

Licensed in Oregon and Nevada

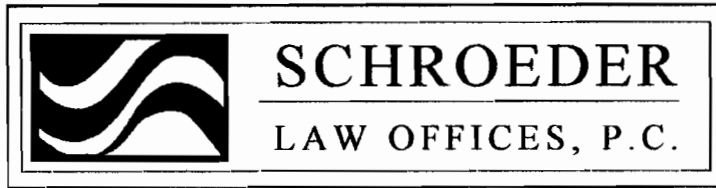
Lynn L. Steyaert
Cortney D. Duke
Colm Moore
Therese A. Ure
Wyatt E. Rolfe

Licensed In Oregon
Justin C. Denham

Laura A. Schroeder
Licensed in Oregon, Idaho,
Nevada and Washington

V. Scott Borison, Ph.D.
Certified Legal Manager

Daryl N. Cole
Office Manager



September 26, 2008

VIA US MAIL

Patricia McCarty
Oregon Water Resources Department
725 Summer Street N.E. Suite A
Salem, OR 97301-4172

RE: Application G-16717 and New Ground Water Application

Dear Ms. McCarty:

Please consider the following letter confirming our teleconference on September 3, 2008.

Enclosed herein please find an application for a permit to appropriate ground water submitted by Robert and April Jossy. Mr. and Mrs. Jossy are also the applicants for G-16717 and protested the Proposed Final Order issued by OWRD recommending denial of G-16717. Application G-16717 is currently on administrative hold.

Since the time Mr. and Mrs. Jossy were notified that OWRD recommended denial of application G-16717, they have attempted to resolve the issues specified by OWRD for the denial – including exploring the opportunity to appropriate the needed ground water from a different aquifer. After legal and technical consultation, instead of amending G-16717, Mr. and Mrs. Jossy have elected to file a new water right application seeking appropriation of ground water from a well in a new location and from a different aquifer (a different source). The new application enclosed does describe the same place and type of use as application G-16717. Mr. and Mrs. Jossy intend to voluntarily withdraw application G-16717 and the related protest when the new ground water application is ultimately approved by OWRD.

This procedure was discussed and approved by you on September 3, 2008. If you have any questions or need additional information regarding either application, please contact me at 503-281-4100.

Very truly yours,

SCHROEDER LAW OFFICES, P.C.

Cortney D. Duke
Cortney D. Duke

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**WATER RESOURCES DEPT
SALEM, OREGON**

CDD:kct
Enclosures
cc: Client

phone 503-281-4100

fax 503-281-4600

1915 NE 39th Avenue, P.O. Box 12527, Portland, Oregon 97212-0527
www.water-law.com



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.

1. APPLICANT INFORMATION

A. Individuals

Applicant: Robert D. & April J. Jossy
First Last

Mailing Address: 31965 NW Beach Road
Hillsboro OR 97124
City State Zip

Phone: 503-647-5668 503-329-5253
Home Work Other

*Fax: _____ *Email Address: bjossy@msw.com

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 or Organization: _____

City State Zip

Phone : _____
Day Evening

*Fax: _____ *Email Address: _____

*Optional

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

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2. PROPERTY OWNERSHIP

Yes (Please check appropriate box below then skip to section 3 'Ground Water Development')

- There are no encumbrances
- This land is encumbered by easements, rights of way, roads or other encumbrances (please provide a copy of the recorded deed(s))

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 Trib-McKay

Distance from well(s) to nearest stream or lake:

1) 1950' 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 200 msl 2) trib. 165 msl 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:

A.M. Janssen Well Drilling Co., Inc.

Mailing Address: 21075 SW T.V. Highway, Aloha, OR 97006

City State Zip

Ground Water/2

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Completion Date: After initial review period

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	12"	8" steel	500	50	100	50	450	port	500
			estimated	-----	-----	values			

Note: Well numbers in this listing must correspond to well locations(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 anticipated

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	alluvium	irrigation	75	25 af	75

C. Maximum Rate of Use Requested

What is the maximum, instantaneous rate of water that will be used? 75
(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: irrig.-Apr 1-Oct 31
(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, indicate the total number of acres where water will be applied or used: 24.3
(This number should be consistent with your application map.)

5. WATER MANAGEMENT

A. Diversion

What method will you use to divert water from the source?

- Pump (give horsepower and pump type): 5 Hp 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 3" Length 850' (mainline)

- other, describe: Laterals 2"-1" as to be designed

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C. Application/Distribution Method

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

[Empty box for equipment description]

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

- Flood
- Drip
- Hand Lines
- Siphon tubes or gated pipe with furrows
- other, describe: _____
- High pressure sprinkler
- Water Cannons
- Wheel Lines
- Low pressure sprinkler
- Center pivot system

Distribution method

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

E. Conservation

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

Low pressure sprinklers, under tree sprayers and drip as appropriate for the crop grown.

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: As soon as permit is issued

Proposed date construction will be completed: 4 yrs. after permit

Proposed date beneficial water use will begin: 1 yr. after permit

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.

3-A-(1) Distance to McKay Creek is 4000'.

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8. MAP REQUIREMENTS

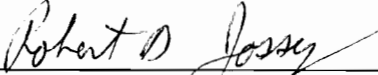
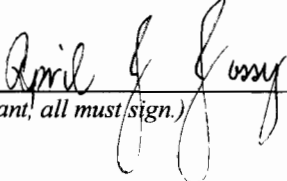
The Department cannot process your application without accurate information showing the source of water and location of water use. You must include a map with this application form that clearly indicates the township, range, section, and quarter/quarter section of the proposed well location and place 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, I may have to stop using water to allow senior water right holders to get water to which they are entitled.

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

  
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 or call (503) 986-0900.

WRD on the web:
www.wrd.state.or.us

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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: 24.3 Acres

Secondary: _____ Acres

List the permit or certificate number of the primary water right: No. _____

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

- 1. Farm crops, orchards, berries [checked] Full season [] Partial season (from: _____ to _____)
2. _____ [] Full season [] Partial season (from: _____ to _____)
3. _____ [] Full season [] Partial season (from: _____ to _____)
4. _____ [] Full season [] Partial season (from: _____ to _____)

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

25 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?

- [] Daily during daytime hours [] Daily during nighttime hours
[checked] Two or three times weekly during daytime [] Two or three times weekly during nighttime
[] Weekly, during daytime hours [] Weekly, during nighttime hours
[] Other, explain: _____

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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: Robert D. & April J. Jossy
Mailing Address: 31965 NW Beach Road
City: Hillsboro State: OR Zip: 97124 Day Phone: 503-647-5668

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:
1 N <u>N</u>	3W	12	NWNW	1900	RR-5 <u>AF-5</u>	<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	irrig
1 N <u>N</u>	3W	12	NENW	1900	RR-5 <u>AF-5</u>	<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	irrig
						<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

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B. Description of Proposed Use

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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: 75 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 _____

Briefly describe: Irrigation of farm crops including orchard and berries.

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.

Receipt for Request for Land Use Information

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State of Oregon
Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1266

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SALEM, OREGON**

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): 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
		<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.

Name: Les Foiles Title: Asst Planner
 Signature: [Signature] Phone: 503-846-3836 Date: 9-24-08
 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.

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SALEM, OREGON**

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

1-1-74

7783

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That DAND J. MILIUCCI and BARBARA J. MILIUCCI, husband and wife, and A. R. JOHN GENERAL CONTRACTORS, INC., hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by DONALD W. JOSSY, hereinafter called

the grantee, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Washington and State of Oregon, described as follows, to-wit:

PARCEL I:

A tract of land in Sections 1, 2, 11 and 12, Township 1 North, Range 3 West, Willamette Meridian, Washington County, Oregon. Being more particularly described as follows:

Beginning at the Southwest corner of Lot 1, Block 52, NORTH PLAINS and running thence along the South line of said Block, South 85° 06' East 2255.8 feet, more or less, to the most Northerly Northwest corner of that tract conveyed to the State of Oregon by deed recorded November 30, 1945 in Book 252, Page 201, Deed Records of said County; thence along the Westerly line of said tract, South 61° 51' East, 139 feet and South 5° 14' West, 318 feet to the re-entrant corner in the West line of said tract; thence continuing South 5° 14' West, a distance of 155 feet to the South line of said tract, being the Southeast corner of that tract conveyed to J. E. Tapp, et ux, by deed recorded July 21, 1960 in Book 433, Page 257, said Deed Records; thence South 85° 34' East, 525 feet, more or less, along said South line to the Southeast corner of the aforesaid State of Oregon tract, being a point in the West line of Lot 23, Block 52, NORTH PLAINS; thence South 13° 15' West along the West line of Lot 23, 24, and 26 said Block and the Southerly extensions thereof, a distance of 1289.60 feet, more or less, to the South line of the Charles McKay D.L.C. No. 73; thence North 85° 06' West, 2800 feet, more or less to the Southwest corner of said D.L.C.; thence continuing North 85° 06' West, 70 feet, more or less, to the Southwest corner of the Walter Freeman, et ux, D.L.C. being a point in the East line of the James Imbree D.L.C. No. 40; thence North 13° 25' East, 915 feet, more or less, to the Northeast corner of said Imbree D.L.C.; thence North 74° 51' West, 50 feet, more or less, to the Southeast corner of the R.R. Cornelius D.L.C. No. 39; thence North 15° 30' East, 865 feet, more or less to the place of beginning.

EXCEPTING THEREFROM the following parcels:

EXCEPTING that parcel deeded to the State of Oregon, in Book 252, Page 201 and Book 411, Page 595, Deed Records, Washington County, Oregon.

EXCEPTING property conveyed to Roth Development, Inc., in Book 722, Page 584, Deed Records, Washington County, Oregon and property within the boundaries of AIR ACRES, a duly recorded plat in Washington County, Oregon.

EXCEPTING that parcel deeded to Don W. Jossy in Book 770, Page 85, Deed Records, Washington County, Oregon.

EXCEPTING that parcel deeded to James S. Emerson, et ux, in Book 795, Page 377, Deed Records, Washington County, Oregon.

EXCEPTING that parcel deeded to A. R. John General Contractors, Inc., in Book 849, Page 811, Deed Records, Washington County, Oregon and property within the boundaries of AIR ACRES NO. 2, a duly recorded plat in Washington County, Oregon.

Recorded By Pioneer National Title Insurance Company

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EXCEPTING a parcel of land lying in the Charles McKay D.L.C. No. 73, Township 1 North, Range 3 West, Willamette Meridian, Washington County Oregon, and being a portion of that property described in that deed to J. E. Tapp and Bessie Tapp, recorded in Book 197, Page 620, of Washington County Record of Deeds; the said parcel being that portion of said property included in a strip of land variable in width, lying on the Southwesterly side of the center line of the Westbound land of the Sunset Highway as said highway has been relocated, which center line is described as follows:

Beginning at Engineer's center line Station "WB" 2505+00, said station being 4681.26 feet South and 3936.63 feet East of the Northwest corner of the T. R. Cornelius D.L.C. No. 38, Township 2 North, Range 3 West, Willamette Meridian; thence South 60° 05' 43" East 5000 feet to Engineer's center line Station "WB" 2555+00.

ALSO EXCEPTING those parcels deeded to A. R. John General Contractors, Inc., in Book 849, Page 814, and Book 861, Page 48, Deed Records, Washington County, Oregon. (herein Parcels III and IV)

PARCEL II:

Lots 3, 4, and 5, Block 52, NORTH PLAINS, Washington County, Oregon. THEREFROM a parcel of land lying in Lots 3, 4, and 5, Block 52, NORTH PLAINS, Washington County, Oregon; the said parcel being that portion of said lots included in a strip of land variable in width, lying on the Southwesterly side of the center line of the Westbound lane of the Sunset Highway as said highway has been relocated, which center line is described as follows:

BEGINNING at Engineer's center line Station "WB" 2505+00, said station being 4681.26 feet South and 3936.63 feet East of the Northwest corner of the T. R. Cornelius D.L.C. No. 38, Township 2 North, Range 3 West,

Willamette Meridian, Washington County; thence South 60° 05' 43" East 5000 feet to Engineer's center line Station "WB" 2555+00.

PARCEL III:

The following described property in Section 2, Township 1 North, Range 3 West, Willamette Meridian, described as follows:

BEGINNING at the Northwest corner of that tract conveyed to J. E. Tapp and Bessie Tapp, by deed recorded in Book 197, Page 620, Washington County Deed Records; thence South along the West line of said tract, 145 feet, more or less, to the Northwest corner of AIR ACRES, a plat of record in Washington County; thence East along the North line of said plat, 260 feet, more or less, to the Northeast corner of said plat; thence South along the East line of said plat, 130 feet; thence South 75° 47' 17" East, 235 feet; thence North 14° 12' 43" East, 380 feet, more or less, to the Northerly line of said Tapp Tract; thence Westerly along the Northerly line of said tract, 500 feet, more or less, to the place of beginning.

PARCEL IV:

The following described property in Section 2, Township 1 North, Range 3 West, Willamette Meridian, Washington County, Oregon:

BEGINNING at the Northeast corner of that tract conveyed to A. R. John General Contractors, Inc., by deed recorded January 6, 1972 in Book 849, Page 814, Washington County Deed Records; thence Easterly along the Southerly line of Block 52, NORTH PLAINS, Washington County, Oregon, 325 feet; thence Southerly parallel with the East line of 11th Street, 350 feet; thence Westerly 310 feet to a point on the East line of said John tract that is Southerly 300 feet from the South line of said Block 52, NORTH PLAINS; thence Northerly along said Easterly line, 300 feet to the place of beginning.-----

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SALEM, OR

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IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE

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

Rights of the public in streets, roads and highways. Statutory powers of the Tualatin Valley Irrigation District. Premises herein have been zoned or classified for farm use. The amount of assessment has been reduced by reason of a veteran's exemption granted to J. E. Tapp. Conditions & Restrictions recorded November 30, 1945 in Book 252, Page 201 and Book 252, Page 13. Access Restrictions recorded November 17, 1958 in Book 411, Page 595. Reservation of a life estate in favor of J. E. Tapp and Bessie Tapp recorded January 3, 1968 in Book 675, Page 125 and Book 719, Page 256 and in Book 997, Page 847. Easement recorded January 3, 1968 in Book 675, Page 125 and Book 719, Page 256. Agreement recorded in Book 769, Page 560 on January 22, 1970.

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and that grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 110,000.00. ~~However, the actual consideration consists of or includes other property or value given or promised which is the whole or part of the consideration (indicate which). (The sentence between the symbols @, if not applicable, should be deleted. See ORS 93.030.)~~

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 31 day of October, 1975; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

(If executed by a corporation, affix corporate seal)

STATE OF OREGON, }
County of Washington } st.
October 31, 1975

STATE OF OREGON, County of Washington } ss.
October 31, 1975

Personally appeared the above named Dano J. Miliucci and Barbara J. Miliucci

Personally appeared Dano J. Miliucci and Barbara J. Miliucci who, being duly sworn, each for himself and not one for the other, did say that the former is the president and that the latter is the secretary of A. R. John Contractors, Inc.

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

a corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Before me: Janet C. Stewart
Notary Public for Oregon
My commission expires: 8-14-77

Before me: Janet C. Stewart
Notary Public for Oregon
My commission expires: 8-14-77

MILIUCCI, Dano J. & Barbara J. and A. R. JOHN CONTRACTORS, Inc.

STATE OF OREGON, }
deeds

GRANTOR'S NAME AND ADDRESS
JOSSY, Donald W.
Route 1, Box 336
Cornelius, Oregon 97113

STATE OF OREGON }
County of Washington } ss.

AFTER RECORDING RETURN TO:
Donald W. Jossy
Route 1, Box 336
Cornelius, Oregon 97113

SPACE RESERVED FOR RECORDER'S USE

I, Roger Thomassen, Director of Records and Elections and Ex-Officio Recorder of Conveyances for said county, do hereby certify that the within instrument of writing was received and recorded in book of records.

No. _____ of said County.

Witness my hand and seal affixed.
ROGER THOMASSEN, Director of Records & Elections

Until a change is requested all tax statements shall be sent to the following address:
Donald W. Jossy
Route 1, Box 336
Cornelius, Oregon 97113

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RECEIVED

SEP 29 2008

WATER RESOURCES DEPT
SALEM, OREGON

see p 11

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