



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

# Application for a Permit to Use Ground Water

*Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "n/a." Please read and refer to the instructions when completing your application. A summary of review criteria and procedures that are generally applicable to these applications is available at [www.wrd.state.or.us/OWRD/PUBS/forms.shtml](http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml).*

## 1. APPLICANT INFORMATION

### A. Individuals

Applicant: Kevin & Carrie Duyck  
First Last

Mailing address: 37995 NW Harrington RD

Cornelius OR 97113  
City State Zip

Phone: 503-324-0538 503-320-0779  
Home Work Other

\*Fax: 503-324-6619 \*E-Mail address: \_\_\_\_\_

### B. Organizations

*(Corporations, associations, firms, partnerships, joint stock companies, cooperatives, public and municipal corporations)*

Name of organization: N/A

Name and title of person applying: \_\_\_\_\_

Mailing address of organization: \_\_\_\_\_

\_\_\_\_\_  
City State Zip

Phone: \_\_\_\_\_  
Day Evening

\*Fax: \_\_\_\_\_ \*E-Mail address: \_\_\_\_\_

\* Optional information

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SALEM OREGON

For Department Use		
App. No. _____	Permit No. _____	Date _____

**2. PROPERTY OWNERSHIP**

Do you own all the land where you propose to divert, transport, and use water?

Yes (Skip to section 3 "Ground water Development.")

No (Please check the appropriate box below.)

I have a recorded easement or written authorization permitting access.

I do not currently have written authorization or easement permitting access.

Written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigated and/or domestic use only (ORS 274.040).

You must provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.

List the names and mailing addresses of all affected landowners.

\_\_\_\_\_  
N/A  
\_\_\_\_\_  
\_\_\_\_\_

**3. GROUND WATER DEVELOPMENT**

**A. Well Information**

Number of well(s): 1

Name of nearest surface water body: Unnamed intermittent tributary to Bledsoe Cr.

Distance from well(s) to nearest stream or lake: 1) 950' ; 3750' to Bledsoe Cr.

2) \_\_\_\_\_ 3) \_\_\_\_\_ 4) \_\_\_\_\_

If distance from surface water is less than one mile, indicate elevation difference between nearest surface water and well head. 1) well. 205; unnamed int trib.170; Bledsoe Cr. 157 (quad sheet)

2) \_\_\_\_\_ 3) \_\_\_\_\_ 4) \_\_\_\_\_

**B. Well Characteristics**

*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 constructor's log and the well ID number, if available, for each well with this application. Identify each well with a number corresponding to the wells designated on the map and proceed to section 4 of the form. If the well has not been constructed, or if you do not have a well log, please complete the following:*

Well(s) will be constructed by: Jannsen, Aloha OR or Schneider, St. Paul OR

Address: \_\_\_\_\_

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Completion date: After permit issued

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Please provide a description of your well development. (*Attach additional sheets if needed.*)

Well No.	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
1	14"	10"-dia steel	450	--	450	40	650	port	850

Note: Well numbers in this listing must correspond to well location(s) shown on accompanying map.

If well log is not available, or well is not yet constructed, you must provide: proposed total depth, depth of casing and seal, and the anticipated perforation and open intervals.

**C. Artesian Flows**

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

Not expected

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**4. WATER USE**

*Please read the instruction booklet for more details on "type of use" definitions, how to express how much water you need and how to identify the water source you propose to use. You must fill out a supplemental form for some uses as they require specific information for that type of use.*

**A. Type(s) of Use(s)**

*See list of beneficial uses provided in the instructions.*

- If your proposed use is **domestic**, indicate the number of households to be supplied with water: \_\_\_\_\_
- If your proposed use is **irrigation**, please attach **Form I**
- If your proposed use is **mining**, attach **Form R**
- If your proposed use is **municipal or quasi-municipal**, attach **Form M**
- If your proposed use is **commercial/industrial**, attach **Form Q**

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**B. Amount of Water**

Provide the production rate in gallons per minute (gpm) and the total annual amount of water you need from each well, from each source or aquifer, for each use. You do not need to provide source information if you are submitting a well log with your application.

Well No.	Source or aquifer	Type of use	Total rate of water requested (in gpm)	Total annual quantity (in gallons)	Production rate of well (in gpm)
1	basalt	irrig. & agriculture use	665	120 AF	665
1	basalt	irrig & supplement irrig	665	120 AF	665
1	basalt	suppl wildlife attract	300	7 AF	665

**C. Maximum Rate of Use Requested**

What is the maximum, instantaneous rate of water that will be used? 665 gpm  
*(The fees for your application will be based on this amount.)*

**D. Period of Use**

Indicate the time of year you propose to use the water: all year- nursery; 3/1-10/31 irrig; 10/1-1/1 wildlife  
*(For seasonal uses like irrigation give dates when water use would begin and end, e.g. March 1–October 31.)*

**E. Acreage**

If you will be applying water to land, please give the total number of acres where water will be applied or used: 118.6 acres  
*(This number should be consistent with your application map.)*

**5. WATER MANAGEMENT**

**A. Diversion**

What equipment will you use to pump water from your well(s)?

- Pump (give horsepower and pump type): 75 Hp electric submersible turbine
- Other means (describe): \_\_\_\_\_

**B. Transport**

How will you transport water to your place of use?

- Ditch or canal (give average width and depth):  
 Width \_\_\_\_\_ Depth \_\_\_\_\_

Is the ditch or canal to be lined?  Yes  No

- Pipe (give diameter and total length):  
 Diameter 8" dia mainline Length est. 2500' System not designed yet.
- Other (describe) \_\_\_\_\_

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**C. Application/Distribution Method**

What equipment will you use to apply water to your place of use? \_\_\_\_\_

Irrigation or land application method (check all that apply):

- Flood
- High-pressure sprinkler
- Low pressure sprinkler
- Drip
- Water cannons
- Center pivot system
- Hand lines
- Wheel lines
- Siphon tubes or gated pipe with furrows
- Other, describe Big gun

Distribution method

- Direct pipe from source
- In-line storage (tank or pond)
- Open canal

**D. Conservation**

What methods will you use to conserve water? Why did you choose this distribution or application method? For example, if you are using sprinkler irrigation rather than drip irrigation, explain. If you need additional space, attach a separate sheet.

Will use drip where applicable for nursery. Sprinkler system best suited for other farm crops & for temperature/humidity control on nursery crops.

**6. PROJECT SCHEDULE**

*Indicate the anticipated dates that the following construction tasks should begin. If construction has already begun, or is completed, please indicate that date.*

Proposed date construction will begin: After permit is issued. ~~Per Oct. 2008~~

Proposed date construction will be completed: Oct. 2010

Proposed date beneficial water use will begin: Mar. 2009

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**7. REMARKS**

*If you would like to clarify any information you have provided in the application, please do so here and reference the specific application question you are addressing.*

4-B 30 acres will be supplemental irrigation to water from the Tualatin Valley Irrigation Dist. under cert. 35792.

4-B 20 acres will be supplemental irrigation to certificate 13505.

4-B Wildlife attraction use will be supplemental to certificate 60493.

## 8. MAP REQUIREMENTS

The Department cannot process your application without accurate information showing the source of water and location of water use. You must include a map with this application form that clearly indicates the township, range, section, and quarter/quarter section of the proposed well location and place of use. The map must provide tax lot numbers. See the map guidelines sheet for detailed map specifications.

## 9. SIGNATURE

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application packet.
- I cannot legally use water until the Water Resources Department issues a permit to me.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be canceled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit to me, I may have to stop using water to allow senior water right holders to get water they are entitled to, and

I swear that all information provided in this application is true and correct to the best of my knowledge:

Kevin N. Duyek      Carrie L. Duyck      2/27/08  
Signature of Applicant (If more than one applicant, all must sign.)      Date

Before you submit your application be sure you have:

- Answered each question completely.
- Attached a legible map which includes township, range, section, quarter/quarter and tax lot number.
- Included a Land Use Information Form or receipt stub signed by a local official.
- Included the legal description of all the property involved with this application. You may supply a copy of the deed, land sales contract, or title insurance policy, to meet this requirement.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount. The Department's fee schedule can be found at [www.wrd.state.or.us](http://www.wrd.state.or.us) or call (503) 986-0900.

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# Oregon

Theodore R. Kulongoski, Governor

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

## NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdictions where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you.

## NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan.

Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan.

Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

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## For Local Government Use Only

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

This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

**Please check the appropriate box below and provide the requested information**

- Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): Community Development Code Section 201-2.4
- Land uses to be served by proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.)  
**If approvals have been obtained but all appeal periods have not ended, check "Being pursued".**

Type of Land-Use Approval Needed (e.g. plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued

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

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Name: Dyani Valentine Title: Associate Planner

Signature: *Dyani Valentine* Phone: 846-3821 Date: 3-13-08

Government Entity: Washington County

**Note to local government representative:** Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.





# Oregon Water Resources Department Land Use Information Form

THIS FORM IS NOT REQUIRED IF: 1) water is to be diverted, conveyed, and/or used only on federal lands; or 2) the application is for a water-right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and all of the following apply: a) only the place of use is proposed for change, b) there are no structural changes, c) the use of water is for irrigation, and d) the use is located in an irrigation district or exclusive farm-use zone.

Applicant Name: Kevin & Carrie Duyck  
Mailing Address: 37995 NW Harrington Rd.  
City: Cornelius State: OR Zip: 97113 Day Phone: 503-324-6619

This application is related to a Measure 37 claim.  Yes  No

## A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), or used. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g. Rural Residential/RR-5)	Water to be:	Proposed Land Use:
1N	3W	5		100	EFU	<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	farming
1N	3W	4		390	EFU	<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	farming
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	

List all counties and cities where water is proposed to be diverted, conveyed, or used. Washington Co.

## B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- Permit to Use or Store Water
- Allocation of Conserved Water
- Permit Amendment or Ground Water Registration Modification
- Water-Right Transfer
- Limited Water Use License
- Exchange of Water

Source of water:  Reservoir/Pond  Ground Water  Surface Water (name) \_\_\_\_\_

Estimated quantity of water needed: 665  cubic feet per second  gallons per minute  acre-feet

Intended use of water:  Irrigation  Commercial  Industrial  Domestic for \_\_\_\_\_ household(s)  
 Municipal  Quasi-municipal  Instream  Other nursery use

Briefly describe: Well to provide supplemental water for 50 ac. existing rights and primary water for 68.8 acres  
Water will be used for irrigation of farm crops and nursery stock.

**Note to applicant:** If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt below and include it with the application filed with the Water Resources Department.



# Oregon Water Resources Department

## FORM I FOR IRRIGATION WATER USE

1. Please indicate whether you are requesting a primary or supplemental irrigation water right.

Primary     Supplemental

If supplemental, please indicate the number of acres that will be irrigated for each type of use.

Primary:            68.6            Acres

Secondary:        50                Acres

List the permit or certificate number of the primary water right:            No. cert 13505 & 35792

2. Please list the anticipated crops you will grow and whether you will be irrigating them for a full or partial season:

- |                         |   |  |
|-------------------------|---|--|
| 1. <u>Nursery crops</u> | <input checked="" type="checkbox"/> Full season | <input type="checkbox"/> Partial season (from: _____ to _____) |
| 2. <u>Farm Crops</u>    | <input checked="" type="checkbox"/> Full season | <input type="checkbox"/> Partial season (from: _____ to _____) |
| 3. _____                | <input type="checkbox"/> Full season            | <input type="checkbox"/> Partial season (from: _____ to _____) |
| 4. _____                | <input type="checkbox"/> Full season            | <input type="checkbox"/> Partial season (from: _____ to _____) |

3. Indicate the maximum total number of acre-feet you expect to use in an irrigation season:

247                            acre-feet

*(1 acre-foot equals 12 inches of water spread over 1 acre, or 43,560 cubic feet, or 325,851 gallons.)*

4. How will you schedule your applications of water? Will you be applying water in the evenings, twice a week, daily?

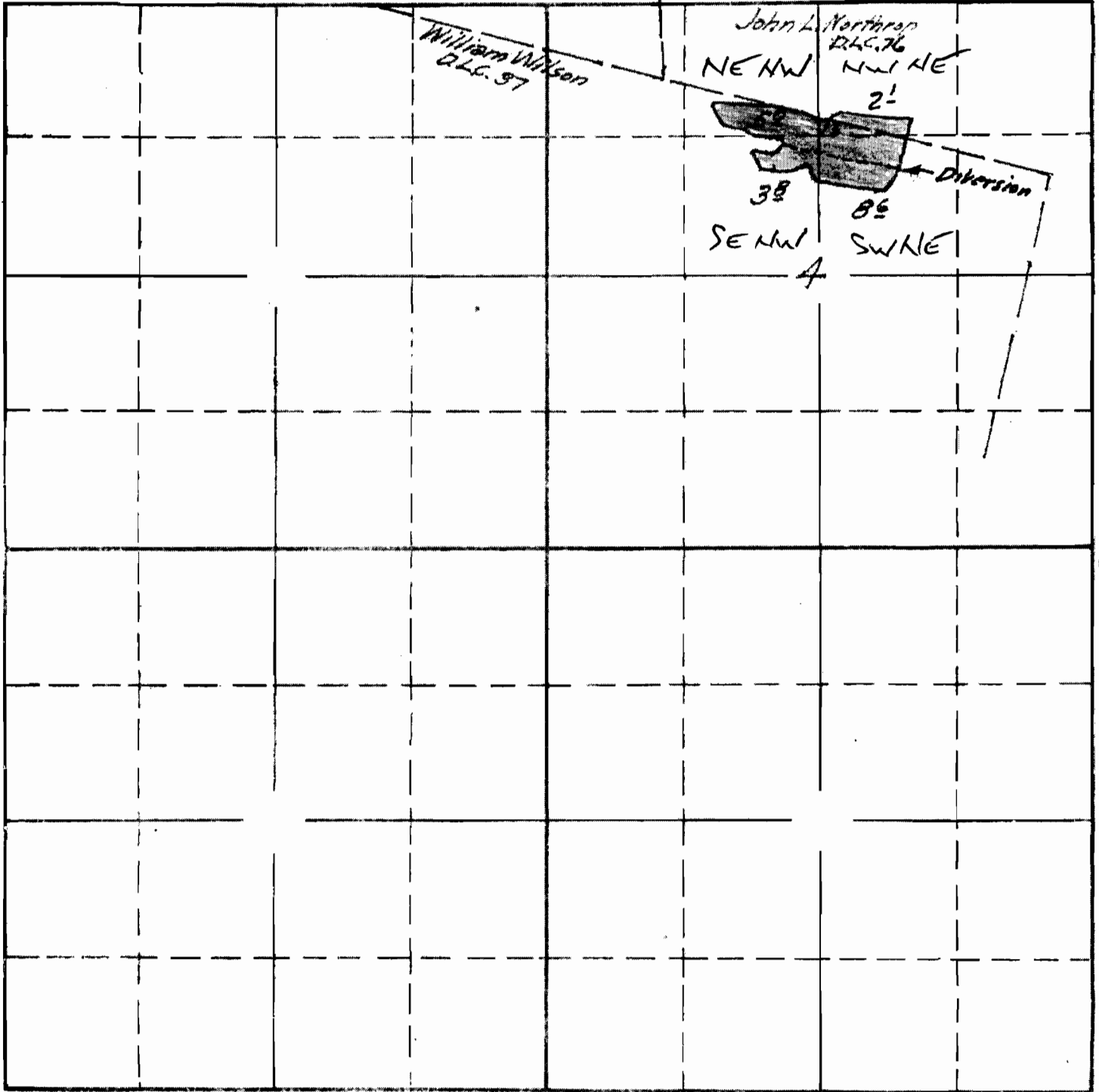
- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Daily during daytime hours               | <input type="checkbox"/> Daily during nighttime hours               |
| <input checked="" type="checkbox"/> Two or three times weekly during daytime | <input type="checkbox"/> Two or three times weekly during nighttime |
| <input type="checkbox"/> Weekly, during daytime hours                        | <input checked="" type="checkbox"/> Weekly, during nighttime hours  |
| <input type="checkbox"/> Other, explain: _____                               |   |

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SECTION

TOWNSHIP 1N, RANGE 3W, W. M.

North



West

East

Surveyed June 10, 1960 C.A.C.

South

APPLICATION No. 17018  
PERMIT No. 12764

SECTION

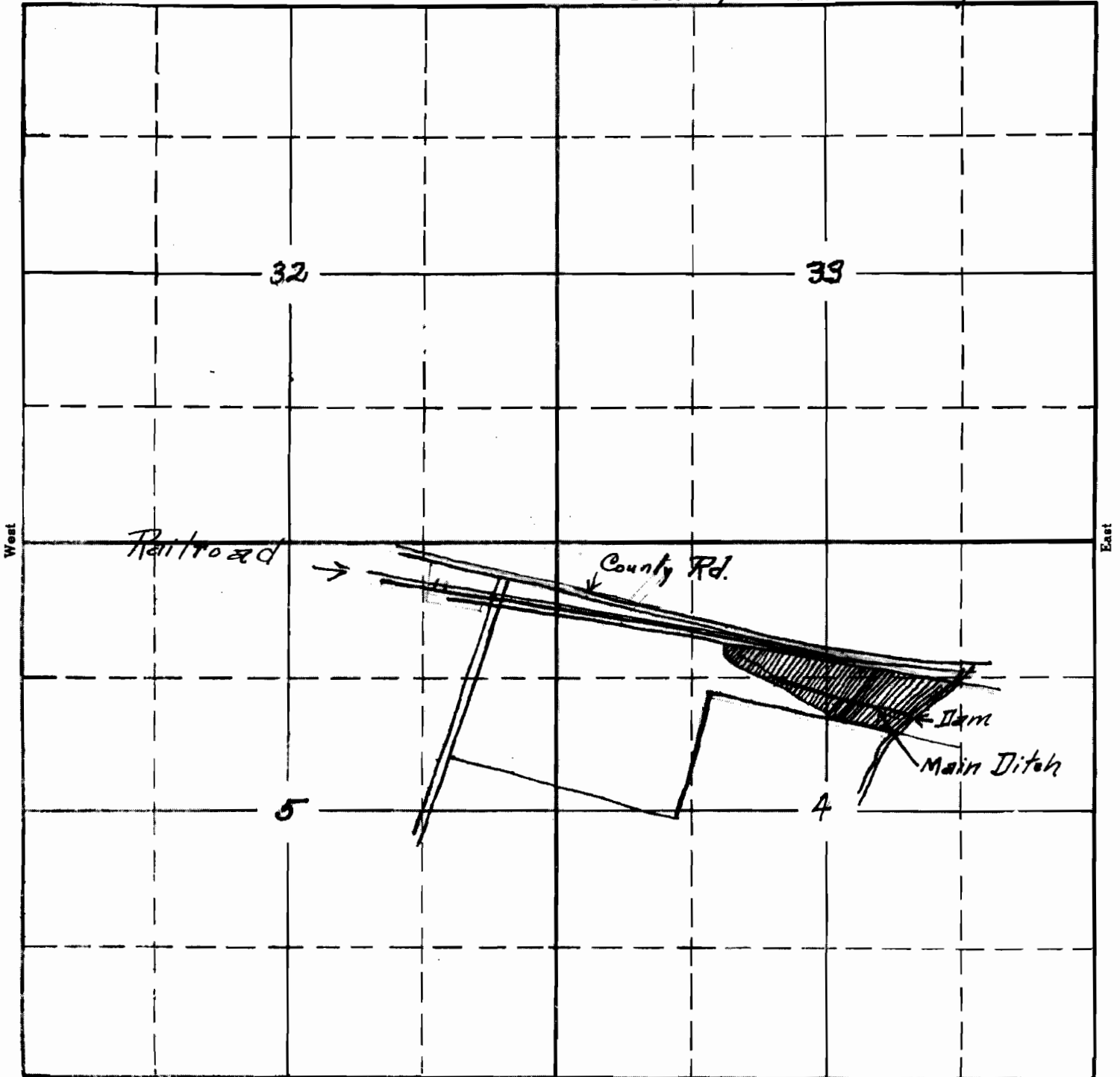
\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

TOWNSHIP 1N, RANGE 3W, W. M.

North Scale, 1 inch = 1320 feet.



South

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 AUG 7 1937  
 STATE ENGINEER  
 SALEM, OREGON

APPLICATION No. 17018  
 PERMIT No. 12764

STATE OF OREGON  
COUNTY OF WASHINGTON  
**CERTIFICATE OF WATER RIGHT**

**This Is to Certify, That** GEO. H. COREY

of Route 1, Banks, 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 Unnamed Branch a tributary of East Fork of Dairy Creek for the purpose of Irrigation under Permit No. 12764 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 August 7, 1937;

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 0.25 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 SW $\frac{1}{4}$ NE $\frac{1}{4}$ , Section 4, Township 1 North, Range 3 West, W. M., in William Wilson D. L. C. 37.

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:

5.0 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$   
3.8 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$   
1.2 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$   
8.6 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$   
Section 4  
Township 1 North, Range 3 West, W. M.,  
in William Wilson D. L. C. 37  
1.4 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$   
Section 4  
Township 1 North, Range 3 West, W. M.,  
in John Northrop D. L. C. 76

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 1st day of May, 1937

CHAS. E. STRICKLIN

State Engineer

Recorded in State Record of Water Right Certificates, Volume 12, page 13505

STATE OF OREGON  
COUNTY OF YAMHILL  
**CERTIFICATE OF WATER RIGHT**

**This Is to Certify, That** W. J. & SYLVIA B. ALLEN & MARIAN S. KETCHUM

of Route 1, Box 505, Salem, 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 a well

a tributary of Palmer Creek (Willamette River) for the purpose of irrigation of 7.7 acres

under Permit No. G-2879 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 April 20, 1965

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 0.05 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 NW $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 6, T. 6 S., R. 3 W., W. M. Diversion point located 360 feet South and 280 feet East from NE $\frac{1}{4}$  Corner, Section 6.

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~~ 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:

7.7 acres NW $\frac{1}{4}$  NE $\frac{1}{4}$   
Section 6  
T. 6 S., R. 3 W., W. M.

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

WITNESS the signature of the State Engineer, affixed

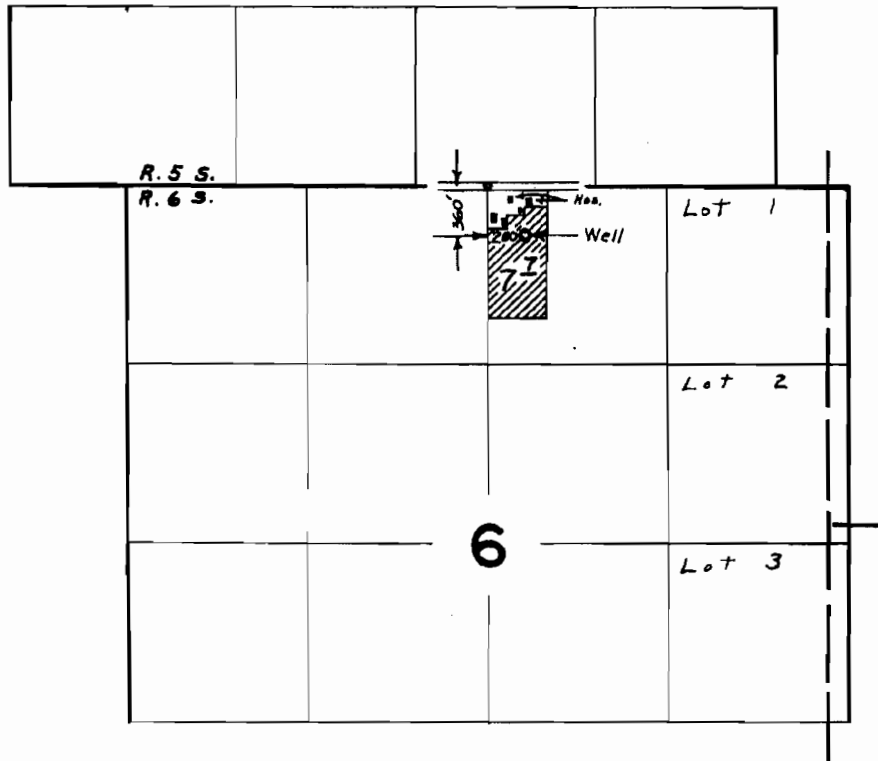
this date. February 28, 1969

CHRIS L. WHEELER

State Engineer

Recorded in State Record of Water Right Certificates, Volume 27, page 35792

T.5&6 S.R.3 W.W.M.



**FINAL PROOF SURVEY**  
UNDER

Application No. G-3082 Permit No. G-2879

IN NAME OF  
**W. J. & SYLVIA B. ALLEN**  
**AND MARIAN S. KETCHUM**

Surveyed Aug. 11, 1967, by L. E. Gould

20  
6  
11  
1120  
20 N/S

Washington County, Oregon 2006-148008  
12/18/2006 09:23:04 AM  
D-DW Cnt#1 Stn#7 K GRUNEWALD  
\$20.00 \$6.00 \$11.00 \$20.00 \$1,120.00 - Total = \$1,177.00



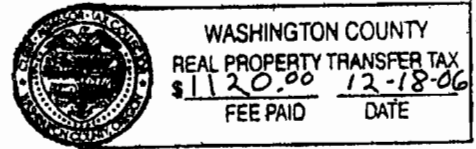
01051178200801480080040048

I, Richard Hobemicht, Director of Assessment and Taxation and Ex-Office County Clerk for Washington County, Oregon, do hereby certify that the within instrument of writing was received and recorded in the book of records of said county.  
*Richard Hobemicht*  
Richard Hobemicht, Director of Assessment and Taxation, Ex-Office County Clerk



After recording return to and send all further tax statements to:

Kevin Duyck and Carrie Duyck  
37995 NW Harrington Road  
Cornelius, OR 97113



WARRANTY DEED

Stewart TAA/2006065589-001

PAULINE GOBEL, in her capacity as the Successor Trustee of the Sidney T. Gobel Revocable Living Trust Agreement dated August 10, 1995, as to an undivided one-half interest, and in her capacity as Trustee of the Pauline A. Gobel Revocable Living Trust Agreement dated August 10, 1995, as to an undivided one-half interest, Grantor, conveys and warrants to KEVIN DUYCK and CARRIE DUYCK, husband and wife, Grantees, the real property ("the Property") described on Exhibit 1. Grantor warrants that the real property is free of encumbrances except as specifically set forth in this deed.

The real property is subject to the following encumbrances:

1. The life estate of Grantor defined as follows:

a. Grantor shall have the right to occupy and use the residence located on the Property and that she shall have the right to use and maintain the yard and garden area that are contiguous to the residence. For purposes of this Agreement, the residence shall include an unattached garage and the well house.

b. For a period of time not to exceed seven (7) months from the date of this deed, Grantor shall have the right to the use of other outbuildings on the Property for storage of personal property. On or before the expiration of seven (7) months from the date of this deed, Grantor shall remove all personal property except as otherwise provided regarding the use and occupancy of the residence and garden area.

c. Grantor's right to use and occupy this portion of the Property shall continue for her lifetime or until she is no longer physically capable of occupying the residence, whichever date first occurs.

d. Grantor shall be solely responsible for routine maintenance of the residence, unattached garage, well house, yard, and garden area. Grantor shall not be obligated to make capital improvements of any kind.

e. Buyer shall keep all improvements now existing or which shall hereafter be

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placed on the property insured against fire and other casualties by a standard policy of fire insurance with extended coverage and endorsements. The policy shall be written in the full insurable value of the property with loss payable to Grantor and Buyer, as their respective interests may appear, and certificates evidencing the policy shall be delivered to Grantor and shall contain a stipulation providing that coverage will not be cancelled or diminished without a minimum of ten (10) days written notice to Grantor. Grantor shall be obligated to insure her personal property for so long as her life estate continues, and she shall be entitled to all such insurance proceeds.

f. Grantor shall pay all utilities that are related to her use and occupancy of the portions of the Property subject to her life estate for so long as her life estate continues.

g. Upon the date that Grantor no longer resides in the residence, Grantor shall remove all personal property that remains on the Property.

2. The share crop agreement between Grantor and Mitch Vandehey.

3. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.

4. Facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possessions thereof.

5. Easements, or claims of easements, not shown by the public records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.

6. Discrepancies, conflicts in boundary lines, shortage in area, encroachments or other facts which a correct survey would disclose.

7. Any lien, or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.

8. Rights of the public in and to any portion of the herein described premises lying within the boundaries of streets, roads or highways.

9. Rights-of-way for railroad, switch tracks, spur tracks, railway facilities and other related easements, if any, on and across the land.

10. As disclosed by the tax roll the premises herein described have been zoned or classified for farm use. At any time that said land is disqualified for such use, the property may be subject to additional taxes or penalties and interest.

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11. Restrictive Covenants to Waive Remonstrance, including the terms and provisions thereof for Customarily (commonly) Accepted Farm or Forestry Practices recorded January 22, 1993, Fee No. 93005225. Note: Said instrument contains an erroneous legal description.

12. Covenants, Conditions, Restrictions and Easements, including the terms and provisions thereof, in document recorded January 22, 1993 as Fee No. 93005226. Note: Said instrument contains an erroneous legal description.

13. This report does not include a search for financing statements or agricultural services liens which are filed with the Secretary of State, and any matters which would be disclosed thereby are expressly excluded from coverage herein.

14. Unrecorded leaseholds, rights of parties in possession, and security interests in trade fixtures, personal property or unattached improvements, if any.

**BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)). THIS INSTRUMENT WILL DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)).**

The true consideration for this conveyance is \$1,120,000.

Dated: December 14, 2006.

Pauline A Gobel  
Pauline Gobel, Successor Trustee of  
the Sidney T. Gobel Revocable  
Living Trust Agreement dated August 10, 1995

Pauline A Gobel  
Pauline Gobel, Trustee of the  
Pauline A. Gobel Revocable  
Living Trust Agreement dated  
August 10, 1995

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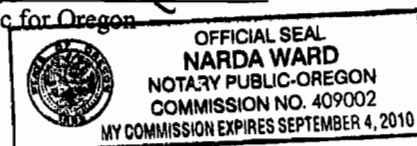
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STATE OF OREGON, County of Washington) ss.

This instrument was acknowledged before me on December 14, 2006 by Pauline Gobel.

Narda Ward  
Notary Public for Oregon  
Oregon

PAGE 3 -- WARRANTY DEED-STATUTORY FORM



**EXHIBIT 1**

**Parcel 1:**

A portion of that certain tract of land being a part of the Donation Land Claim of William Wilson and Sarah Wilson, his wife, designated as Claim No. 37 and parts of Sections 4 and 5, Township 1 North, Range 3 West of the Willamette Meridian, in the County of Washington and State of Oregon, which lies Southerly of the S.P. & S. Railroad and Easterly of Roy Road, described as follows:

COMMENCING at the Northwest corner of said claim; and running thence South 15° West 25.45 chains; thence South 72°52' East 12.67 chains; thence South 63°27' East 6 chains; thence South 72°52' East 31.79 chains to the division line of aforesaid claim; thence North 15° East on said division line 30.19 chains to the North line of said claim; thence North 78° West 49.57-1/2 chains to the place of beginning.

**Parcel 2:**

Commencing at the Northeast corner of the Donation Land Claim of William Wilson and wife, designated as Claim No. 37, being in Section 4, Township 1 North, Range 3 West of the Willamette Meridian, in the County of Washington and State of Oregon; thence North 78° West 49.57-1/2 chains; thence South 15° West 11.56-1/2 chains; thence South 78° East 47.04 chains to the center of East branch of Dairy Creek; thence up the center of Dairy Creek with the meanderings of said creek to the place of beginning.

EXCEPTING THEREFROM that certain tract described in Deed Book 68, page 457.

ALSO EXCEPTING THEREFROM that portion conveyed by Sellers to Pryor A. Qualls and Ada J. Qualls, husband and wife, by Deed recorded at page 83 of Book 381.

AND FURTHER EXCEPTING THEREFROM that portion lying Northerly of the Southerly line of the S.P. & S. Railroad right of way.

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