



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem Oregon 97301-1266
 (503) 986-0900
 www.wrd.state.or.us

Application for a Permit to Use Surface 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.

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1. APPLICANT INFORMATION

A. Applicants

Applicant: Ron and Jamie Lewis Contact Person: Martha Pagel*
First Last

Mailing Address: 20650 S. Highway 99W
Amity Oregon 97101
City State Zip

Phone: 503.835.0740
Home Work Other

*Fax: 503.835.0957 *Email Address: blueraeven@cs.com

B. Organizations

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

Name of Organization: DeRaeve Family LLC

Name and Title of Person Applying: Ed DeRaeve, member Contact Person: Martha Pagel*

Mailing Address or Organization: P.O. Box 3
McMinnville Oregon 97218
City State Zip

Phone : 503.472.4003 - D&D Electric 503.437.3329 cell
Day Evening

*Fax: _____ *Email Address: _____

**Optional*

*Martha O. Pagel, Schwabe Williamson & Wyatt
 530 Center St NE, Ste 400, Salem, OR 97301
 ph. 503.540.4260; fax 503.796.2900; mpagel@schwabe.com

For Department Use		
App. No. <u>5-87530</u>	Permit No. _____	Date _____

Last Updated: 3/31/2009

Surface Water/1

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SALEM, OREGON

2. SOURCE AND PROPERTY OWNERSHIP

A. The Proposed Source of Water

Provide the commonly used name of the water body from which water will be diverted, and the name of the stream or lake it flows into. If unnamed, say so:

Source 1: Unnamed ("Back") Reservoir Tributary to: Unnamed Stream tributary to Ash Swale
 Source 2: _____ Tributary to: _____
 Source 3: _____ Tributary to: _____
 Source 4: _____ Tributary to: _____

If any source listed above is stored water that is authorized under a water right permit, certificate, or decree, attach a copy of the document or list the document number (for decrees, list the volume, page and/or decree name).

Unnamed Reservoir ("Back" Reservoir)
 Application R-67984, Permit R-10482, Certificate 83202
 Application R-71578, Permit R-11459, Certificate 85348

B. Applications to Use Stored Water

Complete this section if any source listed in item 2A above is stored water.

Do you, or will you, own the reservoir(s) described in item 2A above?

Yes

No. (Please enclose a copy of your written notification to the operator of the reservoir of your intent to file this application, which you should have already mailed or delivered to the operator.)

If *all* sources listed in item 2A are stored water, the Department will review your application using the expedited process provided in ORS 537.147, unless you check the box below. Please see the instruction booklet for more information.

By checking this box, you are requesting that the Department process your application under the standard process outlined in ORS 537.150 and 537.153, rather than the expedited process provided by ORS 537.147. To file an application under the standard process, you must enclose the following:

- A copy of a signed non-expired contract or other agreement with the owner of the reservoir (if not you) to impound the volume of water you propose to use in this application.
- A copy of your written agreement with the party (if any) delivering the water from the reservoir to you.

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Surface Water/2

C. Property Ownership

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

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

- 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.

See remarks

3. 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 amount of water you propose to use from each source, for each use, in cubic feet-per-second (cfs) or gallons-per-minute (gpm). If the proposed use is from storage, provide the amount in acre-feet (af):

(1 cfs equals 448.8 gpm. 1 acre-foot equals 325,851 gallons or 43,560 cubic feet)

Source	Type of use	Amount
Unnamed Reservoir	Irrigation	47 <input type="radio"/> cfs <input type="radio"/> gpm <input checked="" type="radio"/> af
Cert. 83202		<input type="radio"/> cfs <input type="radio"/> gpm <input type="radio"/> af
Unnamed Reservoir		16 <input type="radio"/> cfs <input type="radio"/> gpm <input checked="" type="radio"/> af
Cert. 85348		<input type="radio"/> cfs <input type="radio"/> gpm <input type="radio"/> af

C. Period of Use

Indicate the time of year you propose to use the water: March 1 - October 31
(For seasonal uses like irrigation give dates when water use would begin and end, e.g. March 1-October 31.)

If you will be applying water to land, indicate the total number of acres where water will be applied or used: 785.29
(This number should be consistent with your application map.)

4. WATER MANAGEMENT

A. Diversion

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

- Pump (give horsepower and pump type): See remarks
- Head-gate (give dimensions): _____
- other means (describe): _____

B. Monitoring

How will you monitor your diversion to be sure you are within the limits of your water right (allowed rate and duty) and you are not wasting water?

- Weir
- Meter
- Periodic Sampling
- other means (describe): _____

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C. 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 See remarks Length _____

other, describe: _____

D. Application/Distribution Method

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

See below

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

- Flood
- Drip
- Hand Lines
- Siphon tubes or gated pipe with furrows
- other, describe: Lanier pivot, tripod guns, reel hose guns
- 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.

Drip irrigation and plastic mulch used on blueberries, grape stock and vegetables.

Sprinkler and big gun irrigation on grass seed - equipment on hand and ease of application on open fields.

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5. RESOURCE PROTECTION

A. Protection Practices

In granting permission to use water from a stream or lake, the state encourages, and in some instances requires, careful control of activities that may affect the waterway or streamside area. See instruction guide for a list of possible permit requirements from other agencies. Please indicate any of the practices you plan to undertake to protect water resources.

- Diversion will be screened to prevent uptake of fish and other aquatic life. Describe planned actions:

Existing pumps in reservoir all already screened.

- Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas. Describe planned actions:

No excavation will be done - existing reservoir and pump sites.

- Operating equipment in a water body will be managed and timed to prevent damage to aquatic life. Describe:

No additional construction necessary.

- Water quality will be protected by preventing erosion and run-off of waste or chemical products. Describe:

Farm fields are separated from reservoir and stream by 40-foot vegetated buffer. Water application is as plants require without over-watering. Drip system for portion of irrigation area. Fertigation applied conservatively so as not to allow excess application - applied with mechanical equipment at metered doses.

- Other:

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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: See attached remarks

Proposed date construction will be completed: See attached remarks

Proposed date beneficial water use will begin: See attached remarks

Is this project fully or partially funded by the American Recovery and Reinvestment Act? (Federal stimulus dollars) Yes No

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.

See attached sheet

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 points of diversion and place of use. The map must provide tax lot numbers. See the map guidelines sheet for detailed map specifications.

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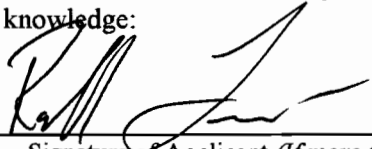
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9. SIGNATURE

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:



9-2-09

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

Date

Ron Lewis

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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9. SIGNATURE

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- 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:

Ed DeRaeve

9-2-09

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

Date

Ed DeRaeve for DeRaeve Family LLC

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.
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Oregon Water Resources Department

FORM I
FOR IRRIGATION USE

1. Please indicate whether you are requesting a primary or supplemental water right, as well as the number of acres that will be irrigated for each type. The acreages must match those shown on the map submitted with your application.

- Primary: Acres
Supplemental: 785.29 Acres (supplemental irrigation can be used only when the primary right is not available, and must match the season of the primary right)

List the permit or certificate number of the primary water right that underlies each supplemental right.

Table with 2 columns: Circle one, Season Allowed. Rows include Permit/Certificate # 83200 and 83203, with corresponding Season Allowed entries of March 1 - October 31.

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

63.0 acre-feet (typically 2.5 or 3.0 acre-feet per acre)
(1 acre-foot equals 12 inches of water spread over 1 acre, or 43,560 cubic feet, or 325,851 gallons)

3. For Limited License applications proposing to use water for irrigation. If for use of stored water, a limited license may be issued for up to one year with a valid contract for stored water per ORS 537.143(9). A limited license may also be issued for irrigation from live flow or groundwater, if the sole purpose is to establish a crop for which no further irrigation will be required after the crop is established per ORS 537.143(6)(a). Please describe the proposed project and indicate if stored water, live flow, or groundwater is to be used. When irrigation is needed to establish a crop, you must justify why more than one year is required.



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Last revision August 4, 2009

Application for a Permit to Use Surface Water

**APPLICANTS: DeRaeve Family, LLC
Ron & Jamie Lewis**

GENERAL COMMENTS:

- A) The water from this reservoir may be released downstream into the adjacent DeRaeve Reservoir (Certificate 83204) for diversion by irrigation pumps.
- B) We are requesting the ability to pump at any point along the Unnamed Reservoir or the DeRaeve Reservoir.
 POD = SE 1/4
 SE 1/4, SW 1/4
 Sec 7

 W 1/2, NE 1/4
 N 1/2, NW 1/4
 Sec 18

 T6S, R4W, WM
-

ADDITIONAL INFORMATION TO SPECIFIC QUESTIONS:

- 2.A. The Unnamed Reservoir is also known as the "Back Reservoir"
- 2.C. All Property is owned by the DeRaeve Family, LLC or Ron & Jamie Lewis except for:
- 1) Union Pacific Railroad (formerly Southern Pacific Railroad)
 An irrigation pipeline currently crosses the railroad right-of-way, at the south edge of the access road, and has been in place since 1976±. No new construction is needed.

Union Pacific
 PO Box 2500 Union Pac Corp
 Broomfield, Colorado 80038-2500

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DeRaeve & Lewis
 Page 1 of 2

2) Tax Lots 6.4.17.500 and 6.4.20.300
Brian C. Finn
7585 N Pacific Hwy Wet Hwy
Rickreall, OR 97371

3) Tax Lot 6.4.17.600
The Lillie May Romig Trust
Evelyn R. Landforce, Trustee
4010 West Hills Road SW
Corvallis, OR 97333

4.A. Multiple pumps are used to withdraw water:
75 hp centrifugal
50 hp centrifugal
30 hp centrifugal
75 hp diesel pto
50 hp booster pump

4.C. Pipe used to transport water
8-inch 14,400 LF
6-inch 11,450 LF
4-inch 4,900 LF
2-inch 674,000 LF

6. *Proposed date construction will begin:*
The dam, reservoir, pumps, piping and sprinklers are already in place and complete from earlier water rights dating to 1976.

Proposed date construction will be completed:
The dam, reservoir, pumps, piping and sprinklers are already in place and complete from earlier water rights dating to 1976.

Proposed date beneficial water use will begin:
During the 2010 irrigation season.

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DeRaeve Family LLC
(Legal Description)

Beginning at the most northerly northwest corner of that tract of land conveyed to the DeRaeve Family LLC by that deed recorded in BOR 350, Page 1315 of the Polk County Deed Records, said point bears South 1419 feet and West 2618.22 feet from the northeast corner of the John McCarty Donation Land Claim No. 46 in Township 6 South, Range 4 West of the Willamette Meridian in Polk County, Oregon, and running thence South along the most northerly west line of said DeRaeve tract of land 1222.32 feet to a reentrant corner in said west line; thence West, 2662 feet, more or less, to a point on the west line of the John McCarty Donation Land Claim No 76 in Township 6 South, Range 5 West of the Willamette Meridian in Polk County, Oregon; thence South, along said west line, 40.00 feet thence East 1234.86 feet; thence South 2611.88 feet to a point on the south line of said McCarty Donation Land Claim No 46 which bears East 1234.86 feet from the southwest corner of the McCarty Donation Land Claim No. 76; thence East, along said south claim line, 1420.98 feet to an angle point in the south line of the before-said DeRaeve tract of land; thence North 425.97 feet to a reentrant corner in said south line; thence South 88° 42' East, along the south line of said DeRaeve tract of land, 1225 feet, more or less, to the centerline of Ash Swale; thence northerly and easterly, downstream along said Ash Swale centerline, to a point on the north line of said DeRaeve tract of land, which point bears East 2274 feet, more or less, from the point of beginning; thence West 2274 feet, more or less, to the point of beginning and containing 208 acres of land, more or less, all being situated within the south half of Section 7 and the north quarter of Section 18 in Township 6 South, Range 4 West and the northeast quarter of the southeast quarter of Section 12 in Township 6 South, Range 5 West of the Willamette Meridian in Polk County, Oregon.

TOGETHER WITH:

Beginning at a point on the west right-of-way line of Pacific Highway West 99W, said point measures 30 feet from the centerline of said Highway when measured at right angles thereto and also measures West 30 feet from the southeast corner of Lot 2 in Section 17 of Township 6 South, Range 4 West of the Willamette Meridian in Polk County, Oregon and running thence West, along the south line of said Lot 2 and the south line of Lot 1 of Section 17 and the north line of the southeast quarter of Section 18 in said Township and Range, 2446 feet, more or less, to the intersection of said north line with the easterly line of that tract of land conveyed to the Southern Pacific Company by deed recorded in Volume 109, Page 391 of the Polk County Deed Records, said point being 10 feet East of that 60 foot wide right-of-way conveyed to the Western Oregon Railroad Company; thence North 1° 29' East, parallel with the Southern Pacific Company's West Side Branch and along the east line of the said Southern Pacific Company tract of land, 30.33 feet, more or less, to a point; thence East, parallel with said quarter section line, 70.00 feet; thence North 1° 29' East, 150.0 feet; thence West, parallel with said quarter section line, 80.00 feet to a point on the east line of said Western Oregon Railroad Company right-of-way, which bears North 1° 29' East, 180.0 feet from the southwest corner of said Southern Pacific Company tract of land; thence, continuing North 1° 29' East, along said east right-of-way line, 1300 feet, more or less, to a one degree curve to the right; thence through said curve on an arc distance of 781 feet, more or less, to a point of tangency; thence North 09° 02' East 1350 feet, more or less, to the point of intersection of said east right-of-way line with the south line of

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that tract of land conveyed to S. Leslie Stewart and Marjorie N. Stewart by deed recorded in Volume 155, Page 409 of the Polk County Deed Records; thence East, along the south line of said Stewart tract of land, 2123 feet, more or less, to a point on the west right-of-way line of the beforesaid Pacific Highway West 99W, which point measures 30 feet from the centerline of said Highway when measured at right angles thereto; thence Southerly, along said Highway right-of-way line, 2303 feet, more or less to the intersection of said right-of-way line with the most westerly south line of the Horace Burnett Donation Land Claim No. 45 in said Township and Range; thence Westerly, along said claim line, 315.00 feet; thence Southerly, parallel with the beforesaid west right-of-way line of Highway 99W, 332.00 feet; thence Easterly, parallel with the most westerly south line of said Burnett Claim, 315.00 feet to said west right-of-way line; thence Southerly along said west right-of-way line, 955 feet, more or less to the point of beginning and containing 190 acres of land, more or less, all being situated within the southeast quarter of Section 7, the southwest quarter of Section 8, the northwest quarter of Section 17 and the northeast quarter of Section 18 in Township 6 South, Range 4 West of the Willamette Meridian in Polk County, Oregon

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SALEM, OREGON

58730

Grantor's Name and Address
 FINN
 FINN
 Grantor's Name and Address
 Brian C. Finn
 7585 Pacific Hwy W
 Rickreall, OR 97371
 Grantor's Name and Address
 Brian C. Finn
 7585 Pacific Hwy W
 Rickreall, OR 97371

SPACE RESERVED FOR RECORDER'S USE

STATE OF OREGON,) ss.
 County of _____)
 I certify that the within instrument was received for record on the _____ day of _____, 19____, at _____ o'clock _____ M., and recorded in book/reel/volume No. _____ on page _____ and/or as fee/file/instrument/microfilm/reception No. _____, Records of said County.
 Witness my hand and seal of County affixed.
 NAME _____ TITLE _____
 By _____, Deputy.

BARGAIN AND SALE DEED

KNOW ALL BY THESE PRESENTS that BRIAN C. FINN and TERRY A. FINN, as tenants by the entirety
 hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto BRIAN C. FINN, a married man
 hereinafter called grantee, and unto grantee's heirs, successors and assigns, all of that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in Polk County, State of Oregon, described as follows, to-wit:

ALL OF THE FOLLOWING DESCRIBED PROPERTY WHICH LIES NORTH OF THE NORTHERLY LINE OF BETHEL ROAD.

Beginning at the Northwest corner of Section 20, Township 6 South, Range 4 West of the Willamette Meridian, Polk county, Oregon, described as follows: Beginning at the Northwest corner of said Section 20; thence South 00° 01' 50" East along the Section line a distance of 1320.00 feet to an iron rod; thence North 89° 20' 40" East 1854.25 feet to an iron rod set on the West right of way line of Highway 99 West; thence North 00° 21' 52" West along said right of way line 1500.31 feet to its intersection with the centerline of Bethel Road; thence North 00° 20' 40" West along the Westerly right of way line of said highway, a distance of 749.75 feet to an iron rod; thence West 128.8 feet to an iron rod; thence South 00° 03' East 398.00 feet to an iron rod; thence West 1146.40 feet to an iron rod; thence North 00° 00' 45" East 1878.00 feet to an iron rod; thence West 564.88 feet to an iron rod set 422.00 feet South of the quarter corner between Sections 17 and 18; thence South 00° 02' 15" West along the Section line a distance of 1879.23 feet; thence North 89° 43' 50" East 25.00 feet to an iron rod; thence south 00° 02' 15" West 350.00 feet; thence South 89° 43' 50" West 25.00 feet to the point of beginning.

Key Title 16-15339

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(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE)

To Have and to Hold the same unto grantee and grantee's heirs, successors and assigns forever.
 The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 0. However, the actual consideration consists of or includes other property or value given or promised which is part of the the whole (indicate which) consideration. (The sentence between the symbols @, if not applicable, should be deleted. See ORS 93.030.)
 In construing this deed, where the context so requires, the singular includes the plural, and all grammatical changes shall be made so that this deed shall apply equally to corporations and to individuals.
 IN WITNESS WHEREOF, the grantor has executed this instrument this 15th day of October, 1998; if grantor is a corporation, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

THIS INSTRUMENT WILL 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 90.930.
 Brian C. Finn Terry A. Finn

STATE OF OREGON, County of Marion) ss. This instrument was acknowledged before me on October 15, 1998



Linda S. Leach
 Notary Public for Oregon
 My commission expires 2-22-2002

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5-87530

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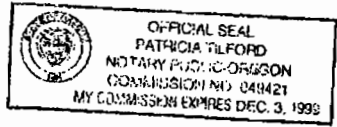
STATE OF OREGON,

County of Jackson } ss.

FORM No. 23—ACKNOWLEDGMENT,
Stevens-Hess Law Publishing Co., Inc.
Portland, OR 97204 © 1992

BE IT REMEMBERED, That on this 16 day of October, 1998,
before me, the undersigned, a Notary Public in and for the State of Oregon, personally appeared the within
named Greg A. Gunn
known to me to be the identical individual..... described in and who executed the within instrument and
acknowledged to me that she.....executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed
my official seal the day and year last above written.



Patricia Tilford
Notary Public for Oregon
My commission expires 12-3-99

455096

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State of Oregon
County of Polk
I hereby certify that this instrument was
received and duly recorded by me in
Polk County records.
LD
Linda Dawson, County Clerk

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IDA 220 PAGE 1086

BARGAIN AND SALE DEED

LILLIE MAY ROMIG, Grantor, conveys to EVELYN S. LANDFORCE, Trustee of the THE LILLIE MAY ROMIG TRUST dated Feb 22nd 1979

1989, Grantee, the following described real property: Beginning at the Northwest corner of the donation land claim of William M. Turpin and wife, Claim No. 17, Notification No. 257, in Township 6N South, Range 1E West, in Polk County, Oregon; and running thence South 40.00 chains; thence East 40.00 chains; thence North 40.00 chains; thence West 40.00 chains to the place of beginning, containing 160 acres more or less.

This instrument does not guarantee that any particular use may be made of the property described in this instrument. A buyer should check with the appropriate city or county planning department to verify approved uses.

The true and actual consideration for this conveyance is the conveyance to Trust and retention of beneficial interest.

DATED this 22nd day of February, 1979.

Lillie May Romig (Signature) LILLIE MAY ROMIG

STATE OF OREGON) ss. County of Benton)

Personally appeared the above named LILLIE MAY ROMIG and acknowledged the foregoing instrument to be her voluntary act and deed.



(Signature) Notary Public for Oregon Commission Expires 2-27-82

PAGE 1 BARGAIN AND SALE DEED

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WATER RESOURCES DEPT SALEM, OREGON

2 24 89

FEB 24 1989

BOR 220 PAGE 1087

327722

STATE OF OREGON } ss.
County of Polk }
I hereby certify that the
within was received and duly
recorded by me in Polk
County records:

JAMES R. PARK, P.C.
ATTORNEY AT LAW
761 N.W. Harrison Blvd.
P.O. Box 220
Corvallis, Oregon 97339-0220
503 754-2111

B.O.R. 220 Page 1086

FILED
POLK COUNTY OREGON

23 FEB 24 PM 1:27

LINDA DAWSON
COUNTY CLERK
BY [Signature] DEPUTY

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WATER RESOURCES DEPT
SALEM, OREGON

5-47530

STATUTORY WARRANTY DEED

Grantor: De Raeve Family LLC
Grantee: Ronald J. Lewis and Jamie L. Lewis

Until a change is requested, all tax statements shall be sent to the following address:
Investment Property Exchange Services, Inc.
8701 N Pacific Hwy W.
Rickreall OR 97371

After Recording return to:
Investment Property Exchange Services, Inc.
8701 N Pacific Hwy W.
Rickreall OR 97371

Escrow No. 879279 LPZ
Title No. 879278

RECORDED IN POLK COUNTY 2007-005188
Valerie Unger, County Clerk



\$41.00

00176970200700051880040047 04/05/2007 10:29:36 AM

REC-COR Cnt=1 Str=1 K. WILLIAMS
\$20.00 \$10.00 \$11.00

RECORDED IN POLK COUNTY 2006-015752
Valerie Unger, County Clerk



\$36.00

00189164290000167820030034 09/21/2006 02:42:47 PM

REC-WD Cnt=1 Str=1 K. WILLIAMS
\$18.00 \$10.00 \$11.00

DE RAEVE FAMILY LLC, AN OREGON LIMITED LIABILITY COMPANY, Grantor, conveys and warrants to RONALD J. LEWIS AND JAMIE L. LEWIS, AS TENANTS BY THE ENTIRETY, Grantee, the following described real property free of encumbrances except as specifically set forth herein situated in Polk County, Oregon, to wit:

See legal description attached and made a part hereto

*BEING RE RECORDED TO CORRECT

The said property is free from encumbrances except: See Attached Special Exceptions THE LEGAL DESCRIPTION

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.

The true consideration for this conveyance is \$1,030,000.00. As paid by an accommodator pursuant to an IRC Section 1031 Exchange. (Here comply with the requirements of ORS 93.030).

Dated this 19 day of Sept, 2006.

DeRaeve Family LLC, An Oregon Limited Liability Company

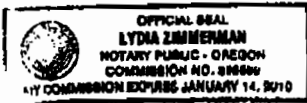
Edward DeRaeve
Edward DeRaeve.

State: OR
County: Polk

The foregoing instrument was acknowledged before me this 19 day of Sept, 2006 by:

Edward DeRaeve, of De Raeve Family LLC

Lydia Zimmerman
Notary Public
My Commission Expires: Jan 14 2010



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WATER RESOURCES DEPT
SALEM, OREGON

TICOR TITLE

200611126

SPECIAL EXCEPTIONS:

Taxes for the fiscal year 2006-2007, a lien in an amount to be determined, but not yet payable.

The assessment and tax rolls disclose that the premises herein described have been specially assessed as Farm Use Land. If the land becomes disqualified for the special assessment under the statute, an additional tax may be levied for previous years in which the farm use assessment was in effect for the land. In addition thereto, a penalty may be levied if notice of disqualification is not timely given.

The rights of the public in and to that portion of the premises herein described lying within the limits of public roads, streets and highways.

The following matters are excluded from the coverage of the policy based on the proximity of the property to Ash Creek (Ash Swale).

- a. Rights of the public and governmental bodies (including claims of ownership) to that portion of the premises lying below the high water mark of Ash Creek (Ash Swale).
- b. Any adverse claim based on the assertion that:
 - i. Some portion of said land has been created by artificial means, or has accreted to such portion so created.
 - ii. Some portion of said land has been brought within the boundaries thereof by an avulsive movement of Ash Creek (Ash Swale) or has been formed by accretion to such portion.

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WATER RESOURCES DEPT
SALEM, OREGON

LEGAL DESCRIPTION

A tract of land in Sections 7, 8 and 18, Township 6 South, Range 4 West, Polk County, Oregon, being part of that tract of land described in deed a from Patricia A. DeRaeve to the DeRaeve Family LLC and recorded in Book 350, Page 1315, Polk County, Deed Records, and being more particularly described as follows:

Beginning at the Northeast corner of the John McCarty Donation Land Claim No. 48; thence East 765 feet more or less along the North line of said DeRaeve tract (Parcel 3) to the Westerly margin of the Western Oregon Railroad Co. as described in deed recorded in Volume 12, Page 366; thence Southerly 5,000 more or less along the Westerly margin to the south line of said DeRaeve tract which is on record as being 74.70 chains South of the Northeast corner of the John McCarty DLC No. 48; thence West 1050 feet more or less along the South line said DeRaeve tract to the center of the creek; thence Northerly and Northeasterly along the center of said creek to the North line of said tract; thence East 200 feet more or less along said North line of a point that is 25.00 chains South of the Northeast corner of the John McCarty DLC No. 48; thence North 21.60 chains along the West line of said DeRaeve tract to the point of beginning.

CERTIFIED TO BE A TRUE AND CORRECT COPY OF THE ORIGINAL
/ALEXIE LINGER, Polk County Clerk
Alexie Linger Deputy

Page 4
Report No. 200611126

[Handwritten signature]

Serving Oregon Since 1908

3 of 3
4

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WATER RESOURCES DEPT
SALEM, OREGON

EXHIBIT "A"
LEGAL DESCRIPTION

A tract of land in Sections 7, 8 and 18, Township 6 South, Range 4 West, Polk County, Oregon, being part of that tract of land described in deed a from Patricia A. DeRaeve to the DeRaeve Family LLC and recorded in Book 350, Page 1315, Polk County, Deed Records, and being more particularly described as follows:

Beginning at the Northeast corner of the John McCarty Donation Land Claim No. 46; thence East 765 feet more or less along the North line of said DeRaeve tract (Parcel 3) to the Westerly margin of the Western Oregon Railroad Co. as described in deed recorded in Volume 12, Page 366; thence Southerly 5,000 feet more or less along the Westerly margin to the south line of said DeRaeve tract (Parcel 1) which is on record as being 74.70 chains South of the Northeast corner of the John McCarty DLC No. 46; thence West 1650 feet more or less along the South line said DeRaeve tract to the center of the creek; thence Northerly and Northeasterly along the center of said creek to the North line of said tract (Parcel 3); thence East 200 feet more or less along said North line to a point that is 21.50 chains South of the Northeast corner of the John McCarty DLC No. 46; thence North 21.50 chains along the West line of said DeRaeve tract to the point of beginning.

END OF LEGAL DESCRIPTION

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Title No. 2009-121
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WATER RESOURCES DEPT
SALEM, OREGON

MS

PATRICIA A. DERA EVE

DERAEVE FAMILY LLC

Grantee's Name and Address

DERAEVE FAMILY LLC
 904 Y. Rd.
 McManisville, OR 97128

Grantor's Name and Address

DERAEVE FAMILY LLC
 NO CHANGE

After recording, return to (Name, Address, Zip):

DERAEVE FAMILY LLC

Until requested otherwise, send all tax statements to (Name, Address, Zip):

DERAEVE FAMILY LLC

NO CHANGE

442615

STATE OF OREGON,
 County of _____ } ss.

I certify that the within instrument was received for record on the _____ day of _____, 19____, at _____ o'clock _____ M., and recorded in book/reel/volume No. _____ on page _____ and/or as fee/file/instrument/microfilm/reception No. _____ Records of said County.

Witness my hand and seal of County Affixed.

15
 19

By _____ Deputy.

LINDA DAWSON
 COUNTY CLERK

BARGAIN AND SALE DEED

KNOW ALL BY THESE PRESENTS that PATRICIA A. DERA EVE

hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto DERA EVE FAMILY LLC

hereinafter called grantee, and unto grantee's heirs, successors and assigns, all of that certain real property, with the tenements, hereditaments and appurtenances thereto belonging or in any way appertaining, situated in POLK County, State of Oregon, described as follows, to-wit:

SEE ATTACHED EXHIBIT "A"

OREGON TITLE INS. CO. S-87530

B350P1315 98 BAR 10 AM 11:26

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(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE)

To Have and to Hold the same unto grantee and grantee's heirs, successors and assigns forever.

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

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

IN WITNESS WHEREOF, the grantor has executed this instrument this 18 day of February, 1998; if grantor is a corporation, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

THIS INSTRUMENT WILL 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 30.830.

Patricia A. Deraeve

STATE OF OREGON, County of Yamhill

This instrument was acknowledged before me on February 18, 1998

by PATRICIA A. DERA EVE

This instrument was acknowledged before me on _____, 19____

by _____

as _____



Tracy L. Beck

Notary Public for Oregon

My commission expires 8-21-98

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SEP 15 2009

WATER RESOURCES DEPT SALEM, OREGON

PARCEL I
TAX ACCOUNT 231826

Beginning at a point which is South 44.52 chains from the Northeast corner of the Donation Land Claim of John McCarty, Notification No. 252, Claim No. 46, in Township 6 South, Range 4 West of the Willamette Meridian in County of Polk, State of Oregon; thence North 89° 32' West, 39.73 chains; thence South 0° 08' West, 29.55 chains; thence South 88° 42' East, 39.82 chains; thence North, 30.18 chains to the place of beginning.

B350P1316

PARCEL II
TAX ACCOUNT 231772

Beginning at a point, 36.31 chains North of the Southwest corner of the Horace Burnett and wife Donation Land Claim No. 45 in County of Polk and State of Oregon; and at an initial pipe post at said point; thence running East 38.25, chains to the center of the County Road; thence North, 25 feet; thence West, 38.25 chains; thence South 25, feet to the place of beginning.

98HAR 10 APR 11:24

SAVE AND EXCEPT the Southern Pacific Railroad right of way within said description.

PARCEL III
TAX ACCOUNT 231727 AND 454807

TL 600 TL 601

Beginning at a point which is South, 44.52 chains from the Northeast corner of the Notification Land Claim of John McCarty, Notification No. 252, Claim No. 46, in Township 6 South, Range 4 West of the Willamette Meridian in County of Polk, State of Oregon; thence North 89° 32' West, 39.73 chains; thence South 0° 08' West, 29.55 chains; thence South 88° 42' East, 39.82 chains; thence North, 30.18 chains to the place of beginning.

ALSO: Beginning at a point South 25 chains from the Northeast corner of the John McCarty and wife, Donation Land Claim, Notification No. 252, Claim No. 46, in Township 6 South, Range 4 West of the Willamette Meridian in County of Polk, State of Oregon; thence West, 11.50 chains; thence North, 3.50 chains; thence West, 28.17 chains; thence South 0° 08' West, 22.73 chains; thence South 89° 32' East, 39.73 chains; thence North, 19.52 chains to the place of beginning.

ALSO: A part of the Donation Land Claim of John McCarty and wife, in Township 6 South, Range 4 West of the Willamette Meridian in County of Polk, State of Oregon, and said part bounded as follows: Beginning at a point, 25 chains South of the Northeast corner of said Donation Land Claim; thence running West 11.50 chains; thence North, 3.50 chains; thence East, 11.50 chains to the East line of said Donation Land Claim; thence South, 3.50 chains to the place of beginning.

ALSO: Beginning at a point, 40.18 chains North and 18.71 chains East of a stone at the Southwest corner of the John McCarty and wife Donation Land Claim Notification No. 252, Claim No. 46, in Township 6 South, Range 4 West of the Willamette Meridian in County of Polk, State of Oregon; and running thence East, 21.53 chains; thence South, 40.18 chains; thence West, 21.53 chains and thence North, 40.18 chains to the place of beginning.

ALSO: Beginning at at the Northwest corner of the above described tract; and running thence West, 18.71 chains; thence South, 40 feet; thence East, 18.71 chains; and thence North, 40 feet to the place of beginning.

ALSO: Beginning at a point 36 chains and 31 links North of the Southwest corner of Horace G. Burnett and wife Donation Land Claim No. 45, in County of Polk, State of Oregon, and at a metal pipe post at said point running thence West, 75 feet; thence North, 25 feet; thence East, 75 feet; thence South 25 feet to the place of beginning.

ALSO: All that portion of the following described premises as lies Westerly of the center line of the railroad right of way as conveyed to the Western Oregon Railroad Co., by deed recorded in Volume 12, Page 366, Polk County Records; Beginning at the Northeast corner of the John McCarty and wife Donation Land Claim in Township 6 South, Range 4 West of the Willamette Meridian in County of Polk, State of Oregon, and running thence South a distance of 45.31 chains; thence East, a distance of 38.57 chains; thence North, 11° 00' West, a distance of 46.12 chains; thence West, a distance of 29.86 chains to the place of beginning.

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WATER RESOURCES DEPT
SALEM, OREGON

EXHIBIT "A" cont.

PARCEL IV

TAX ACCOUNT 231800 AND 231897

That portion of the following described tract of land lying Easterly of the Southern Pacific Company Railroad right of way:

Beginning at a point marking the Southeast corner of Lot 2, Section 17, in Township 6 South, Range 4 West of the Willamette Meridian in Polk County, State of Oregon; running thence West 68.50 chains, more or less, to the center of Section 18 in said Township and Range; thence North, 4.00 chains, more or less, to a point which is 16.50 chains South of the Northeast corner of the Enoch Richardson Donation Land Claim No. 54 in said Township and Range; thence West, 30.24 chains; thence North, 16.50 chains to a point in the South line of that certain tract of land conveyed to R. R. Massey by deed recorded in Volume 97, Page 200, Polk County records; thence East, 19.00 chains, more or less, to the Southeast corner of said Massey tract; thence North, 5.62 chains; thence East, 40.00 chains to the East line of the John McCarty Donation Land Claim No. 46 in said Township and Range; thence South, 5.62 chains to the Southeast corner of said McCarty Claim; thence East, 38.10 chains to the Northeast corner of said Lot 2; thence South, 20.00 chains to the place of beginning.

SAVE AND EXCEPT that portion of the above described tract of land lying within the boundaries of public roads and highways.

FURTHER SAVE AND EXCEPT the following described tract of land, to-wit: Beginning on the West line of the State Highway at a point, which is 5,351.00 feet South 0° 25' West and 2,470.40 feet South 89° 05' East and 327.00 feet South, 0° 17' West from the Northeast corner of the John McCarty Donation Land Claim 46 in Township 6 South, Range 4 West of the Willamette Meridian; thence West, 315.00 feet; thence North 0° 17' East parallel with the West line of said Highway, 332.00 feet, more or less, to a point on the South line of the Horace Burnett Donation Land Claim; thence South, 89° 05' East along the South line of said Burnett Claim, 315.00 feet to a point on the West line of said Highway; thence South 0° 17' West, 327.00 feet, more or less, to the place of beginning.

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PARCEL V

TAX ACCOUNT 231730 AND 231785

That portion of the following described tract of land lying Westerly of State Highway 99-W:

Beginning at the Northwest corner of the William Turpin Donation Land Claim No. 37 in Township 6 South, Range 4 West of the Willamette Meridian in the County of Polk, State of Oregon; thence North, 18.28 chains to the interior corner on the West line of the Horace Burnett Donation Land Claim No. 45; thence West, 38.10 chains to the most Westerly Southwest corner of said Burnett Donation Land Claim; thence North, 36.25 chains, more or less, to the Southwest corner of that certain tract of land conveyed to S. Leslie Stewart and Marjorie N. Stewart, husband and wife, by deed recorded December 23, 1954 in Volume 155, Page 409, Polk County Records; thence East along the South line of said Stewart tract, a distance of 38.10 chains; thence North 11° West, a distance of 1.53 chains, more or less, to the Southwest corner of that certain tract of land conveyed to S. Leslie Stewart and Marjorie N. Stewart, husband and wife, by deed recorded May 16, 1942, in Volume 110, Page 410, Polk County Records; thence East a distance of 40.17 chains; thence North, 9.03 chains to the angle corner of said Stewart tract; thence East, a distance of 40.56 chains; thence South, 24.93 chains; thence West, 40.22 chains; thence South, 12.45 chains; thence West, 26.38 chains; thence South, 26.51 chains to the South line of said Burnett Donation Land Claim; thence West, 13.18 chains to the place of beginning.

SAVE AND EXCEPT that certain tract of land conveyed to Western Oregon Railroad Company by deed recorded May 12, 1879, in Volume 12, Page 364, Polk County Records.

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WATER RESOURCES DEPT
SALEM, OREGON



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: DeRaeve Family LLc and Ron and Jamie Lewis
Mailing Address: P.O. Box 3 and 20650 S Highway 99 W
City: Amity Stat: OR Zip: 97101 Day Phone: 503.835.0740

503-949-2165

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:
See attached list						<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	
						<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. Polk County

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: 63 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: Water in existing reservoir being applied to different area for irrigating 785.29 acres of crop - berries, truck garden, grass seed and grape 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.

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

SEP 15 2009
WATER RESOURCES DEPT
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): 136.030(A).

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.

Name: DANA M. GIBSON Title: ASST. PLANNER
 Signature: *D.M.G.* Phone: 503 623-9237 Date: 9/10/2009
 Government Entity: POIK 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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SEP 15 2009

WATER RESOURCES DEPT
SALEM, OREGON

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

A. Land and Location

Planning Official's Initials

Dugri

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g. Rural Residential / RR-5)	Water to be:			Proposed Land Use		
6S	4W	7	NE,SW	6.4.7.600		<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming		
		7	NW,SW			<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used			
		7	SW,SW			<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used			
		7	SE,SW			<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used			
		7	NE,SE			<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used			
		7	NW,SE			<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used			
		7	SW,SE			<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used			
		7	SE,SE			<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used			
							<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used		
				7	NE,SE	6.4.7.601		<input checked="" 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	
				7	NE,NE	6.4.7.602		<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
				7	SE,NE			<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
				7	NE,SE			<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
				7	NW,SE			<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
				7	SW,SE			<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
				7	SE,SE			<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
				8	NW,NW			<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
				8	SW,NW			<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
								<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
				7	SE,SE	6.4.8.500		<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
				8	SW,SW			<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
				8	SE,SW			<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
								<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
				7	SE,SE	6.4.8.501		<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	
				17	NE,NW	6.4.17.300		<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming
				17	NW,NW			<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
		18	NE,NE			<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used			
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used			
		18	NE,NE	6.4.17.301		<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			
		17	SW,NW	6.4.17.401		<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming		
		17	SE,NW			<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" 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			
		18	NW,NE	6.4.18.100		<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming		
		18	NE,NW			<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used			
		18	NW,NW			<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used			
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used			
		18	NE,NE	6.4.18.101		<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farming		
		18	NW,NE			<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used			
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used			
		18	SE,NE	6.4.18.900		<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			
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used			

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WATER RESOURCES DEPT
SALEM, OREGON

A. Land and Location

Planning Official's Initials

DMG

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g. Rural Residential/RR-5)	Water to be:	Proposed Land Use
6S	4W	17	NWSW	6.4.17.500		<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Farming
		17	SWSW			<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	
		17	SESW			<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
6S	4W	17	NESW	6.4.17.501		<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Farming
			NWSW			<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	
			SWSW			<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	
			SESW			<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
6S	4W	17	NESW	6.4.17.600		<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Farming
			SESW			<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	
			NWSE			<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	
			SWSE			<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	
			SESE			<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	
			NESE			<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
6S	4W	20	NENW	6.4.20.300		<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Farming
			NWNW			<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" 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	
						<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	
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	

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SEP 15 2009

WATER RESOURCES DEPT
SALEM, OREGON

STATE OF OREGON
COUNTY OF POLK
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MARVIN JOHN DERA EVE
M. EDWARD DERA EVE
P O BOX 3
MCMINNVILLE, OREGON 97128

confirms the right to use the waters of AN UNNAMED RESERVOIR CONSTRUCTED UNDER PERMIT R-10482 for SUPPLEMENTAL IRRIGATION of 79.7 ACRES.

This right was perfected under Permit S-49361. The date of priority is JANUARY 5, 1985. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 47.0 ACRE FEET or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Survey Coordinates
6 S	4 W	WM	7	SW SE	46	3720 FEET SOUTH AND 2000 FEET WEST FROM NE CORNER, DLC 46

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of not to exceed 2.5 acre-feet per acre from AN UNNAMED RESERVOIR CONSTRUCTED UNDER PERMIT R-10482 for each acre irrigated during the irrigation season of each year. The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

A description of the place of use to which this right is appurtenant is as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
6 S	4 W	WM	16	SW NW	37	1.8
6 S	4 W	WM	16	NW SW	37	16.6
6 S	4 W	WM	16	SW SW	37	15.6
6 S	4 W	WM	17	SE NE	37	2.4
6 S	4 W	WM	17	NE SE	37	24.2
6 S	4 W	WM	17	SE SE	37	19.1


The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights,

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate at any time before it has issued, and after the time has expired for the completion of the appropriation under the permit, or within three months after issuance of the certificate.

including prior rights for maintaining instream flows.

WITNESS the signature of the Water Resources Director, affixed MAR 23 2007


Phillip C. Ward, Director
Water Resources Department

STATE OF OREGON

COUNTY OF POLK

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MARVIN JOHN DERA EVE
M. EDWARD DERA EVE
DERAEVE FAMILY LLC
P O BOX 3
MCMINNVILLE, OREGON 97128

confirms the right to store water perfected under the terms of Permit R-10482. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION NUMBER: R-67984

SOURCE: AN UNNAMED STREAM, TRIBUTARY TO ASH SWALE

STORAGE FACILITY: A RESERVOIR

PURPOSE or USE: TO BE APPROPRIATED UNDER PERMIT S-49361 FOR SUPPLEMENTAL IRRIGATION OF 79.7 ACRES

MAXIMUM STORAGE VOLUME: 47.0 ACRE FEET

DATE OF PRIORITY: JANUARY 29, 1985

DAM LOCATION:

Twp	Rng	Mer	Sec	Q-Q	DLC	Survey Coordinates
6 S	4 W	WM	7	SW SE	46	3720 FEET SOUTH AND 2000 FEET WEST FROM NE CORNER, DLC 46

The area submerged by this reservoir is as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC
6 S	4 W	WM	7	SE SW	46
6 S	4 W	WM	7	SW SE	46
6 S	4 W	WM	18	NE NW	46
6 S	4 W	WM	18	NW NW	46

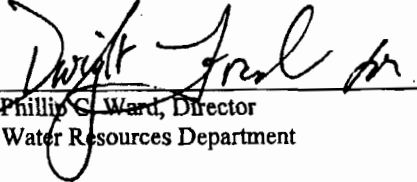
NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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CONDITIONS OF USE

1. The right to store and use the water for the above purpose is restricted to beneficial use at the place of use described.
2. The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

WITNESS the signature of the Water Resources Director, affixed MAR 28 2007


Phillip C. Ward, Director
Water Resources Department

STATE OF OREGON

COUNTY OF POLK

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MARVIN DERA EVE
8701 PACIFIC HWY W
RICKREALL OR 97371

confirms the right to use the waters of AN UNNAMED STREAM AND A RESERVOIR, CONSTRUCTED UNDER PERMIT R-10482 AND ENLARGED UNDER PERMIT R-11459, A TRIBUTARY OF ASH SWALE, for FISH CULTURE OR SUPPLEMENTAL IRRIGATION of 79.7 ACRES.

This right was perfected under Permit 51470. The date of priority is MAY 10, 1991. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 19.0 ACRE FEET STORED WATER ONLY FOR IRRIGATION OR FISH CULTURE AND 0.30 CUBIC FOOT PER SECOND OF WATER FOR MAINTENANCE FOR FISH CULTURE FROM THE PERIOD OF NOVEMBER 1 THROUGH APRIL 30 OF EACH YEAR, measured at the point of diversion.

The point of diversion (POD) is located as follows:

POD	Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
DIVERSION	6 S	4 W	WM	7	SE SW	46	3720 FEET SOUTH & 2056 FEET WEST FROM NE CORNER, DLC 46
PUMP	6 S	4 W	WM	7	NE SE	46	2630 FEET SOUTH & 453 FEET WEST FROM NE CORNER, DLC 46, SECTION 7

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

This right is limited to any deficiency in the available supply of any prior right existing for the same land.

A description of the place of use to which this right is appurtenant is as follows:

FISH CULTURE						
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC
6 S	4 W	WM	7	SE SW		46
6 S	4 W	WM	18	NE NW		46
6 S	4 W	WM	18	NW NW		46

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate at any time before it has issued, and after the time has expired for the completion of the appropriation under the permit, or within three months after issuance of the certificate.

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
6 S	4 W	WM	16	SW NW		37	1.8
6 S	4 W	WM	16	NW SW		37	16.6
6 S	4 W	WM	16	SW SW		37	15.6
6 S	4 W	WM	17	SE NE		37	2.4
6 S	4 W	WM	17	NE SE		37	24.2
6 S	4 W	WM	17	SE SE		37	19.1

Failure to comply with any of the provisions of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

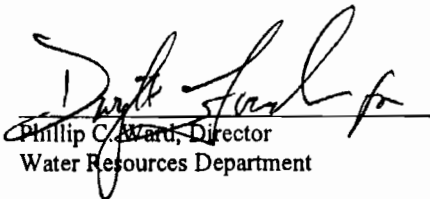
This right is for the beneficial use of water without waste. The water user is advised that new regulations may require use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

Issued FEB 27 2009


 Phillip C. Ward, Director
 Water Resources Department

Enlargement of R-11459 Permit

STATE OF OREGON

COUNTY OF POLK

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MARVIN DERA EVE
8701 PACIFIC HWY W
RICKREALL OR 97371

confirms the right to enlarge AN UNNAMED RESERVOIR ORIGINALLY CONSTRUCTED UNDER PERMIT R-10482, and to store the waters of AN UNNAMED STREAM, a tributary of ASH SWALE, appropriated and maintained under Permit 51470, for SUPPLEMENTAL IRRIGATION OR FISH CULTURE.

The right to store these waters was perfected under Reservoir Permit R-11459. The date of priority is MAY 10, 1991. The amount of water entitled to be stored each year under this right is not more than 16.0 acre-feet.

Water may be appropriated for storage during the period November 1 through April 30.

DAM LOCATION:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Measured Distances
6 S	4 W	WM	7	SE SW		46	3720 FEET SOUTH & 2056 FEET WEST FROM NE CORNER, DLC 46

The area submerged by this reservoir is as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC
6 S	4 W	WM	7	SE SW		46
6 S	4 W	WM	18	NENW		46
6 S	4 W	WM	18	NW NW		46

The outlet gate shall be cycled at least once each year and shall be fully operational. The embankment and spillway shall be kept clear of brush, debris, and burrowing animals.

The dam shall be operated and maintained according to the approved plans and specifications dated February 5, 1992, on file with the Water Resources Department.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate at any time before it has issued, and after the time has expired for the completion of the appropriation under the permit, or within three months after issuance of the certificate.

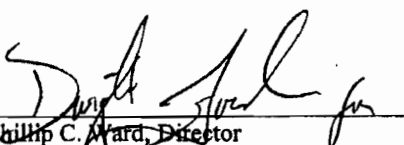
The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe, or the provisions of other means to evacuate water when determined necessary by the Water Resources Director to satisfy prior downstream rights.

Failure to comply with any the provisions of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

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

The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

Issued FEB 27 2009


Phillip C. Ward, Director
Water Resources Department

STATE OF OREGON

COUNTY OF POLK

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MARVIN JOHN DERA EVE
M. EDWARD DERA EVE
DERA EVE FAMILY LLC
P O BOX 3
MCMINN VILLE, OREGON 97128

confirms the right to store water perfected under the terms of Permit R-10482. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION NUMBER: R-67984

SOURCE: AN UNNAMED STREAM, TRIBUTARY TO ASH SWALE

STORAGE FACILITY: A RESERVOIR

PURPOSE or USE: TO BE APPROPRIATED UNDER PERMIT S-49361 FOR SUPPLEMENTAL IRRIGATION OF 79.7 ACRES

MAXIMUM STORAGE VOLUME: 47.0 ACRE FEET

DATE OF PRIORITY: JANUARY 29, 1985

DAM LOCATION:

Twp	Rng	Mer	Sec	Q-Q	DLC	Survey Coordinates
6 S	4 W	WM	7	SW SE	46	3720 FEET SOUTH AND 2000 FEET WEST FROM NE CORNER, DLC 46

The area submerged by this reservoir is as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC
6 S	4 W	WM	7	SE SW	46
6 S	4 W	WM	7	SW SE	46
6 S	4 W	WM	18	NE NW	46
6 S	4 W	WM	18	NW NW	46

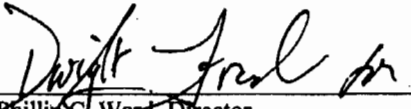
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CONDITIONS OF USE

1. The right to store and use the water for the above purpose is restricted to beneficial use at the place of use described.
2. The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

WITNESS the signature of the Water Resources Director, affixed MAR 28 2007



Phillip C. Ward, Director
Water Resources Department

STATE OF OREGON
COUNTY OF POLK
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MARVIN JOHN DERA EVE
M. EDWARD DERA EVE
P O BOX 3
MCMINNVILLE, OREGON 97128

confirms the right to use the waters of AN UNNAMED RESERVOIR CONSTRUCTED UNDER PERMIT R-10482 for SUPPLEMENTAL IRRIGATION of 79.7 ACRES.

This right was perfected under Permit S-49361. The date of priority is JANUARY 5, 1985. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 47.0 ACRE FEET or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Survey Coordinates
6 S	4 W	WM	7	SW SE	46	3720 FEET SOUTH AND 2000 FEET WEST FROM NE CORNER, DLC 46

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of not to exceed 2.5 acre-feet per acre from AN UNNAMED RESERVOIR CONSTRUCTED UNDER PERMIT R-10482 for each acre irrigated during the irrigation season of each year. The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

A description of the place of use to which this right is appurtenant is as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
6 S	4 W	WM	16	SW NW	37	1.8
6 S	4 W	WM	16	NW SW	37	16.6
6 S	4 W	WM	16	SW SW	37	15.6
6 S	4 W	WM	17	SE NE	37	2.4
6 S	4 W	WM	17	NE SE	37	24.2
6 S	4 W	WM	17	SE SE	37	19.1


The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights,

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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including prior rights for maintaining instream flows.

WITNESS the signature of the Water Resources Director, affixed MAR 23 2007


Phillip C. Ward, Director
Water Resources Department