

PHONE CALL

✓✓✓ 2005

FOR THRS. F.D. DATE AUG 11 TIME 330 A.M.
 M ANTHONY RECORDER 27675

OF 3 TIMES 47516

PHONE (503) 790-7881 FAX 76846
 MOBILE

MESSAGE

MULT CNTY

18 4E 22 CD 7300

POND - WR -

503

SIGNED 222-3651 330 1154

TELEPHONED
 RETURNED YOUR CALL
 PLEASE CALL
 WILL CALL AGAIN
 CAME TO SEE YOU
 WANTS TO SEE YOU

STATE OF OREGON
COUNTY OF Multnomah

CERTIFICATE OF WATER RIGHT (HB - 2153)

THIS CERTIFICATE ISSUED TO

GRADY L SHULL
8344 SE COTTRELL RD
BORING, OR 97009

confirms the right to store the waters of
JOHNSON CREEK, A TRIBUTARY OF WILLAMETTE RIVER IN A RESERVOIR
for IRRIGATION, WILDLIFE AND RECREATION.

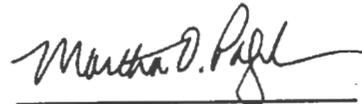
The right to store and use these waters was perfected under Reservoir Application R-76846.
The date of priority is January 1, 1993. The amount of water entitled to be stored and
used each year under this right is not more than 4.95 ACRE-FEET, BEING
2.0 AF FOR IRRIGATION, 1.0 AF FOR WILDLIFE AND 1.95 AF FOR
RECREATION

Located as follows:
SE 1/4 SW 1/4 SECTION 22, TOWNSHIP 1 SOUTH, RANGE 4 EAST WM.

The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe, with a minimum diameter of 8", or
the provision of other means to evacuate water when determined necessary for public safety or to satisfy prior downstream rights as
determined by the Water Resources Director.

The right to store and use the water for the above purpose is restricted to beneficial use at the place of use listed above.

WITNESS the signature of the Water Resources Director, affixed **FEBRUARY 27, 1996**.



Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 70765

STATE OF OREGON
COUNTY OF Multnomah

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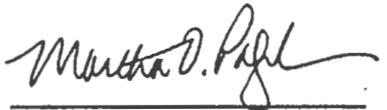
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Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 70765

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DEC 13 1994

WATER RESOURCES DEPT.
SALEM, OREGONWATER
RESOURCES
DEPARTMENT

NOTE TO LOCAL GOVERNMENTS

Application No. R-76846
Permit No.

RECEIVED

DEC 29 1994

WATER RESOURCES
SALEM, OREGON

person presenting the attached request for land use information is
 ing for a water right. The Water Resources Department (WRD)
 res its applicants to obtain land use information to be sure water-
 s do not result in land uses that would violate your comprehensive

l will not accept applications which are not accompanied by this
 oleted land use form or the signed, dated receipt stub detached from
 oottom of the land use information form.

will receive notice once the applicant formally submits his or her
 est to WRD. The notice will give more detailed information about
 l's water rights process and comment opportunities. If you give the
 cant the receipt stub in lieu of completing the form, you will have 30
 from the date of the notice mentioned above to complete the form
 return it to WRD. If no land use information is received from you
 in that 30 day period, WRD may presume the land use associated
 the proposed water right is compatible with your comprehensive

attention to this request for information is greatly appreciated by
 the applicant and WRD. If you have questions concerning the form,
 se contact WRD at 378-3739.



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

Description of Water Use

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: GRADY LISAVALL
 Address: 8344 S.E. COTTRELL RD.
DOKING, OR 97009
 Phone: 503-663-6062

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): PASTURE, NURSERY, HOME GARDEN.
- Livestock (type of livestock, feedlot, slaughterhouse): GRAZING.
- Residential (# units, single or multi-family, # lots if partition or subdivision): ONE UNIT.
- 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.): POND.
- Fish and Wildlife (pond, hatchery, etc.): POND.
- 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 checked="" type="checkbox"/> Surface Water Name sources: <u>JOHNSON CREEK.</u> | _____ Cubic feet per second. _____ Gallons per minute. <u>4.95</u> Acre-Feet |
| <input checked="" type="checkbox"/> Reservoir or pond | |
| <input type="checkbox"/> Ground Water | |

**Land Use Information Form: Permits, Hydroelectric Licenses,
Water Uses in Addition to Classified Uses**

RECEIVED
DEC 13 1994
RECEIVED

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: GRADY L. SHULL
 Address: 8344 SE. COTTRELL RD.
 City: BORING State: OR. Zip: 97009 Day Phone: 503-663-5000

DEC 29 1994
WATER RESL
SALEM, 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.

(CHECK ALL THAT APPLY)

| TAX LOT LOCAL ID # | PLAN DESIGNATION/ZONING (e.g. Rural Residential/RR-5) | WATER DIVERTED | WATER CONVEYED | WATER USE |
|--------------------|---|----------------|----------------|-----------|
| TL 18, Sec 22, 15 | HE MULTIPLE USE AGRICULTURE-20 | | | |
| | | | | |

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

The following section must be completed by a planning official from each county and city listed unless your project will be located entirely within the city limits. In this case, only the city planning agency must complete this form. Please request additional 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. FARM USES DEFINED IN ORS 215.203
 Cite applicable ordinance section(s): MCC 11.15.2128 (A). 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 on the reverse of this form. Note: Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action plus accompanying findings is sufficient.)

 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: _____

Grady L. Shull
8344 S.E. Cottrell Road
Boring Ore. 97009

RECEIVED

DEC 13 1994
WATER RESOURCES DEPT.
SALEM, OREGON

WATER RIGHTS ADJUDICATION DIV.
WATER RESOURCES DEPT.
COMMERCE BUILDING
158 12TH STREET N.E.
SALEM, OR. 97310

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DEC 29 1994
WATER RESOURCES DEPT.
SALEM, OREGON

MR. ADOLPH E. HAPPOLD, 8233 S. E.
COTTRELL RD., BORING, OR. 97009,
PHONE 503-663-4308, WILL CONFIRM
THE DATE, JAN 15, 1972 AS THE DATE
I FILLED MY POND AT 8344 S.E. COTT-
RELL RD. BORING, OR. 97009.

To the best of my memory, this date
is correct.

A. E. Happold

A. E. HAPPOLD

12-12-1994

Grady L. Shull

GRADY L. SHULL

12-12-1994

Subscribed and sworn to before me this 12th day of December 1994



Ann N. Happold
Notary Public for Oregon
My commission expires 2/24/96

The sketch below is made solely for the purpose of assisting in locating said premises and the Company assumes no liability for variations, if any, in dimensions and location ascertained by actual survey.

Pioneer National Title Insurance Company
Title and Trust Division

RECEIVED

RECEIVED

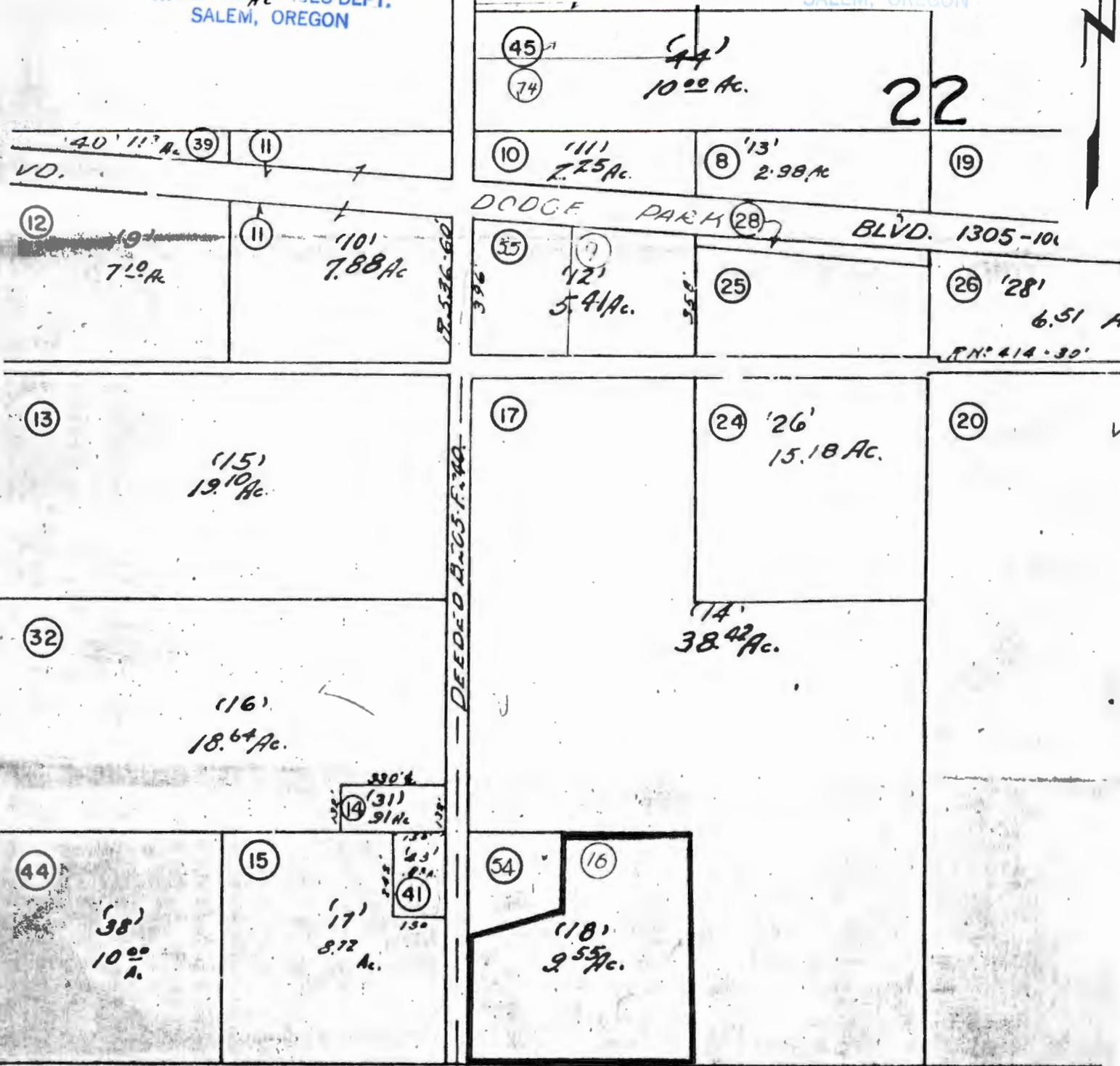
DEC 29 1994

CERTIFICATE NO. 70765

DEC 13 1994

WATER RESOURCES DEPT.
SALEM, OREGON

WATER RESOURCES DEPT.
SALEM, OREGON



COUNTY MULTNOMAH

Application No. K-76846
Permit No.

369422

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DEC 29 1994

WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

DEC 13 1994

WATER RESOURCES DEPT.
SALEM, OREGON

MAGK01AP M67
MAGK120P MAGK120M

MULTNOMAH COUNTY PUBLIC A&T SYSTEM
*** QUERY NAME - REAL PROPERTY ***

12/05/94
QNAME 13:42

=====

CMD: QNAME ACCT NBR: R994220180 TAX YEAR: _____

=====

ACCT NBR: R-99422-0180

MAIL:

ACCT STATUS:

SOURCE NAME/ADDRESS

OWNR1 SHULL, GRADY L & JORDYCE I
MAIL1 8344 SE COTTRELL RD
MAIL2 BORING OR 97009-9754

SITUS

8344 SE COTTRELL RD

CITY: BORING

ZIP:

SEQ: 1

LEVY CODE: 087 VCHR ACTION:

ANNEX:

DIVISION:

APPR ST: APPR CODE: K

MSG 1:

MSG 2:

MSG 3:

BOOK/PAGE: 0697/0274 YEAR: 69C

TAX ROLL DESCRIPTION

ADDN: SECTION 22 1 S 4 E LOT BLOCK
TL# 18 8.14 ACRES

RATIO CODE: 441

STATE RATIO CODE:

MAP: 221S4E

SID:

=====

ENTER=QUERY F1=HELP F2=PRINT F3=EXIT F4=SITUS F6=PREV F9=NEXT F12=CANCEL

=====

MAGK01AP M67

MULTNOMAH COUNTY PUBLIC A&T SYSTEM

12/05/94

MAGK180P MAGK180M *** QUERY RESIDENTIAL CHARACTERISTICS ***

QCHAR 13:43

=====

CMD: QCHAR ACCT NBR: R994220180 TAX YEAR: _____

=====

ACCT NBR: R-99422-0180

ACCT STATUS:

SOURCE NAME/ADDRESS

OWNR1 SHULL, GRADY L & JORDYCE I
MAIL1 8344 SE COTTRELL RD

SITUS

8344 SE COTTRELL RD

CITY: BORING

ZIP:

SEQ: 1

RATIO CODE: 441

APPR DIST: 3

PARCEL SIZE: 8.14 ACRES

ST RATIO CODE:

NEIGH CODE: 030

YEAR APPRAISED: 94

MAP: 221S4E

STATE ID:

IMPROVEMENTS CHARACTERISTICS:

IMP: 1 YEAR BUILT: 1964 USE CODE: B DWG SGL STR TYPE: B 1 STORY W/BASE

ARCH STYLE

BDRMS: 4

TOT FIN: 2312

TOT UNF: 652

GARAGE-TYPE: B BASEMENT G SQ FT:

STR CLS: 4.0

IMP: YEAR BUILT:

USE CODE:

STR TYPE:

ARCH STYLE

TOT FIN:

TOT UNF:

GARAGE-TYPE:

SQ FT:

STR CLS:

===== MORE:

ENTER=QUERY F1=HELP F2=PRINT F3=EXIT F6=PREV F7=BKWD F8=FWD F9=NEXT F12=CANCEL

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **131420**

158 12TH ST. N.E.
SALEM, OR 97310-0210
378-8455 / 378-8130 (FAX)

INVOICE # _____

RECEIVED FROM: Grady L. Skull
BY: _____

APPLICATION # P 76846
PERMIT _____
TRANSFER _____

CASH: CHECK: # 24-7588 OTHER: (IDENTIFY)

TOTAL REC'D \$ 10.00

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. _____ \$
VOUCHER # _____

COST CENTER AND OBJECT CLASS

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 | \$ | 842.002 | \$ |
| 842.003 | GROUND WATER | \$ | 842.004 | \$ |
| 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 # _____ |
| _____ | OTHER (IDENTIFY) | _____ | |

45-00-0 LOTTERY PROCEEDS

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

07-00-0 HYDRO ACTIVITY

| | | | |
|---------|----------------------------|------------------|----|
| 842.011 | POWER LICENSE FEE (FW/WRD) | LIC NUMBER _____ | \$ |
| 842.115 | HYDRO LICENSE FEE (FW/WRD) | _____ | \$ |
| _____ | HYDRO APPLICATION | _____ | \$ |

RECEIPT # **131420**

DATED: 1-10-96

BY: F. Lissner

January 2, 1996

WATER
RESOURCES
DEPARTMENT

Dear Applicant,

The 1995 Legislature passed House Bill 2376, a law which requires the Department to issue water right certificates on reservoirs applied for under House Bill 2153 (1993 Ponds Bill).

Our staff is preparing to issue your certificate(s). However, we need recording fees in the amount of \$10 before we can proceed.

In order to expedite the processing of your certificate(s), **we request that you submit the recording fees by January 26, 1996.** I have enclosed a stamped envelope for your use.

Should you have any questions please feel free to call the Water Rights Information Group at 1-800-624-3199, extension 499.

Sincerely,



Gerry Clark
Completeness Team



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

February 9, 1995

GRADY L SHULL

8344 SE COTTRELL RD
BORING, OR 97009

REFERENCE: File # R-76846;

We have received your application(s) for a water use permit along with your supporting data, documentation, and fees. A receipt is enclosed here unless you were previously issued one. Your application has been assigned the above referenced file number. Please refer to this number whenever you contact us about your application.

Your application will be considered under House Bill 2153 enacted by the 1993 Oregon Legislature. You may continue the storage of water while a decision is pending on your application.

After an application has been accepted for filing, public notification of the application is made, followed by a mandatory 30-day comment period. Thereafter, applications can be considered for processing as time allows.

At present the Water Resources Department has a backlog of several thousand applications for water use permits which has delayed our application processing time. In general, the Department works through Oregon's 18 river basins on a rotating schedule, processing applications in the order in which they have been received.

The processing of an application does not guarantee that a water right permit will be issued. Each application must undergo specialized analysis called a technical review and a public interest review. Until your application is reviewed, it is not possible to determine whether your particular proposed water use will be recommended for a permit.

Technical Reviews are processed in accordance with Oregon Administrative Rules. The Water Resources Commission is considering the adoption of rules to protect stream flows for fish species. This action is being contemplated in response to current and future Endangered Species Act fish listings, including many runs of salmon, steelhead and resident fish throughout the state.



REFERENCE: File(s) - R-76846

The proposed rules, if adopted, could limit the issuance of new water right permits in certain areas of the state. If and when the Commission adopts these rules, new criteria or restrictions may be imposed on water use applications received after:

July 17, 1992, for use of water in the Upper Columbia/Snake Basin (above Bonneville Dam), including the mainstem Columbia and Snake Rivers and the Hood, Deschutes, John Day, Umatilla, Grande Ronde, Powder, Malheur and Owyhee Basins;

April 8, 1994, for use of water in the North Coast, Mid Coast, South Coast, Rogue and Umpqua Basins and the Clackamas Subbasin of the Willamette Basin; and

June 3, 1994, for use of water in all Oregon basins.

When the report on the technical review is completed and sent to you, a 60-day objection period begins during which you, the applicant, or anyone who has expressed an interest in your proposed water use may communicate to us their disagreement with what we have said in our report on your application. After the 60-day objection period, the Department conducts the public interest review and considers any objections which have been made.

After any objections have been considered, there may follow time to allow parties to resolve conflicts over the proposed water use. In addition, a 30-day protest period may be required. Lastly, it may be necessary to schedule a hearing or send the application to the Water Resources Commission for their review.

If your application is recommended for approval and a permit is issued, the use allowed by the permit will be subject to the Basin Program Rules of the Water Resources Commission, instream flow requirements, the demands of prior right holders and other conditions to conform the water use to particular standards.

Please contact the Water Rights Information Group (WRIG) if you have any questions. You may write to us at 158 12th ST NE, Salem, Oregon 97310 or you may call 378-3739 in Salem or toll free from within the state 1-800-624-3199.

Sincerely,



Mr. Cory C. Engel
Water Rights Research Assistant
Water Rights/Adjudication Division

cc: CWRE

MAR - 3 1995
WATER RESOURCES DEPT.
SALEM, OREGON

COMMENT FORM

Please list below the Application Number of the water use application(s) that are of interest to you. When the technical evaluation is completed a report of the technical review of these applications will be delivered to you.

Application #s R76846, R76874, 76175, 76176, 76177, 76178, 76179, 76180

Send to:

Jane Le Blanc
775 Summer St.
Salem OR 97301-1337

Please include specific comments or concerns. Use additional sheets if necessary.

76877, 76875, 76877

Return to:

Oregon Water Resources Department
158 12th ST NE
Salem, Oregon 97310

This Comment corresponds to the
FEB/15/1995 Public Notice.

PRE-TR APPLICATION PROCESSING OUTLINE

Application File # R-76846

MINIMUM REQUIREMENTS TO FILE

OAR 690-11-020

DATE STAMP

DATE

INITIAL

1/26/95

CM

Name and mailing address of applicant
Source of water
Quantity of water
Map showing location of POD & POU
Use of water
Names and addresses of legal owners
Signature of applicant
Oath
Application date stamped per money receipt date
Land use approved pending _____

If reservoir < 5 AF \$ 50 ; if > 5 AF \$ _____

HB 2153/HB 2107 APPLICATION -- SEE REVERSE

Route to Data Center (Unless 2153/2107)

DATA CENTER

Stream Code _____
Entered into WRIS _____

SUPPORT SERVICES

3/17/95
3/1/95

8x
2

Stamp contents with application number
Mail ack letter (provided by Data Center) with receipt to applicant, cc to CWRE and file
Place label on file and calender card

APPLICATION SECTION

Stream Indexed Basin # _____
Plat Carded and copy made YES NO
If dam is over 10 feet or storage exceeds 9.2 AC-FT, route file to Dam Safety Section

TR CASEWORKER

TR Checklist complete YES NO
Within Irrigation District _____
District Notified _____
District excerpt received _____

TR Mailed DATE _____

Public Interest Checklist complete _____

Management Codes _____

REMARKS: _____

MINIMUM APPLICATION REQUIREMENTS TO FILE:

HB 2153 - existing, small, EXEMPT ponds

(date & initials) NOTICE OF EXEMPT RESERVOIR form (or letter if prior to April 8, 1994).

Appropriate map (see item 1 on form).

Evidence that reservoir existed before January 1, 1993 (one or more of the following: dated aerial photo, NOTARIZED affidavit, dated map from agency, construction receipts or other documentation).

Items 2, 3, 4, 5, and 6 are completed.

Signature (and title, if applicable)

HB 2153 - non-exempt existing ponds (large, on-channel)

Complete Minimum Requirements to File on reverse, except before routing to Data Center, change priority date to 1/1/1993. Also, confirm the following:

ylp _____ Receipt of evidence that reservoir existed before January 1, 1993 (one or more of the following: dated aerial photo, NOTARIZED affidavit, dated map from agency, construction receipts or other documentation)

HB 2107 - wetland, stream restoration and storm water management

Complete Minimum Requirements to File on reverse EXCEPT DO NOT ROUTE TO DATA CENTER, BUT DO ROUTE TO CAROL. Also confirm the following:

- _____ Name/address of adjacent property owner within 1/4 mile
- _____ Map with scale not less than 2 in.=1 mi.
- _____ CWRE map if > 10 feet dam or > 9.2 AF
- _____ Description of proposed use
- _____ Condition addressed
- _____ Resulting benefits
- _____ Public notices (circle) #1 #2

ck 24-7588 18422

| | | |
|-----------------------------------|------------|-------------------|
| CUSTOMER'S ORDER NO. app 76846 | DEPARTMENT | DATE 112-29-94 |
| NAME Grady. Shell | | |
| ADDRESS | | |
| CITY, STATE, ZIP | | |

| | | | | | | |
|---------|------|--------|--------|----------|--------------|----------|
| SOLD BY | CASH | C.O.D. | CHARGE | ON ACCT. | MDSE RETD | PAID OUT |
|---------|------|--------|--------|----------|--------------|----------|

| QUAN. | DESCRIPTION | PRICE | AMOUNT |
|-------|--------------------|-------|--------|
| 1 | | | |
| 2 | | | |
| 3 | | | |
| 4 | WR 2153 | # | 40 - |
| 5 | | | |
| 6 | | | |
| 7 | \$40. - | | |
| 8 | | | |
| 9 | | | |
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| 20 | | | |

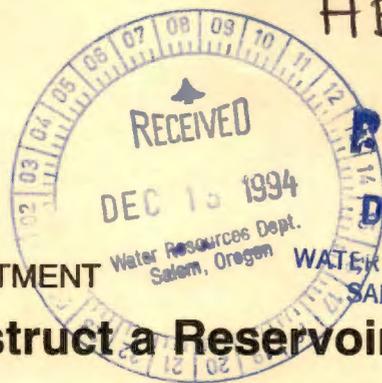
| |
|----------------------------|
| RECEIVED BY D. B. Shell |
|----------------------------|

KEEP THIS SLIP FOR REFERENCE

needs secondary for
meets MR

HB2153

Application No. R-76844



RECEIVED
DEC 29 1994
WATER RESOURCES DEPT.
SALEM, OREGON

State of Oregon
WATER RESOURCES DEPARTMENT

Application for a Permit to Construct a Reservoir

Applicant(s) GRADY L. SHULL

Mailing Address: 8344 S.E. COTTRELL RD.
(Please print or type - use dark ink)

BORING, OR. 97009 503-663-5062
City State Zip Daytime Phone No.

I (We) make application for a permit to construct HB 2153 reservoir and store the following described waters of the State of Oregon:

1. SOURCE OF WATER for the proposed use: HEADWATERS OF JOHNSON CREEK
a tributary of _____
If not in channel of a stream, state how it is to be filled: _____

2. THE DAM: The maximum height of the structure will be 9.5 feet above stream bed or ground surface at the centerline.
The dam will be (check one) earthfill, _____ concrete, _____ flashboard, _____ other.
If "other" give description: _____

Give the location, description, and dimensions of the outlet conduit: A 24 INCH ASPHALT-DIPPED CORRUGATED METAL PIPE LOCATED AT BOTTOM MIDSECTION OF DAM

NOTE: All dams across natural stream channels must be provided with an outlet conduit, minimum diameter of 8", or be of such capacity and location as to pass the normal flow of the stream at any time.

3. THE USE(s) of the impounded water will be: 1 ACRE FOOT HABITAT FOR WILDLIFE, 2 ACRE FEET IRRIGATION, 1.95 ACRE FEET RECREATION.

SWMS. Sec.

19
20
21

4. THE AMOUNT OF WATER to be stored is: 4.95 acre-feet.
The area submerged by the reservoir, when filled, will be 1.25 acres,
and the maximum depth of water will be 6.0 feet.

5. SPILLWAY DESCRIPTION (location and dimensions). State whether over or around the dam. A 24 INCH ASPHALT-DIPPED STEELPIPE AT MIDSECTION OF DAM, 4 FEET BELOW TOP SURFACE.

6. PROJECT SCHEDULE: (List month and year)

Proposed date construction work will begin HB 2153 HAS BEEN IN USE SINCE JAN. 1972.
Proposed date construction work will be completed HB 2153
Proposed date water use will be completed HB 2153

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.

7. 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 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):

Applicant CWRE Other (Identify in REMARKS section)

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 29th day of Dec., 1994, at 8:00 o'clock, A M.

APPLICATION NO: R-76846

8. 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.

REMARKS: THE DAM WAS CONSTRUCTED BEFORE I PURCHASED THE PROPERTY IN SEPTEMBER 1969. I FILLED THE POND ON JANUARY 15, 1972.

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:

Grady J. Shull
Signature

12-12-1994
Date

Jordyn L. Shull
Signature

12-12-1994
Date

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.

Grady J. Shull
Signature of Applicant

12-12-1994
Date

Jordyn L. Shull
Signature of Co-Applicant, if any

12-12-1994
Date

RECEIVED

DEC 13 1994

WATER RESOURCES DEPT.
SALEM, OREGON

STATE OF OREGON
COUNTY OF Multnomah

CERTIFICATE OF WATER RIGHT (HB - 2153)

THIS CERTIFICATE ISSUED TO

GRADY L. SHULL
8344 SE COTTRELL RD
BORING, OR 97009

confirms the right to store the waters of
JOHNSON CREEK, A TRIBUTARY OF WILLAMETTE RIVER IN A RESERVOIR
for IRRIGATION, WILDLIFE AND RECREATION.

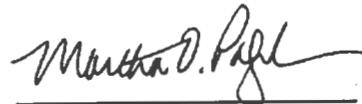
The right to store and use these waters was perfected under Reservoir Application R-76846.
The date of priority is January 1, 1993. The amount of water entitled to be stored and
used each year under this right is not more than 4.95 ACRE-FEET, BEING
2.0 AF FOR IRRIGATION, 1.0 AF FOR WILDLIFE AND 1.95 AF FOR
RECREATION

Located as follows:
SE 1/4 SW 1/4 SECTION 22, TOWNSHIP 1 SOUTH, RANGE 4 EAST WM.

The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe, with a minimum diameter of 8", or
the provision of other means to evacuate water when determined necessary for public safety or to satisfy prior downstream rights as
determined by the Water Resources Director.

The right to store and use the water for the above purpose is restricted to beneficial use at the place of use listed above.

WITNESS the signature of the Water Resources Director, affixed **FEBRUARY 27, 1996.**



Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 70765

STATE OF OREGON
COUNTY OF Multnomah

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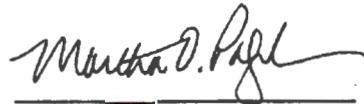
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Martha O. Pagel

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