



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.

RECEIVED

1. APPLICANT INFORMATION

FEB 27 2009

A. Individuals

WATER RESOURCES DEPARTMENT
SALEM, OREGON

Applicant: KENNETH A. RASMUSSEN
First Last

Mailing address: 603 SW. LANXSPUR CT.

SUBMITTY ORE 97385
City State Zip

Phone: 503-769-9795 503-749-4949
Home Work Other

*Fax: _____ *E-Mail address: KEWRAS@MBS-MODULAR.COM

B. Organizations

NA

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

Name of organization: _____

Name and title of person applying: _____

Mailing address of organization: _____

City State Zip

Phone: _____
Day Evening

*Fax: _____ *E-Mail address: _____

* Optional information

For Department Use		
App. No. <u>G-17185</u>	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.

3. GROUND WATER DEVELOPMENT

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WATER RESOURCES DIVISION
SALENA, OREGON

A. Well Information

Number of well(s): 2

Name of nearest surface water body: NORTH SAHARAN RIVER

Distance from well(s) to nearest stream or lake: 1) 2700 FT TO WELL #2

2) 4150 FT TO WELL #1 3) _____ 4) _____

If distance from surface water is less than one mile, indicate elevation difference between nearest surface water and well head. 1) ≈ 13' TO WELL #2

2) ≈ 18 FT TO WELL #1 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: SIPPEL WELL DRILLING, INC

Address: 715 LAWRIDGE ST NE

KEIZER, OR 97303

Completion date: FALL 09

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"φ	12" - .25	60	10'	18'	20'	20'	WELL VENT	60'
2	12"φ	12" - .25	60	10'	18'	20'	20'	WELL VENT	60'

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:

NA.

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WATER RESOURCES DIVISION
SALEM, OREGON

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**

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	ALLUVIAL AQUIFER	IRRIGATION	150	9.0 MIL	150
2	ALLUVIAL AQUIFER	IRRIGATION	150	9.0 MIL	150

C. Maximum Rate of Use Requested

What is the maximum, instantaneous rate of water that will be used? 300 gpm - MANIFOLD
 (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: MARCH - OCTOBER
 (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: ≈ 50 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): 10-15 HP SUBMERSIBLE
- 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 _____ Length _____
- Other (describe) _____

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 WATER DIVISION
 SALLIE O'CONNOR

C. Application/Distribution Method

What equipment will you use to apply water to your place of use? ELEC. PUMP & DIESEL PUMP
TO UNDERGROUND PVC LINE TO FIELD TO

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

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

FEB 27 2001
WATER...
SALES...

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.

WATER PASTURE AND CROP - POSSIBLE VINYARD (DUP)
FERTILIZE AND CHECK SOIL MOISTURE - WATER EARLY OR LATE
ROTATE COW'S AND HAY AREAS - LIMIT ELECTRICAL PUMP USAGE TO NECESSARY

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: FALL 09 - SPRING 2010
Proposed date construction will be completed: SPRING 2010 - TO 2011
Proposed date beneficial water use will begin: SPRING 2010

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.

GROUND LINES MAY TAKE TIME WITH SET-UP AND FIELD PREP (3 YEARS)

8. MAP REQUIREMENTS

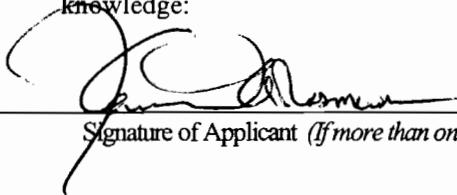
The Department cannot process your application without accurate information showing the source of water and location of water use. You must include a map with this application form that clearly indicates the township, range, section, and quarter/quarter section of the proposed well location and place 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:



Signature of Applicant *(If more than one applicant, all must sign.)*

2/16/09
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.



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: 50 Acres

Secondary: _____ Acres

FEB 27 1991

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. GRASS Full season Partial season (from: MARCH to OCT)
- 2. ALFALFA Full season Partial season (from: MARCH to OCT)
- 3. VINEYARD Full season Partial season (from: MARCH to OCT)
- 4. CORNHILL STRAW / CRP Full season Partial season (from: _____ to _____)

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

_____ 55 _____ 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
- ^{UP TO} Two or three times weekly during daytime ^{EARLY or LATE} _{ROTATE} Two or three times weekly during nighttime
- Weekly, during daytime hours Weekly, during nighttime hours

Other, explain: _____

G-17185



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: KEN RASMUSSEN
Mailing Address: 603 SW LARKSPUR CT
City: SUBUMITY State: OR Zip: 97385 Day Phone: 503-749-4949

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	1/4	Tax Lot #	Plan Designation (e.g. Rural Residential/RR-5)	Water to be:	Proposed Land Use:
95	1E	16	W 1/2	200	EFU	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	EFU
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
						<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. MARION
17674 N. SANTIAM HWY

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) NORTH SANTIAM CANYON RUN-OFF

Estimated quantity of water needed: _____ 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: ENLARGE EXISTING DRAINAGE SWALES TO IRRIGATE FROM WELL

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

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



Oregon

Theodore R. Kuligowski, 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.

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): 136.020

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.

FEB 27 2009

Name: Joe Fennimore Title: Principal Planner
 Signature: [Signature] Phone: (503) 586-5238 Date: 12/10/8
 Government Entity: Marion County

Marion County Planning Division

Note to local government representative: Please complete this form, 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.

555 Court St. NE, Room 2130
PO Box 14510
Salem, OR 97309

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

APN: R40649

Statutory Warranty Deed
- continued

File No.: 7083-1081781 (JAT)
Date: 08/08/2007

David Mulkey
[Signature]
EXHIBIT A

LEGAL DESCRIPTION:

A tract of land situated in the west half of Section 16, Township 9 South, Range 1 East of the Willamette Meridian, Marion County, Oregon, being more particularly described as follows:

Commencing at the northwest corner of the David Mulkey Donation Land Claim No. 47; thence South 16' 26' 20" West, 10.06 feet to intersect the south right of way line of North Santiam Highway (Oregon State Highway No. 22); thence along the said highway right of way, South 73° 33' 40" East, 2359.10 feet to a 5/8 inch rebar; thence South 06° 09' 50" West, 245.71 feet to a 1" iron bar for the True Point of Beginning; thence continue South 06° 09' 50" West, 78.00 feet to a 5/8 inch rebar thence North 86° 48' 43" East, 237.31 feet to a 5/8 inch rebar; thence North 04° 13' 10" East, 78.00 feet to intersect the North line of that tract of land as described in Reel 1269, Page 593, Marion County Records; thence along the said north line, North 86° 48' 43" East, 485.14 feet to a point on the south right of way line of said North Santiam Highway, 150.00 feet southerly of when measured at right angles to the centerline of said highway; thence along the north line of said tract described in said Reel 1269, Page 593, South 86° 48' 43" West, 29.49 feet to a point which is 160.00 feet when measured at right angles to the centerline of said North Santiam Highway; thence along the said south right of way line, South 73° 33' 40" East, 298.98 feet to a point on the east line of that tract of land described in said Reel 1269, Page 593; thence along the east line of said tract, South 02° 54' 20" East, 2720 feet more or less to the southeast corner of the said tract; thence along the south line of said tract, South 86° 39' 00" West, 1555.23 feet more or less to the southwest corner of the said tract; thence along the west line of said tract, North 03° 21' 00" West, 2824.80 feet to the northwest corner of the said tract; thence along the north line of said tract, North 86° 48' 43" East, 604.72 feet to the True Point of Beginning.

FEB 27 2009
NOTARIAL PUBLIC
SALMON, OREGON

SF

After recording, return to
(File No. 73456001)

Theresa M. Wade, Esq.
P. O. Box 749
Salem, Oregon 97308-0749

Until a change is requested, all tax statements
shall be sent to the following address:

NO CHANGE

FEB 27 2008

STATUTORY BARGAIN AND SALE DEED

(ORS 93.860)

Kenneth A. Rasmussen and Darla R. Rasmussen, as tenants by the entirety, Grantors, convey to Kenneth A. Rasmussen, Trustee of the Kenneth A. Rasmussen Revocable Living Trust dated September 30, 1997, as to an undivided one-half interest, and Darla Rasmussen, Trustee of the Darla Rasmussen Revocable Living Trust dated September 30, 1997, as to an undivided one-half interest, as tenants in common, Grantees, the following described real property located in Marion County, Oregon:

SEE EXHIBIT "A" APPENDED HERETO AND BY REFERENCE MADE A PART HEREOF.

SUBJECT TO: Covenants, conditions, restrictions and/or easements, if any, affecting title, liens and encumbrances, which may appear in the public record.

The true consideration for this conveyance is \$0.00 (transfer to Grantor Trust).

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. THIS INSTRUMENT 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, 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 ORS 197.352. SEE ORS 93.040(1)

DATED this 16 day of ~~October~~ ^{November}, 2007.

[Signature]
Kenneth A. Rasmussen

[Signature]
Darla R. Rasmussen

R 40649
091E16-
00200
2857-0084
1269-0593 (12
0781-0407 (16
Add ZTRUST
5090 each

A.T.S.

25

2891-0299

STATE OF OREGON)
) ss.
County of Marion)

This instrument was acknowledged before me on ~~October~~ ^{November} 16, 2007, by Kenneth A. Rasmussen and Darla R. Rasmussen.



Darla R. Klevie
NOTARY PUBLIC FOR OREGON
My Commission Expires: 4/5/2008

FEB 27 2008

2891-0299

EXHIBIT "A"
(Legal Description)

A tract of land situated in the west half of Section 16, Township 9 South, Range 1 East of the Willamette Meridian, Marion County, Oregon, being more particularly described as follows:

Commencing at the northwest corner of the David Mulkey Donation Land Claim No. 47; thence South 16°26'20" West, 10.06 feet to intersect the south right of way line of North Santiam Highway (Oregon State Highway No. 22); thence along the said highway right of way, South 73°33'40" East, 2359.10 feet to a 5/8 inch rebar; thence South 06°09'50" West, 245.71 feet to a 1" iron bar for the True Point of Beginning; thence continue South 06°09'50" West, 78.00 feet to a 5/8 inch rebar thence North 86°48'43" East, 237.31 feet to a 5/8 inch rebar; thence North 04°13'10" East, 78.00 feet to intersect the North line of that tract of land as described in Reel 1269, Page 593, Marion County Records; thence along the said north line, North 86°48'43" East, 485.14 feet to a point on the south right of way line of said North Santiam Highway, 150.00 feet southerly of when measured at right angles to the centerline of said highway; thence along the north line of said tract described in said Reel 1269, Page 593, South 86°48'43" West, 29.49 feet to a point which is 160.00 feet when measured at right angles to the centerline of said North Santiam Highway; thence along the said south right of way line, South 73°33'40" East, 298.98 feet to a point on the east line of that tract of land described in said Reel 1269, Page 593; thence along the east line of said tract, South 02°54'20" East, 2720 feet more or less to the southeast corner of the said tract; thence along the south line of said tract, South 86°39'00" West, 1555.23 feet more or less to the southwest corner of the said tract; thence along the west line of said tract, North 03°21'00" West 2824.80 feet to the northwest corner of the said tract; thence along the north line of said tract, North 86°48'43" East, 604.72 feet to the True Point of Beginning.

The above described real property has a situs address of 17674 N. Santiam Highway S.E. Stayton, Marion County, Oregon and bears Tax Account No. R40649.

FEB 27 2008

WATERBURY
COUNTY CLERK

SF



THIS SPACE RESERVED FOR RECORDER'S USE

After recording return to:
Kenneth A Rasmussen and Darla R
Rasmussen
603 SW Larkspur Ct
Sublimity, OR 97385

Until a change is requested all tax statements
shall be sent to the following address:
Kenneth A Rasmussen and Darla R
Rasmussen
603 SW Larkspur Ct
Sublimity, OR 97385

File No.: 7083-1081781 (JAT)
Date: August 08, 2007

FATCO 1081781

STATUTORY WARRANTY DEED

James Kevin Cartwright and Terri J. Baumann, as tenants by the entirety, Grantor, conveys and warrants to Kenneth A Rasmussen and Darla R Rasmussen as tenants by the entirety, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

See Legal Description attached hereto as Exhibit A and by this reference incorporated herein.

Subject to:

1. The 2007-2008 Taxes, a lien not yet payable.
2. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is \$475,000.00. (Here comply with requirements of ORS 93.030)

R40649

091E16-
00200

1269-059302
0781-0593(RC)

All

FEB 27 2009

A.T.S.

W

APN: R40649

Statutory Warranty Deed
- continued

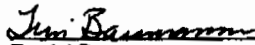
File No.: 7083-1081781 (JAT)
Date: 08/08/2007

2857 -
84

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. THIS INSTRUMENT 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, 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 ORS 197.352.

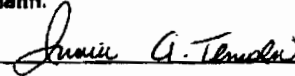
Dated this 20th day of August, 2007.


James Kevin Cartwright


Terri J Baumann

STATE OF Oregon)
County of Marion)ss.

This instrument was acknowledged before me on this 20th day of August, 2007
by James Kevin Cartwright and Terri J Baumann.


Notary Public for Oregon



My commission expires: 02/26/08

FEB 27 2008

G-17185
2857
84

APN: R40649

Statutory Warranty Deed
- continued

File No.: 7083-1081781 (JAT)
Date: 08/08/2007

EXHIBIT A

LEGAL DESCRIPTION:

A tract of land situated in the west half of Section 16, Township 9 South, Range 1 East of the Willamette Meridian, Marion County, Oregon, being more particularly described as follows:

Commencing at the northwest corner of the David Mulkey Donation Land Claim No. 47; thence South 16' 26' 20" West, 10.06 feet to intersect the south right of way line of North Santiam Highway (Oregon State Highway No. 22); thence along the said highway right of way, South 73° 33' 40" East, 2359.10 feet to a 5/8 inch rebar; thence South 06° 09' 50" West, 245.71 feet to a 1" iron bar for the True Point of Beginning; thence continue South 06° 09' 50" West, 78.00 feet to a 5/8 inch rebar thence North 86° 48' 43" East, 237.31 feet to a 5/8 inch rebar; thence North 04° 13' 10" East, 78.00 feet to intersect the North line of that tract of land as described in Reel 1269, Page 593, Marion County Records; thence along the said north line, North 86° 48' 43" East, 485.14 feet to a point on the south right of way line of said North Santiam Highway, 150.00 feet southerly of when measured at right angles to the centerline of said highway; thence along the north line of said tract described in said Reel 1269, Page 593, South 86° 48' 43" West, 29.49 feet to a point which is 160.00 feet when measured at right angles to the centerline of said North Santiam Highway; thence along the said south right of way line, South 73° 33' 40" East, 298.98 feet to a point on the east line of that tract of land described in said Reel 1269, Page 593; thence along the east line of said tract, South 02° 54' 20" East, 2720 feet more or less to the southeast corner of the said tract; thence along the south line of said tract, South 86° 39' 00" West, 1555.23 feet more or less to the southwest corner of the said tract; thence along the west line of said tract, North 03° 21' 00" West, 2824.80 feet to the northwest corner of the said tract; thence along the north line of said tract, North 86° 48' 43" East, 604.72 feet to the True Point of Beginning.

FEB 27 2008



THIS SPACE RESERVED FOR RECORDER'S USE

FEB 27 2008

RECORDED

FATCO 1081781

After recording return to:
Kenneth A Rasmussen and Darla R Rasmussen
603 SW Larkspur Ct
Sublimity, OR 97385

Until a change is requested all tax statements shall be sent to the following address:
Kenneth A Rasmussen and Darla R Rasmussen
603 SW Larkspur Ct
Sublimity, OR 97385

File No.: 7083-1081781 (JAT)
Date: August 08, 2007

STATUTORY WARRANTY DEED

James Kevin Cartwright and Terri J. Baumann, as tenants by the entirety, Grantor, conveys and warrants to **Kenneth A Rasmussen and Darla R Rasmussen as tenants by the entirety**, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

See Legal Description attached hereto as Exhibit A and by this reference incorporated herein.

Subject to:

1. The **2007-2008** Taxes, a lien not yet payable.
2. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is **\$475,000.00**. (Here comply with requirements of ORS 93.030)

APN: R40649

Statutory Warranty Deed
- continued

File No.: 7083-1081781 (JAT)
Date: 08/08/2007

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. THIS INSTRUMENT 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, 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 ORS 197.352.

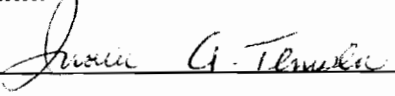
Dated this 20th day of August, 2007.

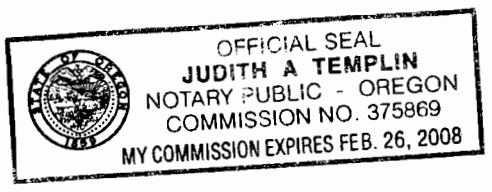

James Kevin Cartwright


Terri J Baumann

STATE OF Oregon)
)ss.
County of Marion)

This instrument was acknowledged before me on this 20th day of August, 2007
by **James Kevin Cartwright and Terri J Baumann.**





Notary Public for Oregon
My commission expires: 02/26/08

FEB 27 2008

G-77185

APN: R40649

Statutory Warranty Deed
- continued

File No.: 7083-1081781 (JAT)
Date: 08/08/2007

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FEB 27 2009
MARION COUNTY CLERK
COURT HOUSE
MARIETTA, OREGON

REEL:2857

PAGE: 84

August 23, 2007, 11:27 am.

CONTROL #: 204029

RECORDED

FEB 27 2009

State of Oregon
County of Marion

CLERK

I hereby certify that the attached instrument was received and duly recorded by me in Marion County records:

FEE: \$ 36.00

BILL BURGESS
COUNTY CLERK

THIS IS NOT AN INVOICE.