claimed was first used for the purposes set out below on July 15, 1955
(Date)

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

from July 1955 to October 1958
(Date) (Date)

4. Quantity of water claimed and used is 200 (200) gallons per minute; 120 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 250 feet. Type drilled
(Dug or drilled)

diameter 8 inches. Elevation of ground at well site 100 feet, mean sea level.
(As near as known)

Depth to water table 30 feet.

7. Capacity of Well: 300 g.p.m. with 70 feet drawdown.

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

Date of test July 10, 1955

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

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

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

8" inch diameter regular well casing from 0 to 250 feet

inch diameter from to feet

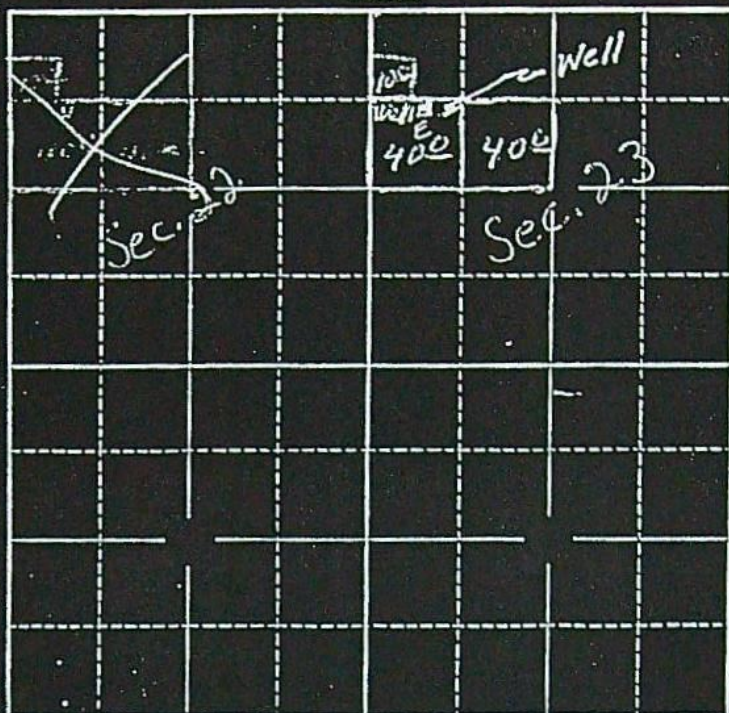
inch diameter from to feet

inch diameter from to feet

4 perforations to foot - $\frac{1}{2}$ " by 4" long from 24.2 to 25.0 feet
(Number per foot and size of perforations, or describe screen)

[illegible]

Township 45 Range 1E, W.M.
North



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

STATE OF OREGON

County of Clackamas

ss.

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

Ben Kylo
(Signature of Registrant)

Subscribed and sworn to before me this 1 day of August, 1958

My commission expires July 22, 1961

Arthur E. Johnson
(Notary Public)

(SEAL)

CERTIFICATE OF REGISTRATION

STATE OF OREGON

County of Marion

ss.

This is to certify that the foregoing Registration Statement was received in the office of the State Engineer on the 1st day of August, 1958, at 10:00 o'clock A.M. and has been duly recorded in said office in Book No. 14 of Registration Statements on page GR-3397

Witness my hand this 20th day of August, 1959

\$24.00

Lewis A. Stanley
(State Engineer)

By _____
(Deputy)

GR 3397

Registration No. GR-3721

Certificate No. GR-3397

Registration Statement

OF CLAIMANT OF RIGHT TO APPROPRIATE GROUND WATER

TO THE STATE ENGINEER OF OREGON:

I, Ben Kylla
of Rt. 3, Box 133 Canby County of Clackamas
State of Oregon, do hereby make application for a certificate of registration as evidence
of a right to appropriate ground water.

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

2. Location is: 5 miles Southeast of Canby
(Approximate distance and direction from nearest city or town)

and is more particularly described as follows: 1340' S. and 800' W. of the NE Cor. Sec. 22

(a) 800 feet from NE 1/4 of Sec. 22
(Give distance and bearing to corner of section or other legal subdivision)

being within SW NW 1/4 of Sec. 23, Twp. 4 S, Rge. 1 E
(Smallest legal subdivision) (N. or S.) (E. or W.)

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

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

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

3. Construction Work was begun on May 1, 1955; was completed on July 1, 1955
(Date) (Date)

and the ground water claimed was first used for the purposes set out below on July 15, 1955,
(Date)

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

from June 1, 1955 to October 1, 1955
(Date) (Date)

4. Quantity of water claimed and used is 200 (200) gallons per minute; 120 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 750 feet. Type drilled
(Dug or drilled)

diameter 8 inches. Elevation of ground at well site 100 feet, mean sea level.
(As near as known)

Depth to water table 30 feet.

7. Capacity of Well: 300 g.p.m. with 7.0 feet drawdown.

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

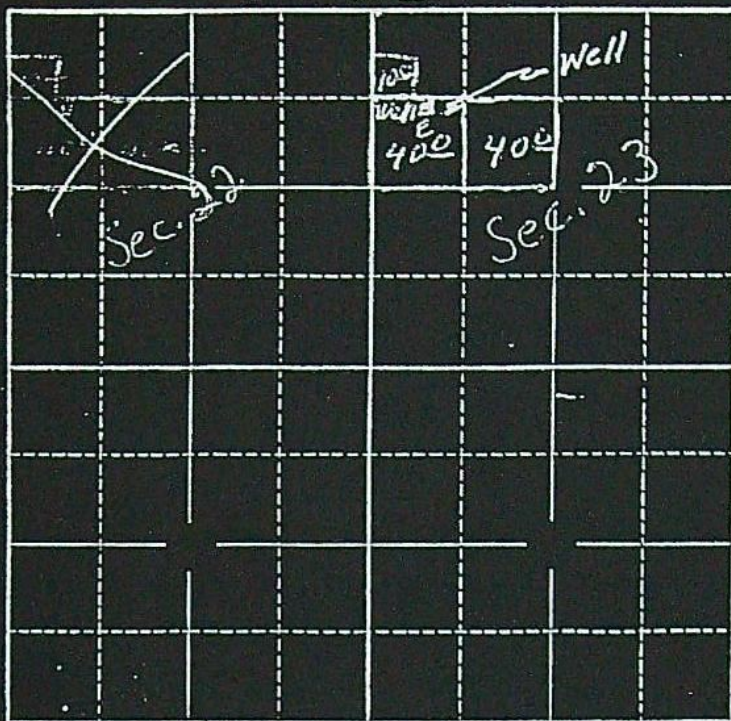
Date of test July 10, 1955

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

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

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

Township 45 Range 1E, W.M.
North



Locate well and acreage of irrigated land on plat.

Scale: 2" = 1 Mile

STATE OF OREGON

County of Clackamas

ss.

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

Ben Kylo
(Signature of Registrant)

Subscribed and sworn to before me this 1 day of August, 1958

My commission expires July 22, 1961

Arthur J. Brown
(Notary Public)

(SEAL)

CERTIFICATE OF REGISTRATION

STATE OF OREGON

County of Marion

ss.

This is to certify that the foregoing Registration Statement was received in the office of the State Engineer on the 1st day of August, 1958, at 10⁰⁰ o'clock a M. and has been duly recorded in said office in Book No. 14 of Registration Statements on page GR-3397

Witness my hand this 20th day of August, 1959

\$24.00

Lewis A. Stanley
(State Engineer)

By _____
(Deputy)

GR 3397

TO: Water Rights Section

Sept 13, 1993

FROM: Groundwater/Hydrology Section

D. Woodcock

Reviewer's Name

SUBJECT: Application G- 13279

1. PER THE WILLAMETTE Basin rules, one or more of the proposed POA's is is not within 1/4 mi. feet/mile of a surface water source (Molalla River) and taps a groundwater source hydraulically connected to the surface water.
2. BASED UPON OAR 690-09 currently in effect, I have determined that the proposed groundwater use
 - a. ☐ will, or have the potential for substantial interference with the nearest surface water
 - b. ☒ will not source, namely _____; or
 - c. ☐ will, if properly conditioned, adequately protect the surface water from interference:
 - i. ☐ The permit should contain condition #(s) _____;
 - ii. ☐ The permit should contain special condition(s) as indicated in "Remarks" below;
 - iii. ☐ The permit should be conditioned as indicated in item 4 below; or
 - d. ☐ will, with well reconstruction, adequately protect the surface water from substantial interference.
3. BASED UPON available data, I have determined that groundwater for the proposed use
 - a. ☐ will, or likely be available in the amounts requested without injury to prior rights and/or
 - b. ☐ will not within the capacity of the resource; or
 - c. ☒ can, if properly conditioned, avoid injury to existing rights or to the groundwater resource;
 - i. ☐ The permit should contain condition #(s) 4 I;
 - ii. ☐ The permit should contain special condition(s) as indicated in "Remarks" below;
 - iii. ☐ The permit should be conditioned as indicated in item 4 below.
4.
 - a. ☐ THE PERMIT should allow groundwater production from no deeper than _____ ft. below land surface;
 - b. ☐ The permit should allow groundwater production from no shallower than _____ ft. below land surface;
 - c. ☐ The permit should allow groundwater production only from the _____ groundwater reservoir between approximately _____ ft. and _____ ft. below land surface;
 - d. ☐ Well reconstruction is necessary to accomplish one or more of the above conditions.
 - e. ☐ One or more POA's commingle 2 or more sources of water. The applicant must select one source of water per POA and specify the proportion of water to be produced from each source.

REMARKS:

WELL CONSTRUCTION (If more than one well doesn't meet standards, attach an additional sheet.)

5. THE WELL which is the point of appropriation for this application does not meet current well construction standards based upon:
- a. ☐ review of the well log;
 - b. ☐ field inspection by _____;
 - c. ☐ report of CWRE _____;
 - d. ☐ other: (specify) _____
6. THE WELL construction deficiency:
- a. ☐ constitutes a health threat under Division 200 rules;
 - b. ☐ commingles water from more than one groundwater reservoir;
 - c. ☐ permits the loss of artesian head;
 - d. ☐ permits the de-watering of one or more groundwater reservoirs;
 - e. ☐ other: (specify) _____
7. THE WELL construction deficiency is described as follows: _____
8. THE WELL
- a. ☐ was, or constructed according to the standards in effect at the time of
 - b. ☐ was not original construction or most recent modification.
 - c. ☐ I don't know if it met standards at the time of construction.

RECOMMENDATION:

- A. ☐ I recommend including the following condition in the permit:
"No water may be appropriated under terms of this permit until the well(s) has been repaired to conform to current well construction standards and proof of such repair is filed with the Enforcement Section of the Water Resources Department."
- B. ☐ I recommend withholding issuance of the permit until evidence of well reconstruction is filed with the Enforcement Section of the Water Resources Department.
- C. ☐ REFER this review to Enforcement Section for concurrence.

THIS SECTION TO BE COMPLETED BY ENFORCEMENT PERSONNEL

I concur in G/H's recommendation A or B above relating to conditioning or withholding the permit.
_____, 1993.

(Signature)

I do not concur in G/H's recommendation A or B above relating to conditioning or withholding the permit for the following reasons: _____

(Signature)

_____, 1993.

(WRFORM8\91)

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

APR 29 1993

AUG 19 1993

WATER RESOURCES DEPT.
SALEM, OREGON

WATER RESOURCES DEPT.
SALEM, OREGON
(START CARD) #

36714

(1) OWNER:

Name Rudolph, and Olga Etzel, and Marie Etzel
Address 10510 S. Marksburg
City Canby State OR Zip 97013

Well Number 137

(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 315 ft.
Explosives used ☐ Yes ☒ No Type _____ Amount _____

HOLE		SEAL		Amount	
Diameter	From To	Material	From To	sacks or pounds	
14"	0 20	Cement	0 20	20 sacks	
10"	20 315				

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

Backfill placed from _____ ft. to _____ ft. Material _____
Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) CASING/LINER:

	Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing:	10"	18"	295'	250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner:					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) 295

(7) PERFORATIONS/SCREENS:

☐ Perforations Method _____
☒ Screens Type 8" tele Material 304 SS

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
290	295				7 1/2"	<input type="checkbox"/>	<input type="checkbox"/>
295	315	30				<input type="checkbox"/>	<input type="checkbox"/>

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

☐ Pump ☐ Bailer ☒ Air ☐ Flowing Artesian

Yield gal/min	Drawdown	Drill stem at	Time
300		314	40 hr

Temperature of Water 54 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 Clack Latitude _____ Longitude _____
Township 4 N or S Range 1 E or W. WM.
Section 23 NE 1/4 NW 1/4
Tax Lot 1100, 1409 Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) 10510 S Marksburg R

(10) STATIC WATER LEVEL:

52 ft. below land surface. Date 4-6-93
Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:

Depth at which water was first found 49'

From	To	Estimated Flow Rate	SWL
49	96	50 GPM	32
174	191	100 GPM	50
295	315	300 GPM	52

(12) WELL LOG:

Ground elevation _____

Material	From	To	SWL
Top soil	0	2	
clay, brown	2	21	
clay, sand, brown, fine	21	49	
gravel, compacted	49	96	32
clay, brown	96	105	
clay, blue	105	174	
sand, black, fine	174	191	50
clay, blue	191	230	
claystone, blue	230	250	
clay, blue	250	295	
sand, black, med	295	315	52

Date started 2-28-93 Completed 4-6-93

(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 well construction standards. Material used and information reported above are true to my best knowledge and belief.

Signed _____ WWC Number _____
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 well construction standards. This report is true to the best of my knowledge and belief.

Signed Robert Kern WWC Number 1277
Date 4-28-93

TECHNICAL REVIEW CHECKLIST

FORM-71393

- (1) Application: G-13279
- (2) Review Date: 11-8-93

S Indicates information was completed or adequately addressed.
 U Indicates information is needed, or incomplete, or inadequately addressed
 N/A Indicates Not Applicable

248

SUMMARY	
<u>U</u>	Completeness <i>FEES, STATEMENT RE: INTEREST IN GR-3397</i>
<u>S</u>	Land Use
<u>S</u>	GW Interference (if potential interference with surface water, see results of water availability analysis)
<u>U</u>	Conflicts w/GR 3397 <i>NEED STATEMENT</i>
<u> </u>	Water Availability

- (3) S The applicant has certified that the information provided in the application is an accurate representation of the proposed use and is true and correct to the best of their knowledge.

- (4) N/A No oath is required because application was filed before June 5, 1992.

- (5) U Application fees:
- | | | |
|--|-----------|---|
| Examination fee: | \$ 200.00 | <i>78.82 AL</i>
<i>10-100</i>
<i>69 178</i>
<i>238</i> |
| Recording fee: | \$ 238.00 | |
| TOTAL REQUIRED | \$ 438.00 | |
| TOTAL SUBMITTED | \$ 200.00 | |
| AMOUNT DUE prior to issuance of permit | \$ 238.00 | |
| AMOUNT OVERPAID | | |
| refund due applicant | \$ — | |

- (6) S Proposed dates of beginning and completion of construction, and complete application of water.

- (7) S MAP: ☒ Prepared by a CWRE
☐ Exempt under OAR 690-11-150(3)
☐ A map or drawing included (non-CWRE)
☐ No map or drawing in file

- (8) S A CWRE map is not required for applications filed before November 9, 1987.
- (9) S A written copy of the legal description of the property on which the water is to be used.
- (10) N/A A copy of written authorization, contract or easement permitting access to the land or reservoir not owned by the applicant.
- (11) S The proposed use is not restricted or prohibited by statute.
- (12) S The source of water is not withdrawn from appropriation by order of the State Engineer or Water Resources Commission, or legislatively withdrawn under ORS Chapter 538.
- (13) S IRRIGATION use(s) is/are classified uses(s) under the WILLAMETTE Basin Program, OAR 690 - 502-160-2
- (14) U The application, map and supporting data are complete and free of defects. *NEED STATEMENT REGARDING EASEMENT AND GIC 3397*

Land Use Compatibility:

- (15) As expressed by the Planning Department of CLACKAMAS CO.
- (16) S The land uses to be served by proposed water uses (including proposed construction) are allowed or are not regulated by the local comprehensive plan (ordinance section 401).
- (17) N/A The land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals which have been obtained.
- (18) N/A The local government was notified, and sent no comment pursuant to the rules at the time; land use was presumed in compliance per such statement printed on the application.

For ground water applications:

- (20) S A copy of the constructor's log, if available, for any well already constructed, or required information regarding actual or anticipated construction.
- (21) X/S The report from groundwater section has been received. 9/93

For reservoir applications:

- (22) N/A Plans, specifications and supporting information for the dam and impoundment area.

Application No. G-13279
Land Use Information Form: Permits, Hydroelectric Licenses, Water Uses in
Addition to Classified Uses
Permit No. _____

This information is needed to determine compatibility with local comprehensive plans as required by ORS 197.180. The Water Resources Department will use this and other information to evaluate the water use application. DO NOT FILL OUT THIS FORM IF water is to be diverted, conveyed, and/or used only on federal lands.

Applicant's Name: Olga Etzel & Marie RUDY ETZEL & ~~NA~~ ETZEL FEB - 5 1993
Address: 300 NW 10TH AVE WATER RESOURCES
City: CANBY State: OR Zip: 97013 Day Phone: 266-4443 OREGON

Please provide information as requested below for all tax lots on or through which water will be diverted or used. (Attach extra sheets as necessary.) 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.

Tax Lot or Local I.D.#	Plan Designation/Zoning (e.g. Rural Residential/RR-5)	Check All That Apply		
		Water Diverted	Water Conveyed	Water Use
<u>MAP 41E23</u>	<u>EFU 20</u>			
<u>TL 600, 1120</u>		/	/	/
<u>1200, 1300, 1400</u>		/	/	/
<u>1490, 1480 & 2000</u>		/	/	/

Please list all counties and cities within which water is proposed to be diverted, conveyed, and/or used. CLACKAMAS

The following section must be completed by a planning official from each county and city listed unless your project will be located entirely within city limits. In this case, only the city planning agency must complete this form. Please request extra forms as needed.

For Local Government Use Only

Local planning officials are to complete the remainder of this form. If it cannot be completed while the applicant waits, sign and detach the receipt as instructed below. You will receive notice when the applicant's water right request is filed with the Water Resources Department (WRD). You will have 30 days from the notice date to return this completed land use form to WRD. If no land use information is received from you within that period, WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan.

a) Check the appropriate box below and provide requested information.

☒ Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): 401. Go to section b) on reverse side.

☐ Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below. **Note:** Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action plus any accompanying findings is sufficient.)

Type of Land Use Approvals Needed (e.g.: plan amendments, rezones, conditional use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Please check the box that applies:		
		Already Obtained	Already Denied	Being Pursued Satisfactorily

(over)

Receipt for Request for Land Use Information

WRD Applicant Name: _____

This receipt must be signed by a local government representative and returned to the applicant for inclusion in the WRD application IF the local government cannot provide the above requested land use information while the applicant waits.

City or County: _____

Staff Contact: _____ Phone: _____

Signature: _____ Date of Information Request: _____

(For Local Use Continued)

b) Please provide printed name and written signature.

Name: MIKE McALLISTER

Title: PLANNER

Date: 1/14/93

Phone: 655-8521

Signature: Mike McAllister

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

Additional Comments:

Water rights for irrigation use allowed outright
in EFU-20 zoning district

Description of Water Use

MJM 1/14/93

Note to Applicant: This sheet will provide local planning staff with a basic description of your proposed water use. Please fill out this sheet before bringing the attached land use form to your local planning office. It will help local planning offices complete your land use information form quickly.

Note to Local Planning Officials: Please initial this sheet. Do not separate it from the land use information form. If needed, please make a separate copy for your records.

Applicant Name: RUDY ETZEL & ⁰¹⁹⁰ ~~MAIR~~ ETZELAddress: 300 NW 10th AVE
CANBY, OR. 97013Phone: 266-1443

FEB - 5 1993

WATER RESOURCES DEPT.
SALEM, OREGON

Please indicate what you will use the water for. Check all boxes that apply and fill in the blanks with key characteristics of the project

- ☒ Irrigation (crop type, golf course, nursery or greenhouse): _____
- ☐ Livestock (type of livestock, feedlot, slaughterhouse): _____
- ☐ Residential (# units, single or multi-family, # lots if partition or subdivision): _____
- ☐ Commercial (i.e., retail, office, restaurant, gas station, hotel, service, etc.): _____
- ☐ Industrial (i.e., factory, pulp mill, research and development, processing, etc.): _____
- ☐ Institutional (i.e., school, library, etc.): _____
- ☐ Mining (aggregate, metal, open pit, placer, etc.): _____
- ☐ Recreation (park, campsite, pond, etc.): _____
- ☐ Fish and Wildlife (pond, hatchery, etc.): _____
- ☐ Hydropower (dam, reservoir, power generating or transmitting facilities): _____
- ☐ Other (Name and list key characteristics): _____

Indicate sources for the proposed water use below:	Indicate the estimated quantity of water the use will require.
<input type="checkbox"/> Surface Water Name sources: _____ _____ _____	<u>0.985</u> Cubic feet per second. <u>443</u> Gallons per minute. _____ Acre-Feet
<input type="checkbox"/> Reservoir or pond	
<input checked="" type="checkbox"/> Ground Water	

Application No. *G13279*
 Permit No.

FEB - 5 1993

WATER RESOURCES
 SALEM, OREGON

TL 1480



DEED

KNOW ALL MEN BY THESE PRESENTS: That we, MINNIE MURPHY and FUSSEL MURPHY, her husband; WILLIAM ETZEL and EMMA ETZEL, his wife; SOPHIA ETZEL, a single person, and ERNESTINE ETZEL, a single person, being heirs and next of kin of MARIE ETZEL, deceased, estate No. 11809, Clackamas County, Oregon, in consideration of ONE (\$1.00) to us paid by RUDY H. ETZEL and OLGA M. ETZEL, his wife; HERMAN ETZEL and MARIE ETZEL, his wife, and JULIUS R. ETZEL and REGINA ETZEL, his wife, do hereby remise, release and forever QUITCLAIM unto the said Rudy H. Etzel and Olga M. Etzel, his wife; Herman Etzel and Marie Etzel, his wife, and Julius R. Etzel and Regina Etzel, his wife, and unto their heirs and assigns, all our right, title, interest and estate, in and to the following described real property, with the tenements, hereditaments, and appurtenances, situated in the County of Clackamas, State of Oregon, bounded and described as follows, to-wit:

6466

3. The Northwest quarter of the Southeast quarter of Section 23., T.4.S., R.1 E., of the Willamette Meridian, containing 40 acres, more or less. This being the same property conveyed by the Oregon and California Railroad Company to John Becker, which deed is recorded on Page 116 of Book 50, record of Deeds for Clackamas County, State of Oregon, and is subject to all the conditions and restrictions incorporated in said deed. The East one-third thereof to Julius R. Etzel and Regina Etzel, his wife; the Middle one-third Rudy H. Etzel and Olga M. Etzel, his wife, and the West one-third to Herman Etzel and Marie Etzel, his wife, to be partitioned between them.

TO HAVE AND TO HOLD the same unto the said Rudy H. Etzel and Olga M. Etzel, his wife; Herman Etzel and Marie Etzel, his wife, and Julius R. Etzel and Regina Etzel, his wife, their heirs and assigns forever.

IN WITNESS WHEREOF we have placed our hands and seals this 31 day of March, 1960.

William Etzel SEAL
Emma Etzel SEAL

Minnie Murphy SEAL
Fussell Murphy SEAL
Sophie Etzel
Ernestine Etzel SEAL



Oregon
 ss. Clerk Oregon, March 31, A. D. 1960.

Personally appeared before me the above-named Minnie Murphy, and Fussell Murphy, her husband, and acknowledged the foregoing instrument to be their voluntary act and deed. Before me:

My commission expires, Feb. 4, 1963

James C. Martin
 Notary Public for Oregon
 No. 0050775 Page 2
 Deed

RECEIVED

10004/008

FEB - 5 1993

WATER
SALEM, OR

APR 13 1960

STATE OF OREGON

County of Multnomah

SS. Portland, Oregon, March 21, A. D. 1960.

Personally appeared before me the above-named William Ktsel and
 Emma Ktsel, his wife, and acknowledged the foregoing instrument to be
 their voluntary act and deed. Before me:

J. L. Kistner
 Notary Public for Oregon
 My commission expires, 11/14/62

STATE OF OREGON

County of Multnomah

SS. Portland, Oregon, March 21, A. D. 1960.

Personally appeared before me the above-named Sophia Ktsel, a
 single person, and acknowledged the foregoing instrument to be her voluntary
 act and deed. Before me:

J. L. Kistner
 Notary Public for Oregon
 My commission expires, 11/14/62

STATE OF OREGON

County of Multnomah

SS. Portland, Oregon, March 21, A. D. 1960.

Personally appeared before me the above-named Ernestine Ktsel, a
 single person, and acknowledged the foregoing instrument to be her voluntary
 act and deed. Before me:

J. L. Kistner
 Notary Public for Oregon
 My commission expires, 11/14/62

School yard + acreage where House + Barn Set
New tax lot
01200
CLARIFICATION OF PROPERTY DESCRIPTION
01100

RECEIVED

The following is a clarification of the property description contained in the Declaration of Trust described below and dated April 7, 1977.

FEB - 5 1993

WHEREAS, WE, Herman B. Etzel and Marie F. Etzel, of the Town of Canby, County of Clackamas, State of Oregon, are the owners as joint tenants with the right of survivorship of certain real property located at (and known as) 10448 South Macksburg Road in the said Town of Canby, State of Oregon, which property is described more fully in the Deed conveying it from John Etzel and Mary Etzel to Herman Etzel and Marie Etzel (17.50 acres) and the Deed conveying it from School District No. 86, Canby, Clackamas County, Oregon to H.B. Etzel and Marie E. Etzel, husband and wife (1 acre), as "That certain piece or parcel of land with buildings thereon standing, located in said Canby, being

the real property consisting of two parcels described as Tax Lot 25 and Tax Lot 30.

T.L. 1100
Tax Lot 25: Beginning at a point which point is 39.85 chains south of the Northeast corner of section 23, Township 4 South of Range 1 East of the Willamette Meridian and 45.69 chains West along the quarter section line of said section to the Southwest corner of the land deeded by the grantors herein to Rudolf H. Etzel, Thence North 22.50 chains; thence West 1.31 chains; thence North 4.50 chains; Thence West 5.50 chains; Thence South 2.50 chains to the Quarter section line; thence East along the quarter section line 6.81 chains to the point of beginning, containing about 17.50 acres of land more or less.

T.L. 1200
Tax Lot 30: The West one-half of the real property commencing at a point 13 chains due South of the half mile post on the north line of Section 23, T.4S.R. 1 East of the Willamette Meridian; running thence West 18 rods; thence South 18 rods; thence East 18 rods; thence North along the division line between W.O. Mack's and Jacob Roop's land 18 rods to the place of beginning, containing two acres, more or less, together with the tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining, situate in the County of Clackamas and State of Oregon.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, that we do hereby acknowledge and declare that we hold and will hold said property and all right, title and interest in and to said real property and all farm machinery, motor vehicles, boat and motors, farm tools and equipment situated therein, and all buildings thereon standing, IN TRUST

1. For the use and benefit of

(Name) Herman M. Etzel (our son)

Address 819 S.E. 179th Portland Oregon

Application No. 613279
Permit No.

Paul M. [Signature]
Witness

Marie F. Etzel
Marie F. Etzel

Shirley M. Ray
Witness

Sept 10, 1990
Date

Permit No.

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FEB - 5 1998

Know All Men by These Presents, That John Etzel and Marie Etzel,
 husband and wife,

SALEM, OREGON

in consideration of ten (\$10.00)

_____ Dollars,
 to us paid by Rudolph Etzel and Olga Etzel, husband and wife,

do _____ hereby grant, bargain, sell and convey unto said
Rudolph Etzel and Olga Etzel, husband and wife,
their _____ heirs and assigns, all the following real
property, with the tenements, hereditaments and appurtenances, situated in the
_____ County of Clackamas _____ and State of Oregon,
bounded and described as follows, to-wit:

"Beginning at a point at an iron pipe driven at the Southeast corner of the Southwest Quarter of the Northeast Quarter (SE cor. of SW $\frac{1}{4}$ of NE $\frac{1}{4}$) of Section twenty-three (23), Township four (4) South, Range one (1) East of the Willamette Meridian; running thence West, tracing the quarter section line 1099.25 feet to the Southeast corner of a tract of land conveyed to Rudolph Etzel by deed recorded in book 179 at page 252, record of deeds of Clackamas County, Oregon, and being the place of beginning; running thence North tracing the East boundary of said tract 1788.60 feet to the Northeast corner of said tract in the center of the county road; thence North 89° 33' East tracing the center of the County Road 316.50 feet to a point; thence South 1794.25 feet, more or less, to the intersection of the South line of the said tract above described and at a point 316.50 feet East of the Southeast corner of said tract of land conveyed to Rudolph Etzel by deed recorded in book 179 at page 252, deed records of Clackamas County, Oregon. "

To Have and to Hold, the above described and granted premises unto the said
Rudolph Etzel and Olga Etzel, husband and wife,

their _____ heirs and assigns forever

And we the grantors above named do covenant to and with the above named gran-
tee s their heirs and assigns that we are lawfully seized in fee simple of the above
granted premises, that the above granted premises are free from all incumbrances,

and that we will and our heirs, executors and administrators, shall warrant and for-

RECEIVED

across the road from house
NO. 7. WARRANTY DEED. New tax lot # 00600

Printed and for Sale by Glass & Prudhomme Company, Portland, Or. FEB 5 1993

WATER RESERVE
SALEM, OREGON

Know All Men by These Presents, That

John Etzel and Marie Etzel, his wife
County of Clackamas State of Oregon,
in consideration of One Dollar - - - - - Dollars,

to us paid by Herman Etzel and Marie Etzel, his wife

County of Clackamas
State of Oregon, have bargained and sold, and by these presents do grant, bargain, sell and convey unto said Herman Etzel and Marie Etzel, his wife

their heirs and assigns, all the following bounded and described real property, situated in the County of Clackamas and State of Oregon:

Beginning at the quarter post at the Northeast corner of the Northwest quarter of Section Twenty-three (23), in Township Four (4), South Range One (1), East of the Willamette Meridian, and running thence South Thirteen (13)⁵⁵ chains, to the center of the County Road,; thence West along the center of said County Road ten (10)⁶⁰ chains, thence North Thirteen (13)⁵⁵ chains, and thence East ten (10)⁶⁰ chains, to the place of beginning, containing thirteen (13) acres of land, more or less, and lying and being in the County of Clackamas and State of Oregon.

together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and also all their estate, right, title and interest in and to the same, including dower and claim of dower.

To Have and to Hold, the above described and granted premises unto the said Herman Etzel and Marie Etzel, his wife

their heirs and assigns forever. And

John Etzel and Marie Etzel, his wife

grantors above named do covenant to and with

Herman Etzel and Marie Etzel, his wife

the above named grantee their heirs and assigns that they lawfully seized in fee simple of the above granted premises, that the above granted premises are free from all incumbrances,

BARGAIN AND SALE DEED

ADE P. BETTIS
 HERMAN/MARIE ETZEL, H&W GRANTOR
 0448 S. Macksburg Road GRANTEE
 Canby, Oregon 97013
 GRANTEE'S ADDRESS, ZIP

After recording return to:

ADE P. BETTIS, GRANTOR
 160 NW Third Avenue
 Canby, Oregon 97013
 NAME, ADDRESS, ZIP

Until a change is requested, all tax statements
 shall be sent to the following address:
 HERMAN/MARIE ETZEL, H&W
 10448 S. Macksburg Road
 Canby, Oregon 97013
 NAME, ADDRESS, ZIP

Part of back 40
 New tax lot # 02000

TL 2000
RECEIVED
 FEB - 5 1993
 CLACKAMAS COUNTY, OREGON
 2881

STATE OF OREGON,
 County of Clackamas, }

I, George D. Poppen, County Clerk, Ex-Officio
 Recorder of Conveyances and of the County of Clackamas,
 do hereby certify that the within instrument of writing was received for
 and recorded in the records of said county at
 12 56
 1975 FEB 4 PM

DEED

RECORDED OF CONVEYANCES
 CLACKAMAS COUNTY, OREGON

Witness my hand and seal at
 Canby, Oregon, this 4th day of February, 1975.
 GEORGE D. POPPEN
 County Clerk, Deputy

Recording Certificate
 75

BARGAIN AND SALE DEED—STATUTORY FORM
 INDIVIDUAL GRANTOR

WADE P. BETTIS Grantor,
 conveys to HERMAN ETZEL and MARIE ETZEL, husband and wife Grantee,
 the following described real property situated in Clackamas County, Oregon, to-wit:
 A tract of land in the Northwest one-quarter of the Southeast one-quarter
 of Section 23, T.4S., R.1E., of the W.M., in the County of Clackamas and
 State of Oregon, described as follows:

Beginning at an iron pipe located at the Northwest corner of said sub-
 division, as disclosed by a Land Survey filed with the County Surveyor,
 said County, as File No. P. S. 11096; thence South 89°31' East along the
 North line of said division, 443.92 feet to the Northeast corner of the
 West one-third of said subdivision; thence South 0°26'20" West along the
 East line of the West one-third of said division, 1315.48 feet to the
 South line of said subdivision; thence North 89°25'30" West along the
 said South line 444.16 feet to the Southwest corner of said subdivision;
 thence North 0°27' East along the West line of said subdivision 1314.77
 feet to the point of beginning.

(THIS IS A STRAWMAN DEED for partitioning and division of a larger parcel,
 of which the Grantees and others were owners in common, and there is no
 actual monetary consideration.)

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

The true consideration for this conveyance is \$ Nil (Here comply with the requirements of ORS 93.030)

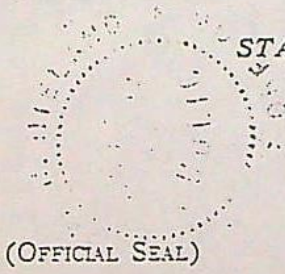
Dated this 31 day of Jan, 19 75.

Waide P. Bettis

STATE OF OREGON, County of Clackamas ss. Jan. 31, 19 75
 Personally appeared the above named WADE P. BETTIS

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

Before me: *Eva H. Nielsen*
 Notary Public for Oregon—My commission expires: 8/21/78



Know All Men by These Presents, That John Etzel and Marie Etzel,
husband and wife,

in consideration of ten (\$10.00)

to us paid by Rudolph Etzel and Olga Etzel, husband and wife,

do hereby grant, bargain, sell and convey unto said

Rudolph Etzel and Olga Etzel, husband and wife,

their

heirs and assigns, all the following real

property, with the tenements, hereditaments and appurtenances, situated in the

County of Clackamas and State of Oregon,
bounded and described as follows, to-wit:

"Beginning at a point at an iron pipe driven at the Southeast corner of the Southwest Quarter of the Northeast Quarter (SE cor. of SW $\frac{1}{4}$ of NE $\frac{1}{4}$) of Section twenty-three (23), Township four (4) South, Range one (1) East of the Willamette Meridian; running thence West, tracing the quarter section line 1099.25 feet to the Southeast corner of a tract of land conveyed to Rudolph Etzel by deed recorded in book 179 at page 252, record of deeds of Clackamas County, Oregon, and being the place of beginning; running thence North tracing the East boundary of said tract 1788.60 feet to the Northeast corner of said tract in the center of the county road; thence North 89° 33' East tracing the center of the County Road 316.50 feet to a point; thence South 1794.25 feet, more or less, to the intersection of the South line of the said tract above described and at a point 316.50 feet East of the Southeast corner of said tract of land conveyed to Rudolph Etzel by deed recorded in book 179 at page 252, deed records of Clackamas County, Oregon. "

To Have and to Hold, the above described and granted premises unto the said
Rudolph Etzel and Olga Etzel, husband and wife,

their

heirs and assigns forever

And we the grantors above named do covenant to and with the above named gran-
tee s their heirs and assigns that we are lawfully seized in fee simple of the above
granted premises, that the above granted premises are free from all incumbrances,

and that we will and our heirs, executors and administrators, shall warrant and for-
 ever defend the above granted premises, and every part and parcel thereof, against the law-

T.L. 1470

RECEIVED

FEB - 5 1993

WATER
 SALEM, OREGON

DEED OF ESTATE IN THE ENTIRETY.

BOOK 250 PAGE 555

FEB - 5 1933 TL 1400
WATER RES.
SALEM, ORE.

THIS INDENTURE, Made this 16th day of September, A.D. 1938, between
RUDOLF H. ETZEL, First Party, and OLGA M. ETZEL, his wife, Second Party,
WITNESSETH:

WHEREAS, said First Party is seized in fee simple as the sole owner
and is in possession in his name only of certain real property hereinafter
referred to and more particularly described; and

WHEREAS, it is the intention and desire of said First Party to
create an ESTATE IN THE ENTIRETY, between himself and said OLGA M.
ETZEL, his wife, said Second Party, of all the hereinafter described real
property of which he, the said First Party stands seized in fee simple as
the sole owner thereof.

NOW, THIS INDENTURE WITNESSETH: That in pursuance of said desire
and intention to create said estate in the entirety, between himself and wife,
and in consideration of the sum of One (\$1.00) Dollar, fully paid, and for
the consideration of love and affection, as also for the better protection
of said Second Party, said First Party does, by these presents, give, grant
and convey unto said Second Party an undivided equal right, title, interest
and dominion in, to and over the following described real property, to-wit:

Beginning at a point ^{841.5} 12.75 chains South and ^{2434.0} 36.88 Chains
West of the Northeast corner of Section 23, TWP. 4 South,
Range 1 East of the W.M.; Thence South 27.10 chains more
or less, to the quarter section line; Thence West on said
quarter section line 6.81 chains; Thence North 22.50 chains;
Thence East 3.19 chains; Thence North 4.75 chains; Thence
East 3.62 chains to the place of beginning. Containing about
17.50 acres, more or less, situated in Clackamas County, Oregon.

TO HAVE AND TO HOLD, the above described real property to all
intents and purposes as an estate in the entirety of the entire estate, and
not by moieties, by the said First and Second Parties hereto.

Rudolf H. Etzel (SEAL)

STATE OF OREGON,)
County of Clackamas,) ss.

BE IT REMEMBERED, That on this 16th day of September, A.D. 1938,
before me, the undersigned, a Notary Public in and for the said County
and State, personally appeared the within named Rudolf H. Etzel, the hus-
band of Olga M. Etzel, who is known to me to be the identical individual
described in and who executed the within instrument and acknowledged to
me that he executed the same freely and voluntarily for the uses and
purposes therein named.

IN TESTIMONY WHEREOF, I have hereunto set my hand and Notarial
Seal the day and year last above written

Know All Men by These Presents, That John Etzel and Mary Etzel

Husband and wife

in consideration of

Ten \$

Dollars, 1993

to us paid by Rudolf H. Etzel

WATER RESOURCES
SALEM, OREGON

do hereby grant, bargain, sell and convey unto said

Rudolf H. Etzel

his heirs and assigns, all the following real property, with the tenements, hereditaments and appurtenances, situated in the

County of Clackamas and State of Oregon,

bounded and described as follows, to-wit:

Beginning at a point ^{841.50} 12.75 chains South and ^{2434.08} 36.88 Chains West of the Northeast corner of Section 23. Twp 4 S R one, East of WM; Thence South ^{1788.60} 27.10 chains more or less, to the quarter section line; thence West on said quarter section line ^{449.40} 6.81 chains; thence North ^{1488.00} 22.50 chains; Thence East ^{210.54} 3.19 chains; thence North ^{313.50} 4.75 chains; Thence East ^{238.92} 3.62 chains to the point of begining. Containing about 17.50 acres more or less.



To Have and to Hold, the above described and granted premises unto the said

Rudolf H. Etzel


his heirs and assigns forever

And We the grantors above named do covenant to and with the above named grantee his heirs and assigns that we are lawfully seized in fee simple of the above granted premises, that the above granted premises are free from all incumbrances,

and that we will and our heirs, executors and administrators, shall warrant and for-

INTEROFFICE MEMORANDUM
WATER RESOURCES DEPARTMENT
July 23, 1996

TO: Marilyn Baker, Pump Test Program Coordinator

FROM: Juno Trump, Certificate Section, ext. 244 

SUBJECT: Pump Test Requirements for Application G-13279

Has the landowner satisfied the pump test requirements under permit G-11778? Please check suitable response and return to me at your convenience.

- _____ Yes, the landowner has satisfied the pump test requirement. Copy of approval letter is attached.
- _____ No pump test report has been submitted under this permit.
- _____ A pump test report has been submitted, but is deficient. Copy of letter is attached.
- _____ A pump test report has been received, but has not been reviewed. Copy of letter will be forwarded to file and certificate staff after review is completed.

Thank you. If you have any questions, call me.

OCT 11 1996

INTEROFFICE MEMORANDUM
WATER RESOURCES DEPARTMENT
July 23, 1996

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FROM: Juno Trump, Certificate Section, ext. 244

SUBJECT: Pump Test Requirements for Application G-13279

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✓
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_____ A pump test report has been submitted, but is deficient. Copy of letter is attached.

_____ A pump test report has been received, but has not been reviewed. Copy of letter will be forwarded to file and certificate staff after review is completed.

Thank you. If you have any questions, call me.

FOR 2003
 DATE THUR. 1-30 TIME 737 P.M.
 FROM Jim Schuetz
 FIRM PRIM or SUPP
 PHONE (503)-585-
☐ FAX G-13279 AREA CODE NUMBER EXTENSION
☐ MOBILE FILE ABP AREA CODE NUMBER TIME TO CALL

TELEPHONED	<input checked="" type="checkbox"/>	PLEASE CALL	<input checked="" type="checkbox"/>
RETURNED YOUR CALL		WILL CALL AGAIN	
CAME TO SEE YOU		RUSH	
WANTS TO SEE YOU		SPECIAL ATTENTION	
WAITING TO SEE YOU		HOLDING LINE	

MESSAGE "COPY PERMIT" MAP
"FINAL PROOF"
TYPE IRRIG

FAX 503-585-1856
ADJACENT

SIGNED _____ FORM 4007 MADE IN U.S.A.

KGRTY RHYMES SHIRLEY
 2003 CAPID **MESSAGE** LINCOLN X

FPD

Application No. **G13279**
Permit No. **G11778**

RUDOLPH H ETZEL

ETZEL, OLGA; ETZEL MARIE

Name . 10510 S MACKSBURG RD

Address CANBY, OR 97013

Assigned

Address

Beginning construction 7/25/95

Completion of construction OCT 1 1996

Extended to

Complete application of water OCT 1 1997

Extended to

RECEIPT # 108735

STATE OF OREGON
WATER RESOURCES DEPARTMENT3850 PORTLAND ROAD NE
SALEM, OR 97310
378-8455 / 378-8130 (FAX)

RECEIVED FROM: R.H. Gyl

BY:

APPLICATION G-1327

PERMIT

TRANSFER

CASH: CHECK: # OTHER: (IDENTIFY)

☐☒

24-12

☐

TOTAL REC'D

\$ 119.00

01-00-0 WRD MISC CASH ACCT

842.010 ADJUDICATIONS

831.087 PUBLICATIONS / MAPS

830.650 PARKING FEES Name / month

OTHER: (IDENTIFY)

\$

\$

\$

\$

REDUCTION OF EXPENSE

CASH ACCT.

\$

COST CENTER AND OBJECT CLASS

VOUCHER #

03-00-0 WRD OPERATING ACCT

MISCELLANEOUS:

840.001 COPY FEES

850.200 RESEARCH FEEDS

880.109 MISC REVENUE: (IDENTIFY)

520.000 OTHER (P-6) (IDENTIFY)

\$

\$

\$

\$

WATER RIGHTS:

842.001 SURFACE WATER

842.003 GROUND WATER

842.005 TRANSFER

WELL CONSTRUCTION

842.022 WELL DRILL CONSTRUCTOR

LANDOWNER'S PERMIT

OTHER (IDENTIFY)

EXAM FEE

\$

\$

\$

\$

EXAM FEE

\$

RECORD FEE

\$

\$ 119.00

\$

LICENSE FEE

\$

\$

06-00-0 WELL CONST START FEE

842.013 WELL CONST START FEE

MONITORING WELLS

\$

\$

CARD #

CARD #

45-00-0 LOTTERY PROCEEDS

864.000 LOTTERY PROCEEDS

\$

07-00-0 HYDRO ACTIVITY

LIC NUMBER

842.011 POWER LICENSE FEE (FW/WRD)

842.115 HYDRO LICENSE FEE (FW/WRD)

\$

\$

HYDRO APPLICATION

\$

RECEIPT # 108735

DATED: 1/13/74

BY: Payroll

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **108729**

3850 PORTLAND ROAD NE
SALEM, OR 97310
378-8455 / 378-8130 (FAX)

RECEIVED FROM: Maure F. Styer
BY: _____

APPLICATION	G-13279
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # X 19-715 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 119.00

01-00-0 WRD MISC CASH ACCT

842.010	ADJUDICATIONS	\$
831.037	PUBLICATIONS / MAPS	\$
830.650	PARKING FEES Name / month	\$
_____	OTHER: (IDENTIFY)	\$

REDUCTION OF EXPENSE

CASH ACCT. \$

COST CENTER AND OBJECT CLASS

VOUCHER #

03-00-0 WRD OPERATING ACCT

MISCELLANEOUS:

840.001	COPY FEES	\$
850.200	RESEARCH FEEDS	\$
880.109	MISC REVENUE: (IDENTIFY)	\$
520.000	OTHER (P-6) (IDENTIFY)	\$

WATER RIGHTS:

842.001	SURFACE WATER	\$	842.002	\$
842.003	GROUND WATER	\$	842.004	\$ <u>119.00</u>
842.005	TRANSFER	\$	842.006	\$

WELL CONSTRUCTION

842.022	WELL DRILL CONSTRUCTOR	\$	842.023	\$
_____	LANDOWNER'S PERMIT	\$	842.024	\$
_____	OTHER (IDENTIFY)			

06-00-0 WELL CONST START FEE

842.013	WELL CONST START FEE	\$	CARD #	
_____	MONITORING WELLS	\$	CARD #	

45-00-0 LOTTERY PROCEEDS

864.000	LOTTERY PROCEEDS	\$
---------	------------------	----

07-00-0 HYDRO ACTIVITY

LIC NUMBER

842.011	POWER LICENSE FEE (FW/WRD)	\$
842.115	HYDRO LICENSE FEE (FW/WRD)	\$

HYDRO APPLICATION \$

RECEIPT # **108729**

DATED: 1/13/94

BY: Ray Angel

STATE OF OREGON

WATER RESOURCES DEPARTMENT

RECEIPT # 96815

3850 PORTLAND ROAD NE

SALEM, OR 97310

378-8455/378-8130 (FAX)

RECEIVED FROM: R. H. Engel

BY: _____

APPLICATION G-13279

PERMIT

TRANSFER

CASH:

CHECK: #

OTHER: (IDENTIFY)

☐☒24-12☐

TOTAL REC'D

\$100.00

01-00-0 WRD MISC CASH ACCT

842.010 ADJUDICATIONS

831.087 PUBLICATIONS/MAPS

830.650 PARKING FEES Name/month

OTHER: (IDENTIFY)

\$

\$

\$

\$

REDUCTION OF EXPENSE

CASH ACCT.

COST CENTER AND OBJECT CLASS

VOUCHER #

\$

03-00-0 WRD OPERATING ACCT

MISCELLANEOUS:

840.001 COPY FEES

850.200 RESEARCH FEES

880.109 MISC REVENUE: (IDENTIFY)

520.000 OTHER (P-6): (IDENTIFY)

\$

\$

\$

\$

WATER RIGHTS:

842.001 SURFACE WATER

842.003 GROUND WATER

842.005 TRANSFER

WELL CONSTRUCTION

842.022 WELL DRILL CONSTRUCTOR

842.016 WELL DRILL OPERATOR

LANDOWNER'S PERMIT

EXAM FEE

\$

\$

\$

EXAM FEE

\$

\$

RECORD FEE

\$

\$

\$

LICENSE FEE

\$

\$

\$

06-00-0 WELL CONST START FEE

842.013 WELL CONST START FEE

MONITORING WELLS

\$

\$

CARD #

CARD #

45-00-0 LOTTERY PROCEEDS

864.000 LOTTERY PROCEEDS

\$

07-00-0 HYDRO ACTIVITY

LIC NUMBER

842.011 POWER LICENSE FEE(FW/WRD)

842.115 HYDRO LICENSE FEE(FW/WRD)

\$

\$

HYDRO APPLICATION

\$

RECEIPT #

96815

DATED: 2/6/95BY: C. Engel

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

STATE OF OREGON

WATER RESOURCES DEPARTMENT

RECEIPT # **96816**

3850 PORTLAND ROAD NE

SALEM, OR 97310

378-8455/378-8130 (FAX)

RECEIVED FROM:

BY:

APPLICATION

PERMIT

TRANSFER

CASH:

CHECK: #

OTHER: (IDENTIFY)

☐☒

19-7155

☐

TOTAL REC'D

\$100.00

01-00-0 WRD MISC CASH ACCT

842.010 ADJUDICATIONS

831.087 PUBLICATIONS/MAPS

830.650 PARKING FEES Name/month

OTHER: (IDENTIFY)

\$

\$

\$

\$

REDUCTION OF EXPENSE

CASH ACCT.

COST CENTER AND OBJECT CLASS

VOUCHER #

\$

03-00-0 WRD OPERATING ACCT**MISCELLANEOUS:**

840.001 COPY FEES

850.200 RESEARCH FEES

880.109 MISC REVENUE: (IDENTIFY)

520.000 OTHER (P-6): (IDENTIFY)

\$

\$

\$

\$

WATER RIGHTS:

842.001 SURFACE WATER

842.003 GROUND WATER

842.005 TRANSFER

WELL CONSTRUCTION

842.022 WELL DRILL CONSTRUCTOR

842.016 WELL DRILL OPERATOR

LANDOWNER'S PERMIT

EXAM FEE

\$100.00

\$

\$

\$

EXAM FEE

\$

\$

\$

RECORD FEE

842.002

842.004

842.006

\$

\$

\$

LICENSE FEE

842.023

842.019

842.024

\$

\$

\$

06-00-0 WELL CONST START FEE

842.013 WELL CONST START FEE

MONITORING WELLS

\$

\$

CARD #

CARD #

45-00-0 LOTTERY PROCEEDS

864.000 LOTTERY PROCEEDS

\$

07-00-0 HYDRO ACTIVITY

LIC NUMBER

842.011 POWER LICENSE FEE(FW/WRD)

842.115 HYDRO LICENSE FEE(FW/WRD)

\$

\$

HYDRO APPLICATION

\$

CEIPT #

96816

DATED:

2/5/93

BY:

C. Engel

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

MAP REVIEW

☒ source and trib
☒ diversion point location
☒ conveyances (pipes, ditch, etc.)
☒ place of use
☒ scale
☒ township, range, section
☒ north arrow
☒ CWRE stamp
☒ disclaimer
☒ date survey was performed
☒ P.O.B. of survey
☒ dimensions and capacity of diversion system
☒ "beneficial use" type title
☒ "permanent-quality" paper

REPORT

☒ permit conditions
☒ type of use
☒ extent of use
☒ rate and duty
☒ time limits
☒ (A,B,C and transfers)
☒ crop type
☒ system capacity
☒ (with computations)

pumped