

Name Anderson Bros.
By T. J. Anderson
Address Aurora, Oregon

Date filed March 18, 1941
Priority March 18, 1941
Action suspended until 8/13

Returned to applicant _____
Date of approval May 12, 1941

CONSTRUCTION

Date for beginning May 12, 1942
Date for completion October 1, 1943
Extended to 10/1/46

Date for application of water October 1, 1944
Extended to 10/1/46

PROSECUTION OF WORK

Form "A" filed January 24, 1942
Form "B" filed _____
Form "C" filed October 10, 1946

FINAL PROOF

Blank mailed _____
Proof received _____
Date certificate issued JUN 16 1950

Application No. 19215
Permit No. 14806
Certificate No. 17270

Stream Index, Page No. 2-33

FEES PAID

| Date | Amount | Receipt No. |
|-----------------|----------------------|--------------|
| <u>3/18/41</u> | <u>12.50</u> | <u>27342</u> |
| Total | | |
| <u>11/17/49</u> | <u>\$1 Cert. Fee</u> | <u>8065</u> |
| <u>3/18/41</u> | <u>.10¢ B.P.</u> | <u>27342</u> |

FEES REFUNDED

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

ASSIGNMENTS

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

REMARKS

0.63 s.f. from Pudding River (Malilla R.) for irrigation of
50 acres -

10-6-43 Card for B
10-10-44 Card for C
2-10-45 Form for Registered
OCT 11 1946 Card for B & C

Form A
NOTICE OF BEGINNING OF CONSTRUCTION

Application No. 19215

OK
I, Anderson Bros, the holder of Permit No. 14806
to appropriate the public waters of the state of Oregon, began the actual construction of the work described
therein on the 15th day of May, 1941.

Remarks: Excavated at river for pumping in
The appropriator should state the manner of beginning construction work, number of men employed, the amount of work completed up to the date of this statement, and any additional information which may tend to show the beginning of work in good faith.
laid out pipe and irrigated 8 acres

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____, 19____.

Leland Bell (Signature of Witness) Anderson Bros (Signature of Applicant)
Rt. 2 - Aurora, Oregon (Address) Aurora, Oregon (Address)

Fill out, detach, and mail to the State Engineer, Salem, Oregon, when construction work is begun.

STATE PRINTING DEPT.

Form B
NOTICE OF COMPLETION OF CONSTRUCTION

Application No. _____

OK
19215
I, Anderson Bros, the holder of Permit No. 14806
to appropriate the public waters of the state of Oregon, completed the construction of the works described
therein on the 1 day of July, 1941.

Remarks: We have applied water on 35 a. located
in T. 4S R. 1W. S. 1 and have abandoned the idea
of watering the remaining 15 a.
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.

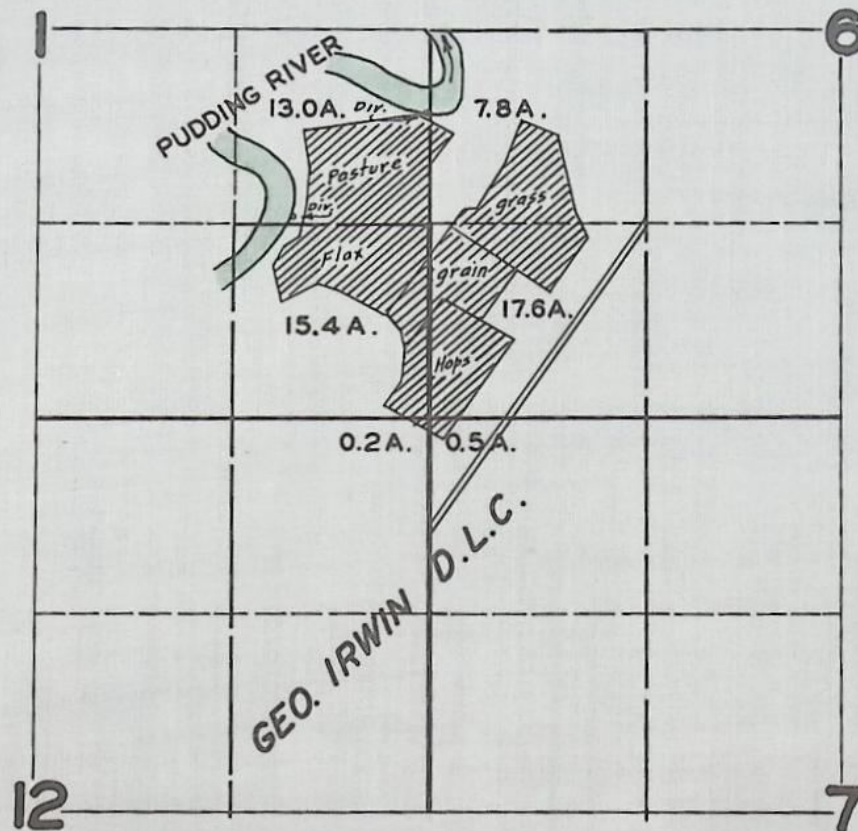
IN WITNESS WHEREOF, I have hereunto set my hand this 14 day of Oct, 1946.

(Signature of Witness) Anderson (Signature of Applicant)

(Address) Aurora, Oregon (Address)

Fill out, detach, and mail to the State Engineer, Salem, Oregon, when construction work is completed.

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



FINAL PROOF SURVEY
UNDER

Application No. 19215 Permit No. 14806
IN NAME OF

ANDERSON BROS.

Surveyed JUN. 12, 1947, by JAS. E. BUNNELL

Mike McCord
DISTRICT 16 WATERMASTER
725 Summer Street, NE, Suite A
Salem, OR 97301

Re: *Bennie J. Schultz and Jean Schultz, Co-Trustees of the Schultz
Living Trust/Richard E. Anderson and Diane C. Anderson*
Notice of Lien on Water Rights

Dear Mr. McCord:

The Schultz Living Trust is making a loan to Richard and Diane Anderson in the amount of \$550,000. As part of the terms of this loan, Mr. and Mrs. Anderson have used as collateral certain real properties including all water rights appurtenant to the described properties including, but not limited to, those water rights specified in the legal descriptions of the properties. The legal descriptions of such properties are enclosed. It is our understanding that a water right transfers when the land they attach to is transferred.

The purpose of this letter is to advise you of this lien against Mr. and Mrs. Anderson's water rights. We will be in touch with you if they should default on the loan and foreclosure is necessary.

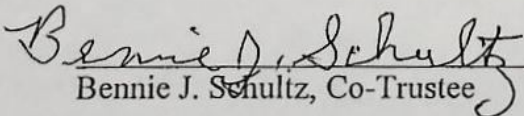
Thank you for your attention to this matter.

Very truly yours,

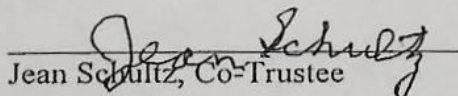


Douglas R. Schultz
schultz@gleaveslaw.com

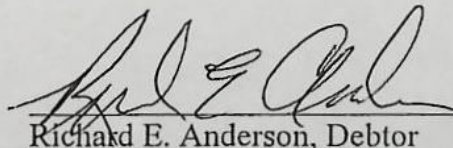
To indicate the parties' agreement to this arrangement, I have included their signatures below.



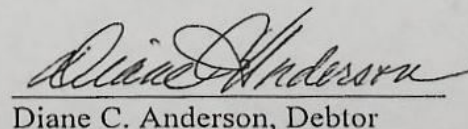
Bennie J. Schultz, Co-Trustee



Jean Schultz, Co-Trustee



Richard E. Anderson, Debtor



Diane C. Anderson, Debtor

Gleaves
Swearingen
Potter &
Scott LLP



ATTORNEYS
AT LAW

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Tanya C. O'Neil
Standlee G. Potter
Martha J. Rodman
Robert S. Russell
Douglas R. Schultz
Malcolm H. Scott
James W. Spickerman
Kate A. Thompson
Jane M. Yates

*Also admitted
in Washington

RECEIVED

JUL 16 2007

WATER RESOURCES DEPT
SALEM, OREGON

GLEAVES SWEARINGEN POTTER & SCOTT LLP
ATTORNEYS AT LAW
975 OAK STREET, SUITE 800
EUGENE, OREGON 97401
TELEPHONE: (541) 686-8833, FAX: (541) 345-2034

FACSIMILE TRANSMISSION

TOTAL PAGES FAXED: 4

DATE: July 17, 2007
TO: MIKE MCCORD
BUSINESS: DISTRICT 16 WATERMASTER
FAX NUMBER: (503) 986-0903

FROM: DOUGLAS R. SCHULTZ
FILE NUMBER: 167751.001

CONFIDENTIAL: ATTORNEY/CLIENT PRIVILEGED

This communication may contain confidential information that is intended only for the individual or entity named on this cover sheet. You are prohibited from reading, disseminating, copying or distributing this information unless you are the intended recipient or the agent, or employee of the intended recipient responsible for delivering the message to the intended recipient. If you have received this communication in error, you are requested to immediately notify the sender and are further requested to immediately return all originals that were submitted erroneously. You will be promptly reimbursed for any long distance phone and mailing charges.

MESSAGE**Mike:**

As per our telephone conversation, attached are the property descriptions for the Anderson property involving the water rights that are involved in the trust deed lien of the Schultz Living Trust.

Doug

If you do not receive all pages, please call Kirsten at (541) 686-8833.

Transmission _____ Time _____

Exhibit "A"

PARCEL I:

A part of Sections 1 and 12, Township 4 South, Range 1 West of the Willamette Meridian, and part of Sections 6 and 7, Township 4 South, Range 1 East of the Willamette Meridian, in the County of Clackamas and State of Oregon, more particularly described as follows:

Beginning at a point on the one-sixteenth section line that is 14.92 chains North of the Southwest corner of the Southeast one-quarter of the Northeast one-quarter of Section 12, Township 4 South, Range 1 West of the Willamette Meridian, said point of beginning being the Northwest corner of that first tract of land conveyed to Ralph W. Pierson by Clackamas County Deed Book 297, at Page 436, from said point of beginning; thence North along the said one-sixteenth section line and along the East boundary of the second tract as conveyed to Pierson by said Deed in Book 297 at Page 436, a distance of 29.08 chains to the Northeast corner thereof and a point on the North boundary of said Section 12; thence West along the said North boundary 441 feet to the meander line of the Pudding River; thence following the meanders of said river downstream to its intersection with the West boundary of Section 6, Township 4 South, Range 1 East of the Willamette Meridian; thence continuing along the said meanders downstream to the next intersection with the said West boundary of said Section 6; thence North along said West boundary to the Northwest corner of the Northwest one-quarter of the Southwest one-quarter thereof; thence East along the North boundary of the said Southwest one-quarter 22 chains to a point on the West boundary of the Plat of IRVINS LITTLE HOMES; thence South along said West boundary to a point in the center line of Market Road No. 831; thence South 34°45' West along the center line of said road 54.40 chains to the most Easterly corner of the first parcel of the said Pierson Deed in Book 297 at Page 436; thence West along the North boundary thereof, 10.92 chains to the point of beginning.

EXCEPT that portion conveyed to Ralph W. Pierson et ux, by Deed recorded October 5, 1964, in Book 647, at Page 331, Recorder's Fee No. 17638, Deed Records.

ALSO EXCEPT that portion lying within public roads.

PARCEL II:

Beginning at a point in the center of the County Road, 986.00 feet North 35°00' East from the Southwest corner of the Southeast one-quarter of the Northeast one-quarter of Section 12, Township 4 South, Range 1 West of the Willamette Meridian in the County of Clackamas and State of Oregon; thence North 55°00' West 335.61 feet; thence East 409.72 feet to the center of said County Road; thence South 35°00' West 235.00 feet to the point of beginning.

EXCEPT that portion lying within public roads.

Including any and all water rights appurtenant to the described property including but not limited to the following: Certificate of Water Right dated June 16, 1950, recorded in State Record of Water Right Certificates, Volume 14, Page 17270; Certificate of Water Right dated June 30, 1954 recorded in the State Record of Water Right Certificates, Volume 15, Page 20525; Certificate of Water Right dated August 13, 1990, recorded in State Record of Water Right Certificates numbered 64507.

Exhibit "A"

PARCEL I:

A tract of land located in Sections 6 and 7, Township 4 South, Range 1 East of the Willamette Meridian, in the County of Clackamas and State of Oregon, more particularly described as follows:

Beginning at a point 762.49 feet South of the Northwest corner of the Southeast one-quarter of the Southwest one-quarter of Section 6, Township 4 South, Range 1 East of the Willamette Meridian, said point being identical with the Southwest corner of the tract conveyed to C.E. Livesay by Deed recorded in Book 125, Page 405, Deed Records of Clackamas County, from said beginning point running thence South 550.0 feet to an iron pipe set at the most Northerly corner of that tract of land conveyed to Duane Denning, et ux, as instrument Fee No. 76-38727; thence Southeasterly, along the Easterly line of said Denning Tract, 948.5 feet, more or less, to an iron pipe in the center of a drainage ditch; thence South 47°50' East, along said drainage ditch, 356.6 feet to an iron pipe in the Northwesterly right of way line of the Southern Pacific Railway Company; thence North 47°58' East, along said right of way line, 2,201.2 feet to the Southeast corner of the Livesay Tract above mentioned; thence West, along the South line of said tract 2,548.9 feet, more or less, to the place of beginning.

PARCEL II:

Part of the South one-half of the Southeast one-quarter and part of the Southeast one-quarter of the Southwest one-quarter of Section 6, Township 4 South, Range 1 East of the Willamette Meridian, in the County of Clackamas and State of Oregon, described as follows:

Beginning at the Northwest corner of the Southeast one-quarter of the Southwest one-quarter of Section 6, Township 4 South, Range 1 East of the Willamette Meridian, which is the Northwest corner of a tract of land conveyed to George W. Lilly by Deed recorded April 17, 1911, in Book 120, Page 153, Deed Records; thence South on 1/16th section line 762.44 feet to the Southwest corner of a 13 acre tract of land conveyed to Mertle Stevens by Deed recorded January 4, 1939, in Book 254, Page 84, Deed Records; thence East along the South line of said 13 acre tract, 2,627 feet, more or less, to the center line of the Southern Pacific Company's right of way; thence Northeasterly along the center line of said right of way to the North line of the Southeast one-quarter of the Southeast one-quarter of said Section 6, Township 4 South, Range 1 East of the Willamette Meridian, and to the Northeast corner of said George W. Lilly tract, in Book 120, Page 1153, Deed Records; thence West along the North line of said George W. Lilly tract, 3,465.00 feet, more or less, to the place of beginning.

EXCEPTING FROM the above described tract, rights of way and drainage rights over a strip of land 20 feet in width along the entire East side of the above described tract, adjacent to and West of the Southern Pacific Company's right of way; and EXCEPT so much of said above described tract as lies within the Southern Pacific Company's right of way and except public roads.

PARCEL III:

That portion of Tract B, IRVINS TRACTS, in the County of Clackamas and State of

Oregon, lying Northerly of the Northerly right of way line of the Oregon-California Railroad, TOGETHER WITH Tract C. IRVINS TRACTS, in the County of Clackamas and State of Oregon, EXCEPT that portion of Tract C conveyed to Bramco, Inc., by Deed recorded November 30, 1972, as Recorder's Fee No. 72-36535, Clackamas County Records.

PARCEL IV:

That portion of Section 12, Township 4 South, Range 1 West of the Willamette Meridian, in the County of Clackamas and State of Oregon, described as follows:

Beginning at the Southwest corner of the Southeast one-quarter of the Northeast one-quarter of said Section 12; thence North 35° East along the Southeasterly line of that tract conveyed to Ralph Peirson et ux, by Deed recorded August 31, 1942, in book 297, Page 436 to the most Southerly corner of that tract conveyed to Thorsten J. Anderson et ux, by Deed recorded October 5, 1964, in Book 647, Page 332, Clackamas County Deed Records; thence North 55° West along the Southwesterly line of said Anderson tract, 335.61 feet to the most Easterly corner of that tract conveyed to Ralph W. Pierson et ux, by Deed recorded October 5, 1964, in Book 647, Page 331, Clackamas County Deed Records; thence continuing North 55° West 379.64 feet to a point on the East line of the West one-half of the Northeast one-quarter of said Section 12; thence North along said East line to the North line of said Section 12; thence West along said North line 8 chains and 19 links to the center of Pudding River; thence Southerly along the main channel of said river to its intersection with the South line of the Northeast one-quarter of said Section 12; thence East along said South line to the true point of beginning.

EXCEPTING THEREFROM the ownership of the State of Oregon in and to that portion of the premises herein described lying below the line of ordinary high water of the Pudding River.

Including any and all water rights appurtenant to the described property including but not limited to the following: Certificate of Water Right dated June 16, 1950, recorded in State Record of Water Right Certificates, Volume 14, Page 17270; Certificate of Water Right dated June 20, 1954 recorded in the State Record of Water Right Certificates, Volume 15, Page 20525; Certificate of Water Right dated August 13, 1990, recorded in State Record of Water Right Certificates numbered 64507.

STATE OF OREGON
COUNTY OF CLACKAMAS

CERTIFICATE OF WATER RIGHT

This Is to Certify, That Anderson Bros.

of Aurora, State of Oregon, has made proof
to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of
Pudding River
a tributary of Molalla River
irrigation
under Permit No. 14806 of the State Engineer, and that said right to the use of said waters
has been perfected in accordance with the laws of Oregon; that the priority of the right hereby
confirmed dates from March 18, 1941

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

or its equivalent in case of rotation, measured at the point of diversion from the stream.
The point of diversion is located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 1, Township 4 South, Range 1
West, W. M.

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

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

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

13.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$
15.4 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, as projected on Geo. Irwin D. L. C.
Section 1
0.2 acre in NE $\frac{1}{4}$ NE $\frac{1}{4}$, as projected on Geo. Irwin D. L. C.
Section 12
T. 4 S., R. 1 W., W. M.
3.3 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, as projected on Geo. Irwin D. L. C.
17.6 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, as projected on Geo. Irwin D. L. C.
Section 6
0.5 acre in NW $\frac{1}{4}$ NW $\frac{1}{4}$, as projected on Geo. Irwin D. L. C.
Section 7
T. 4 S., R. 1 E., W. M.

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

WITNESS the signature of the State Engineer, affixed

this 16th day of June, 1950.

CHAS. E. STRICKLIN

State Engineer

STATE OF OREGON
COUNTY OF CLACKAMAS

CERTIFICATE OF WATER RIGHT

This Is to Certify, That Anderson Bros.

of Aurora, State of Oregon, has made proof
to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of
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a tributary of Molalla River
irrigation for the purpose of
under Permit No. 14806 of the State Engineer, and that said right to the use of said waters
has been perfected in accordance with the laws of Oregon; that the priority of the right hereby
confirmed dates from March 18, 1941

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

or its equivalent in case of rotation, measured at the point of diversion from the stream.
The point of diversion is located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 1, Township 4 South, Range 1
West, W. M.

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

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

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

13.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$,
15.4 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, as projected on Geo. Irwin D. L. C.
Section 1
0.2 acre in NE $\frac{1}{4}$ NE $\frac{1}{4}$, as projected on Geo. Irwin D. L. C.
Section 12
T. 4 S., R. 1 W., W. M.
3.3 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, as projected on Geo. Irwin D. L. C.
17.6 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, as projected on Geo. Irwin D. L. C.
Section 6
0.5 acre in NW $\frac{1}{4}$ NW $\frac{1}{4}$, as projected on Geo. Irwin D. L. C.
Section 7
T. 4 S., R. 1 E., W. M.

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

WITNESS the signature of the State Engineer, affixed

this 16th day of June, 1950.

CHAS. E. STRICKLIN

State Engineer

STATE OF OREGON
COUNTY OF CLACKAMAS

CERTIFICATE OF WATER RIGHT

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of Aurora, State of Oregon, has made proof
to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of
Pudding River
a tributary of Molalla River
irrigation for the purpose of
under Permit No. 14806 of the State Engineer, and that said right to the use of said waters
has been perfected in accordance with the laws of Oregon; that the priority of the right hereby
confirmed dates from March 18, 1941

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

or its equivalent in case of rotation, measured at the point of diversion from the stream.
The point of diversion is located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 1, Township 4 South, Range 1
West, W. M.

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

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

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

13.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$
15.4 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, as projected on Geo. Irwin D. L. C.
Section 1
0.2 acre in NE $\frac{1}{4}$ NE $\frac{1}{4}$, as projected on Geo. Irwin D. L. C.
Section 12
T. 4 S., R. 1 W., W. M.
3.3 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, as projected on Geo. Irwin D. L. C.
17.6 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, as projected on Geo. Irwin D. L. C.
Section 6
0.5 acre in NW $\frac{1}{4}$ NW $\frac{1}{4}$, as projected on Geo. Irwin D. L. C.
Section 7
T. 4 S., R. 1 E., W. M.

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

WITNESS the signature of the State Engineer, affixed

this 16th day of June, 1950.

CHAS. E. STRICKLIN

State Engineer

Permit No. 14806

17270

Application No. 19215

County CLACKAMAS

PROOF OF APPROPRIATION OF WATER

1. Name Anderson Bros.
2. Address Aurora, Oregon
3. Source of supply Pudding River
Tributary of Molalla
4. Amount of water 0.63 c.f.s.
5. Priority date March 18, 1941
6. Use Irrigation

7. Location of point of diversion, T. 4 S., R. 1 E. & NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 6, Sec. 1, Twp. 4 S., Range 1 W., W. M. (Legal Subdivision) NE $\frac{1}{4}$ SE $\frac{1}{4}$ & SE $\frac{1}{4}$ SE $\frac{1}{4}$
8. The description of land given below corresponds to that found in your permit covering land to be irrigated, or, if for other purposes, the place of use.

J.F.B.
6-12-47

| Township | Range | Section | Forty-acre Tract | No. Acres Described in Permit | No. Acres Actually Irrigated |
|----------|--------|---------|---|-------------------------------|---------------------------------|
| 4 South | 1 West | 1 | NE $\frac{1}{4}$ SE $\frac{1}{4}$ | 25 | 12 ⁰ |
| | | 1 | SE $\frac{1}{4}$ SE $\frac{1}{4}$ Geo. Irwin O.L.C. | 15 | 15 ⁴ |
| | | 12 | NEW NEW " " | - | 0 ² |
| 4 South | 1 East | 6 | NW $\frac{1}{4}$ SW $\frac{1}{4}$ " " | 10 | 7 ⁸ 3 ³ |
| | | 6 | SW $\frac{1}{4}$ SW $\frac{1}{4}$ " " | 50 | 17 ⁵ |
| | | 7 | NW $\frac{1}{4}$ NW $\frac{1}{4}$ " " | | 0 ⁵ |
| | | | | | 54 ⁵ 50 ⁰ |

If for irrigation, this appropriation shall be limited to 1/80th of one cubic foot per second or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2 $\frac{1}{2}$ acre feet per acre for each acre irrigated during the irrigation season of each year, and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.

DESCRIPTION OF WORKS

9. (a) If a dam has been constructed, give description: Height, ft.; length on top, ft.; length on bottom, ft.; material used and character of construction,

(b) Give description of headgate: Width, ft.; depth, ft.; material used and character of construction,

(c) Size of canal: Width on top (at waterline), ft.; width on bottom, ft.; depth of water, ft.; grade, ft. fall per 1,000 ft. Actual capacity, sec.-ft.

Give general description:

(d) Pipe line: Description of intake,

Length of pipe, ft.; size at intake, in.; size at ft. from intake, in.; size at place of use, in. Difference in elevation between intake and place of use, ft.

Is grade uniform? Actual capacity of pipe line, sec.-ft.

Give general description:

(Material: Steel, wrought, cast iron, wood stave, etc.)

(e) Pumping plant: Give size and type of pump, *Gardner-Denver 3" x 2" Cent.*

Suction lift, *10* ft.; discharge lift, *14* ft. Type of motor used *Case Tractor*

Horsepower rating, H. P. Actual capacity of pump, sec.-ft.

10. During what months is water beneficially used? *Irrigation season*

11. State character of soil *Silt Loam and Calc. Clay*

Kind of crops raised *Flax - Hops - Pasture - Grass*

12. Does the accompanying map, filed with your application, show correctly the point of diversion, area of land irrigated, or place of use?

13. If not, wherein is such map in error?

14. Domestic use: Give number of families actually using water at this time

15. If for power, mining, municipal, manufacturing, storage or any other purpose than irrigation, give extent and method of such use

AFFIDAVIT OF APPROPRIATOR

STATE OF OREGON,

County of } ss.

I,, being first duly sworn, depose and say that I have read the above and foregoing proof of appropriation of water; that I know the contents thereof, and that the facts therein stated are true.

IN WITNESS WHEREOF, I have hereunto set my hand this day of, 194.....

Anderson Bros
By J. Anderson

Subscribed and sworn to before me this day of, 194.....

Notary Public for Oregon

[Notarial Seal]

My commission expires

AFFIDAVIT OF WITNESSES

STATE OF OREGON,

County of } ss.

We,, and of, being first duly sworn, depose and say that we are well acquainted with the facts and conditions set forth in the foregoing statement relative to proof of appropriation of water under Permit No.; that we and each of us have been over and upon each tract described in said proof, and from such personal inspection have knowledge that all necessary ditches, dams and other diversion and distributing works have been constructed, and water used as stated therein; that we have carefully read such proof of appropriation, and that each and every statement contained therein is true to the best of our knowledge and belief.

Subscribed and sworn to before me this day of, 194.....

Notary Public for Oregon

[Notarial Seal]

My commission expires

REPORT OF PERSON MAKING INSPECTION

(For use by Representative of State Engineer)

I, James E. Bunnell, do hereby certify that I have made an inspection of the works described herein and in Permit No. 14806, on the 12th day of June, 1947, and found the foregoing statements and descriptions of works to be accurate. In my opinion the appropriation has been completed to the extent of _____ and I recommend the issuance of water right certificate for this amount. (Quantity of water in second-feet or acre-feet)

NOTICE TO INSPECTORS

If conditions do not justify the above report by you, please return the proof without your signature, with a full report by letter.

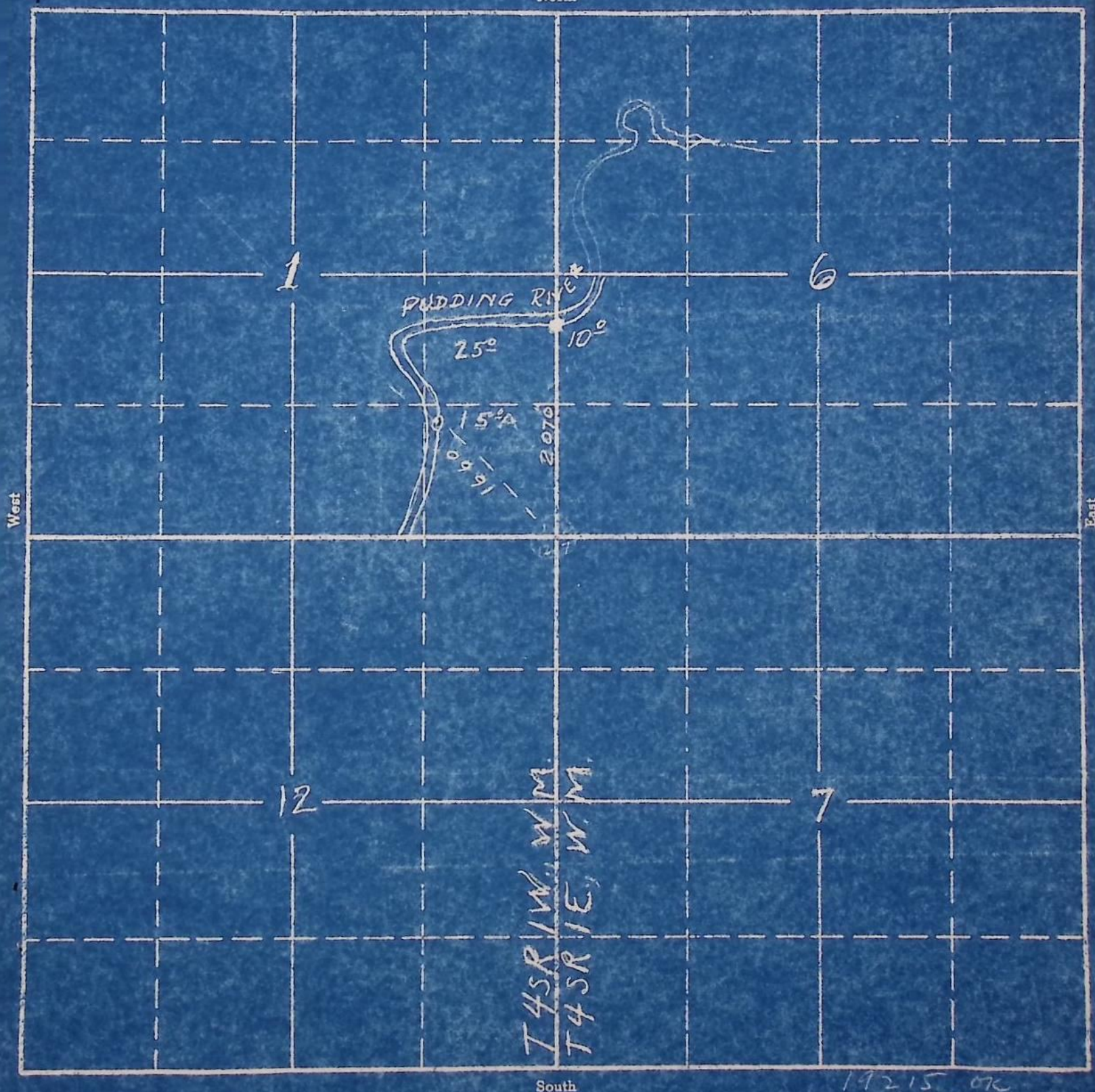
James E. Bunnell
(Name)
Field Engineer
(Title)

RECEIVED
NOV 14 1949
STATE ENGINEER
SALEM, OREGON

SECTION

TOWNSHIP 4 S, RANGE 1 W, W. M.
1 E

North



South

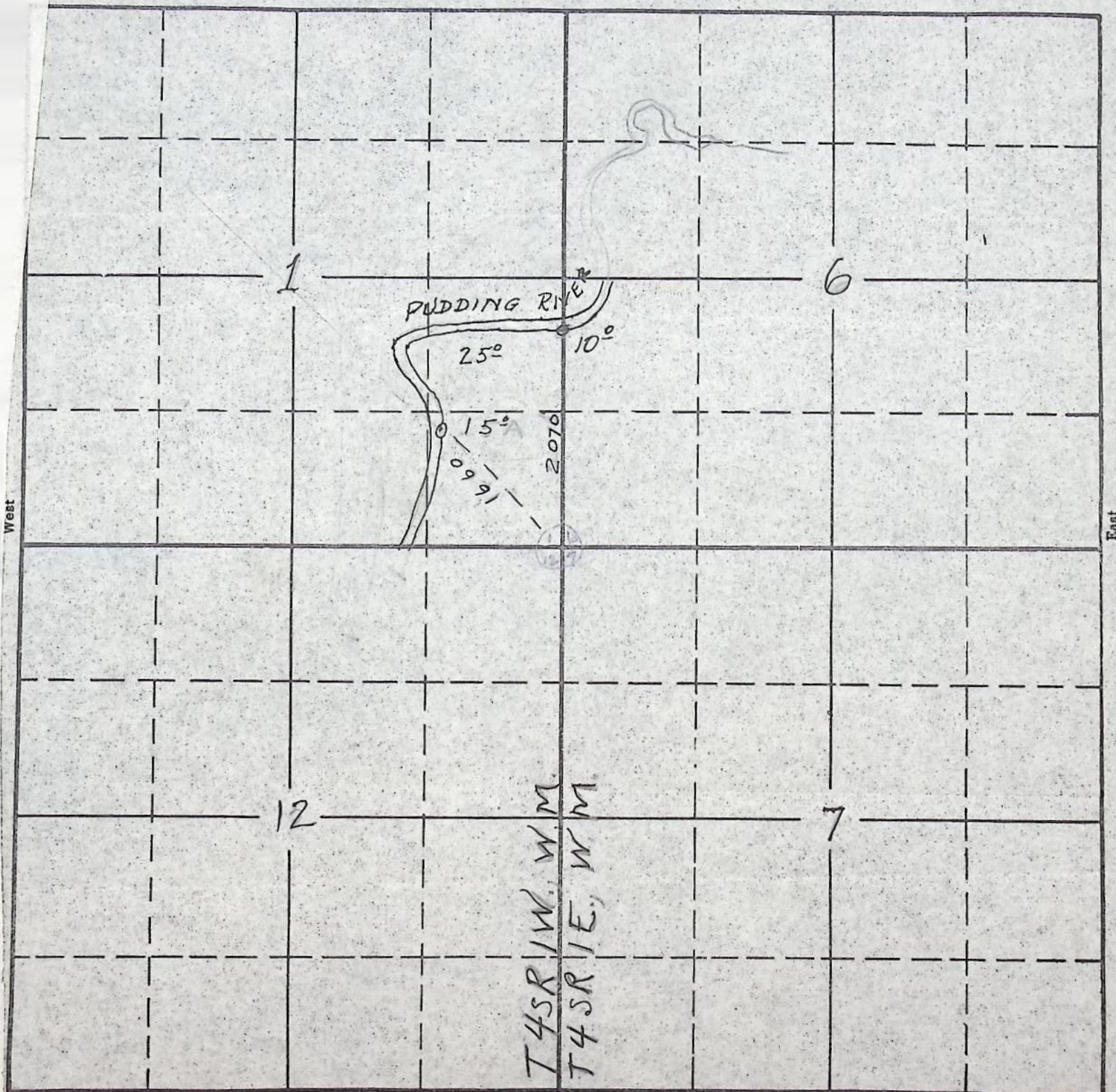
19215 OK
2-33
APPLICATION No. 19215
PERMIT No. 14806

CTION

1
12
6

TOWNSHIP 4 S, RANGE 1 W, W. M.
1 E

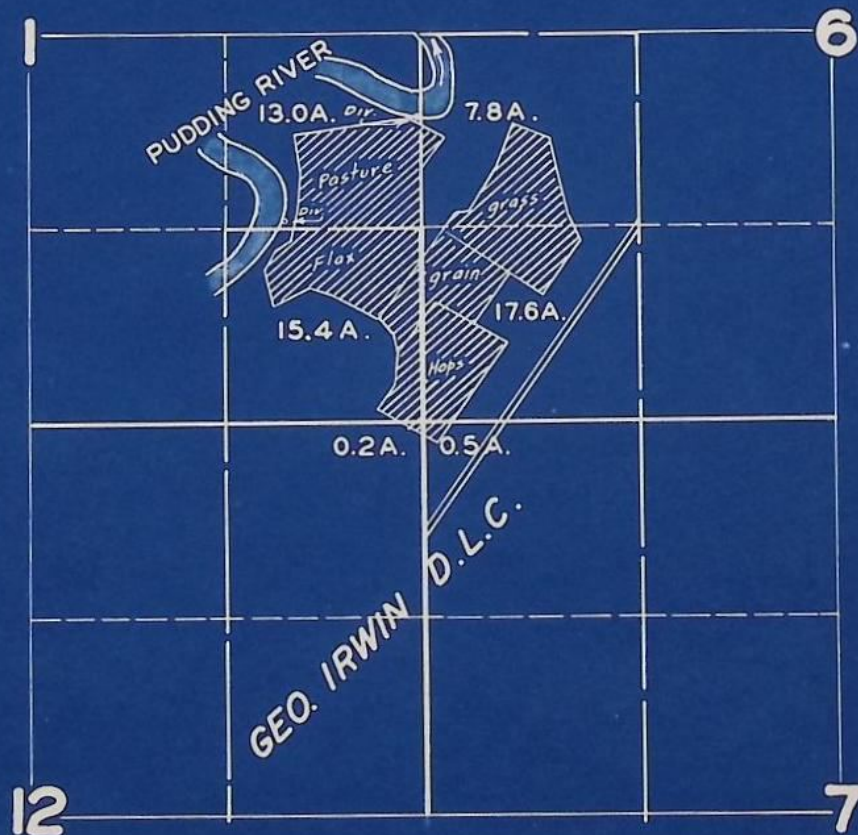
North



South

19215 OK
2-33
APPLICATION No. 19215
PERMIT No. 14806

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



FINAL PROOF SURVEY
UNDER

Application No. 19215 Permit No. 14806

IN NAME OF

ANDERSON BROS.

Surveyed JUN. 12, 1947, by JAS. E. BUNNELL

30 November 1949

Anderson Bros.
c/o T. J. Anderson
Aurora, Oregon

Gentlemen:

Final proof of appropriation of water under Permit No. 14806 has been received in this office and found acceptable. Receipt also is acknowledged of the certificate recording fee of \$1.00, for which Receipt No. 8065 is enclosed.

If you will now submit the legal description of the parcel or parcels of property embracing the land upon which the water under this right is to be used, exactly as this description appears on your deed, abstract or contract, the matter of final confirmation of your right by issuance of a water right certificate will be given consideration with the next group which will be issued at a later date. When the certificate is issued, it will be mailed to your County Clerk for recording and then delivered by him to you.

Very truly yours,

Chas. E. Stricklin

CHAS. E. STRICKLIN
STATE ENGINEER

Enclosure
Form 128

19215

4 November 1949

Anderson Bros.
Aurora, Oregon

Gentlemen:

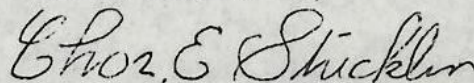
We are enclosing herewith for completion, final proof in connection with the incomplete water right represented by your Permit No. 14806, granting the right to the use of 0.63 second-foot of water from Pudding River for irrigation of 50 acres of land.

If you agree with the figures on the proof, which are based on our survey, you should sign the proof on the second sheet at the place checked in red and return it to this office at once with the statutory fee of \$1.00 for recording certificate when issued. With the proof you should submit the legal description of the property figuring in the water right as this description appears on your deed, abstract or contract.

The figures on the proof indicate the extent and limit of your water right as provided by law, and mark the completed right.

In the interest of economy and due to the fact that your completed project was examined by a representative of this office, it is not considered necessary that your signature be made before a notary public, nor that the signatures of witnesses be affixed to the proof.

Yours very truly,



CHAS. E. STRICKLIN
State Engineer

Enclosure
Form 117

October 22, 1946

Anderson Bros.
Aurora, Oregon

Gentlemen:

This acknowledges receipt of notice of complete application of water under your Permit No. 14806.

Pursuant to your report and in line with the general practice of this office, a survey will be made at a later date for the purpose of checking the acreage actually irrigated. After this survey, proof may be made by you and certificate issued covering the lands which the survey shows to have been irrigated, and any lands described in your permit that have not been irrigated will be automatically eliminated from your water right.

In the meantime, the permit which you hold will be valid evidence of your water right.

Very truly yours

CHAS. E. STRICKLIN
State Engineer

By:
Ed K. Humphrey, Assistant

EKH:DW

19215

April 4, 1945

Anderson Bros.
Aurora, Oregon

Gentlemen:

Your application for an extension of time indicates that due diligence has been exercised under your Permit No. 14306, and the time limit for the completion of construction and complete application of water is being extended until October 1, 1946 in line with the general practice of this office.

If your project has not been completed at the expiration of this period, another application for an extension may be submitted.

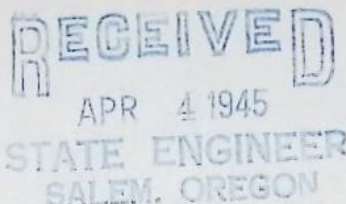
Yours very truly,

CHAS. E. STRICKLIN
State Engineer

EKH:CI

By
Ed A. Humphrey, Assistant

No. 19215



Permit No. 14806

APPLICATION FOR EXTENSION OF TIME

To the State Engineer of Oregon:

I, Anderson Bros, of Aurora,
state of Oregon, am the owner and holder of Permit No. 14806, to appropriate the public waters of the state of Oregon.

Under the terms and conditions of said permit, construction work is required to be completed on or before October 1, 1943, and complete application of water is required to be made on or before October 1, 1944.

I have heretofore done the following work described under said permit: We have the two points of diversion graded out so that the pumping system can easily be set up at the edge of the water. We have a 2 1/2" pump mounted on the front of a tractor, 900 feet of main line and 500 feet of lateral without the pump unit costing \$1050, and I estimate the cost of completion to be \$1050.

I have heretofore used water under said permit to the following extent: We have been using the water on about 25 acres of spuds and flax. Can irrigate the remaining 25 ac. with no extra construction work when ground is all cleared and time permits.

I am unable to ~~complete construction work~~ make complete application of water within the required time, for the following reasons, to wit: The ground is not all in cultivation at this time, and with the shortage of help, it is likely that we will not make complete application of all the water until after the war

(If additional space is required, attach separate sheet)

(OVER)

Extend to '46 (cons & app)

WHEREFORE, I ask that the State Engineer extend the time for the

~~{completion of construction work}~~
{complete application of water
(Strike out phrase not applicable)}

under said permit to

Aug 1

19.

47

AFFIDAVIT OF APPLICANT

STATE OF

Oregon

County of

Clackamas

SS.

I, Anderson Bros B Co, being first duly sworn, depose and say that I have read the above and foregoing application for extension of time; that I know the contents thereof, and the facts stated therein are true.

IN WITNESS WHEREOF, I have hereunto set my hand this

4

day of

April

19.

45

Subscribed and sworn to before me this

4th

day of

April

19.

45

[Notarial Seal]

Louis Weber

Notary Public for Oregon

My commission expires

Jan. 25, 1949

19215

February 10, 1945

Anderson Bros.
Aurora, Oregon

Attention: Mr. T. J. Anderson

Dear Mr. Anderson:

According to the terms of your Application No. 19215 Permit No. 14806, which is for the appropriation of 0.63 second-feet of water from Pudding River for irrigation of 50 acres, complete application of water was to have been made on or before October 1, 1944. It appears from our records that you have failed to submit the notice of complete application, although a postcard, calling this matter to your attention, was mailed to you on October 10, 1944.

Section 116-435, O. C. L. A., provides: "whenever the time within which any appropriation under a permit should have been perfected shall have expired and the owner of such permit shall fail or refuse within the period of three months thereafter to submit to the State Engineer proof of the completion of such appropriation as required by Section 116-426, O. C. L. A., the State Engineer may, after 60 days' notice by registered mail, order the cancellation of such permit, ***."

If you have complied with the terms of this permit, you should promptly submit the notice of complete application of water, after which we will take up with you the matter of final proof. If, however, you have abandoned your plan of development, we would appreciate your authority to cancel the permit, so that the permit may be cancelled without the necessity for following the legal procedure. In case you have not completed your appropriation, although you still wish to do so, you may submit an application for an extension of time. Such an extension may be granted if it appears that proper diligence has been shown.

Complete application of water under an irrigation permit means the irrigation of ALL of the land described in the permit, which it is intended to irrigate.

In accordance with the provisions of Section 116-435,

which is quoted above, you
you within 60 days from
cancelled without further

19215
Post Office Department
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, \$300



yours,

E. Stricklin

STRICKLIN
EngineerReturn to State Engineer
(NAME OF SENDER)Street and Number,
or Post Office Box,

REGISTERED ARTICLE

No. 1871
INSURED PARCEL

No. _____

SALEM,
OREGON.

19215

February 10, 1945

Anderson Bros.
Aurora, Oregon

Attention: Mr. T. J. Anderson

Dear Mr. Anderson:

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Complete application of water under an irrigation permit means the irrigation of ALL of the land described in the permit, which it is intended to irrigate.

In accordance with the provisions of Section 116-435, Oregon Compiled Laws Annotated, a part of which is quoted above, you are hereby notified that unless we hear from you within 60 days from the date of this letter, your permit will be cancelled without further notice.

Very truly yours,

*Chas E. Stricklin*CHAS. E. STRICKLIN
State EngineerForm #100
REGISTERED

RETURN RECEIPT

from the Postmaster the Registered or Insured Article, the original
which appears on the face of this Card.

(Signature of addressee)

(Signature of addressee's agent—Agent should enter addressee's name on line ONE above)
Feb 12, 1945

U. S. GOVERNMENT PRINTING OFFICE
16-12421

19215

October 14, 1943

Anderson Bros.
Aurora, Oregon

Gentlemen:

Pursuant to your letter of October 6, I am enclosing herewith a blank for use in making application for an extension of time under your Permit No. 14806.

This form should be executed before a notary public and submitted to this office. Upon its receipt the matter of extending the time under your appropriation will be given further consideration, and you will be advised of our action.

Very truly yours,

CHAS. E. STRICKLIN
State Engineer

By
Ed. K. Humphrey, Assistant

MD
Enc.

Aurora Oregon
Oct. 6, 1943

RECEIVED
OCT 13 1943
STATE ENGINEER
SALEM, OREGON

Chas. E. Sticklin
Salem, Ore.
Gentlemen:

Referring to Permit No. 14806,
our irrigation system is complete
(overhead sprinkling system) but so far
we have irrigated about 25 a.
of the 50 a. specified in our
permit. Will you kindly mail me
a blank to be used in applying
for extension of time. Thank you

Very truly
Anderson Bros
Aurora Ore

19215

May 12, 1941

Anderson Bros.
Aurora, Oregon

ATTENTION: Mr. T. J. Anderson

Gentlemen:

Herewith you will find Application No. 19215, Permit No. 14806, together with blue print.

The application has been approved and recorded in this office.