



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

Application for a Permit to Use Ground Water

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

1. APPLICANT INFORMATION

A. Individuals

Applicant: Gerald Mullen
First Last

Mailing Address: 17792 River Rd. NE

St. Paul Oregon 97137
City State Zip

Phone: 503-633-8321 503-932-5135 n/a
Home Work Other

*Fax: 503-633-8322 *Email Address: mfarms@stpaultel.com

B. Organizations

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

Name of Organization: Mullen Family LLC

Name and Title of Person Applying: Gerald Mullen

Mailing Address or Organization: 17792 River Rd. NE

St Paul Oregon 97137
City State Zip

Phone : 503-932-5135 503-633-8321
Day Evening

*Fax: 503-633-8322 *Email Address: mfarms@stpaultel.com

*Optional

For Department Use			
App. No. <u>G-17297</u>	Permit No. _____	Date _____	

JPM 1/5/2010

2. PROPERTY OWNERSHIP

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

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

No (Please check the appropriate box below)

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

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

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

List the names and mailing addresses of all affected landowners.

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Mullen Family LLC
17792 RIVER RD NE
ST PAUL OREGON 97137
CONTACT: JERRY MULLEN 503-932-5135
JAN 05 2010
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SALEM, OREGON

3. GROUND WATER DEVELOPMENT

A. Well Information

Number of well(s): 1

Name of nearest surface water body: Willamette River

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

1) 2 miles 2) 3) 4)

If distance from surface water is less than one mile, indicate elevation difference between nearest surface water and well head:

1) 2) 3) 4)

B. Well Characteristics

Wells must be constructed according to standards set by the Department for the construction and maintenance of water wells. If the well is already constructed, please enclose a copy of the well constructor's log and the well ID number, if available, for each well within 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:

Existing Well SEE WELL LOG

Mailing Address: 17792 River Rd NE

St Paul Oregon 97137

G17297

Completion Date: 6/2/1966

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
	18"	12"	161	99'-160	40'	35'		see well log	176'

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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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.

- o If your proposed use is **domestic**, indicate the number of households to be supplied with water: _____
- o If your proposed use is **irrigation**, please attach **Form I**
- o If your proposed use is **mining**, attach **Form R**
- o If your proposed use is **municipal or quasi-municipal**, attach **Form M**
- o 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	WILLAMETTE	AGRICULTURE IRRIGATION	900	16,830 gpm	900

C. Maximum Rate of Use Requested

.04 CFS

What is the maximum, instantaneous rate of water that will be used? 900 GAL/MIN
 (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 1 - OCTOBER 31

(For seasonal uses like irrigation give dates when water use would begin and end, e.g. March 1-October 31.)

E. Acreage

If you will be applying water to land, indicate the total number of acres where water will be applied or used: 3A

(This number should be consistent with your application map.)

5. WATER MANAGEMENT

A. Diversion

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

Pump (give horsepower and pump type): 75 HP LAYNE & BOWLER

other means (describe): _____

B. Transport

How will you transport water to your place of use?

Ditch or canal (give average width and depth):

Width _____ Depth _____

Is the ditch or canal to be lined? Yes No

Pipe (give diameter and total length):

Diameter 8" PVC Length 2400'

other, describe: 3" ALUMINUM

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C. Application/Distribution Method

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

LINEAR, 3" ALUMINUM PIPE, AND BIG GUN TRAVELER

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

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

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.

I AM MOVING AWAY FROM BIG GUN TRAVELERS AND HAND LINES TO A LOW PRESSURE LINEAR SYSTEM IN CONJUNCTION WITH NRCS.

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: 6/16/1966

Proposed date construction will be completed: 8/22/1967

Proposed date beneficial water use will begin: 4/1/2010

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.

WHILE WORKING ON A CONSERVATION PROJECT WITH NRCS A SMALL 3A DISCREPANCY WAS IDENTIFIED IN MY ORIGINAL WATER RIGHT AND THIS IS AN EFFORT TO CORRECT THAT SMALL AREA THAT IS LEFT OFF MY ORIGINAL WATER RIGHT PERMIT #G-3479. NEW NUMBER IS 36315.

THANK YOU

JERRY MULLEN

8. MAP REQUIREMENTS

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

9. SIGNATURE

By my signature below I confirm that I understand:

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

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

Muller Family LLC by Heath P Muller
Signature of Applicant *(If more than one applicant, all must sign.)*

1/4/2010
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.

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

G-17777



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: Mullen Family LLC - Gerald P. Mullen

Mailing Address: 17792 River Rd. NE

City: St. Paul State: OR Zip: 97137 Day Phone: 503-633-8321

503-932-5135 cell

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	City	Tax Lot	Plan Designation (e.g. Rural Residential RR-5)	Water to be:			Proposed Land Use:
4S	2W	31		00800	EFU	<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	

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

B. Description of Proposed Use

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

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- 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: 2 1/2 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: This 3 acres was left off of the original Water Right

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

G-17297

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): MCC 17.136.D20

Land uses to be served by proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.)

If approvals have been obtained but all appeal periods have not ended, check "Being pursued".

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

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

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Name: LISA MILLIMAN Title: ASSOCIATE PLANNER
 Signature: Lisa Milliman Phone: 5035885038 Date: 01/05/10
 Government Entity: MARION 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.

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

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Oregon Water Resources Department

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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: 3 Acres

Supplemental: Acres

List the permit or certificate number of the primary water right: No. G-3479 (36315)

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: _____ to _____)

2. Beans Full Season Partial Season (from: _____ to _____)

3. Corn Full Season Partial Season (from: _____ to _____)

4. _____ Full Season Partial Season (from: _____ to _____)

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

 2 1/2 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

Two or three times weekly during daytime

Two or three times weekly during nighttime

Weekly, during daytime hours

Weekly, during nighttime hours

Other, explain: _____

6603
Q47297

NOTICE TO WATER WELL CONTRACTOR

The original and first copy of this report are to be filed with the

STATE ENGINEER, SALEM, OREGON 97310 within 30 days from the date

WATER WELL REPORT

STATE OF OREGON
(Please type or print)

State Well No. _____

State Permit No. _____

(1) OWNER:

Name B-1th Case
Address Star Rt., Box 105
St. Paul, Oregon

(2) LOCATION OF WELL:

County Marion Driller's well number _____
1/4 Section 31 T. 12 R. 2 W.M. _____
Bearing and distance from section or subdivision corner _____

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(3) TYPE OF WORK (check):

New Well Deepening Reconditioning Abandon
If abandonment, describe material and procedure in Item 12.

(4) PROPOSED USE (check):

Domestic Industrial Municipal
Irrigation Test Well Other

(5) TYPE OF WELL:

Rotary Driven
Cable Jetted
Dug Bored

(6) CASING INSTALLED:

Threaded Welded
18" Diam. from 0 ft. to 97'13" ft. Gage #250
12" Diam. from 0 ft. to 159'8" ft. Gage #250
16" Diam. from 159'8" ft. to 161'0" ft. Gage #375

(7) PERFORATIONS:

Perforated? Yes No

Type of perforator used torch
Size of perforations 3/8 in. by 8" in. 159'8" ft.
perforations from 77'8" ft. to 159'8" ft.
perforations from _____ ft. to _____ ft.
perforations from _____ ft. to _____ ft.
perforations from _____ ft. to _____ ft.
perforations from _____ ft. to _____ ft.

(8) SCREENS:

Well screen installed? Yes No

Manufacturer's Name _____
Type _____ Model No. _____
Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.
Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.

(9) CONSTRUCTION:

Well seal—Material used in seal Bentonite clay
Depth of seal 40' ft. Was a packer used? Yes
Diameter of well bore to bottom of seal 24 in.
Were any loose strata cemented off? Yes No Depth _____
Was a drive shoe used? Yes No
Was well gravel packed? Yes No Size of gravel: 3/4 - 3/8
Gravel placed from 0 ft. to 160 ft.
Did any strata contain unusable water? Yes No
of water? _____ depth of strata _____
Method of sealing strata off _____

(10) WATER LEVELS:

Static level 38' ft. below land surface Date 6-16-66
Artesian pressure _____ lbs. per square inch Date _____

Was a pump test made? Yes No If yes, by whom? driller

Yield: 900 gal./min. with 81 ft. drawdown after 8 hrs.
" 680 " 75 " 8 1/2 "
" 540 " 70 " 9 "

Baller test _____ gal./min. with _____ ft. drawdown after _____ hrs.

Artesian flow _____ g.p.m. Date 6-27-66

Temperature of water 55 Was a chemical analysis made? Yes No

(12) WELL LOG: Diameter of well below casing 12"

Depth drilled 176 ft. Depth of completed well 157' ft.

Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.

MATERIAL	FROM	TO
top	0	1
tough brown clay	1	3
brown clay	3	16
silty brown clay water	16	30
brown clay	30	65
black silty clay	65	76
brown clay	76	96
hard brown clay	96	102
soft brown sandy clay	102	116
gravel to 1 1/2"	116	120
hard clay	120	124
soft clay & sand layers	124	135
hard brown clay	135	140
soft brown clay & sand layers	140	155
blue sand & small gravel 1 1/2"	155	157
brown clay	157	176
filled with gravel	157-176	
30 min recover after stopping test pump		
static 81'		

Work started 5-14 19 66 Completed 6-27 19 66
Date well drilling machine moved off of well 7-28 19 66

(13) PUMP:

Manufacturer's Name Layne & Bowler
Type: turbine H.P. 75

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

NAME Milo Schneider Equipment Co.
(Person, firm or corporation) (Type or print)
Address Star Rt., Box 97, St. Paul, Oregon

Drilling Machine Operator's License No. 212

[Signed] Milo Schneider
(Water Well Contractor)

Contractor's License No. 387 Date 8-24

TICOR
205694711

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That RICHARD A. SPIRUP *RS*

and LUELLA LEE SPIRUP, husband and wife,* hereinafter called
*INDIVIDUALLY & AS TRUSTEES UNDER DECLARATION OF TRUST DATED JUNE 4, 1976.
the grantor, for the consideration hereinafter stated, to

grantor paid by GERALD P. MULLEN and KATHLEEN A. MULLEN, husband
and wife, hereinafter called the grantee, does hereby grant,
bargain, sell and convey unto the said grantee and grantee's
heirs, successors and assigns, that certain real property, with
the tenements, hereditaments and appurtenances thereunto belong-
ing or appertaining, situated in the County of Marion and State
of Oregon, described as follows, to-wit:

Beginning at the Southeast corner of the Theodore
Gervais Donation Land Claim in Township 4 South,
Range 2 West of the Willamette Meridian, in
Marion County, Oregon; thence North 10°45' East
along the East line of said Donation Land Claim
31.625 chains; thence North 89° West 71.885
chains to the center of a County Road; thence
Southerly along the center of said road 33.208
chains, more or less, to the South line of said
Gervais Donation Land Claim; thence South 89°
34' East 38.836 chains to an angle in the South
line of said Claim; thence South 89°43' East
along the South line of said Claim 36.39 chains
to the place of beginning, in the said Theodore
Gervais Donation Land Claim No. 65 in said
Township and Range.

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31 = 4-2W
6 = 5-2W
13
2

TO HAVE AND TO HOLD the same unto the said grantee and
grantee's heirs, successors and assigns forever.

And said grantor hereby covenants to and with said grantee
and grantee's heirs, successors and assigns, that grantor is
lawfully seized in fee simple of the above granted premises,
free from all encumbrances as of February 20, 1975, except
the rights of the public in and to that portion of said real
property included in the public roads, and also except an ease-
ment, including the terms and provisions thereof, granted to
Portland General Electric Company, an Oregon corporation, dated
March 26, 1963, recorded May 24, 1963, in Volume 572, Page 532,
Deed Records for Marion County, Oregon, and also except the

G-77297

as shown on this
deal with the county
Utilities and other
trally Assessed" by
peal to BOPFA.

review it with

st.
e May 15. Pay-
s statement are
alance for any

09-6/30/10 REAL PROPERTY TAX STATEMENT

ACCOUNT NO.: R15368

MARION COUNTY, OREGON - 555 COURT ST NE #2242 - SALEM, OR 97301

PROPERTY DESCRIPTION
17792 RIVER RD NE
ST PAUL, OR 97137
ACRES: 229.58
MAP: 042W31 00800
CODE: 04500160

LAST YEAR'S TAX 4,847.12
See back for explanation of taxes marked with (+)

6-17297

MULLEN FAMILY LLC
17792 RIVER RD NE
ST PAUL, OR 97137

THIS YEAR'S TAX
EDUCATION:
ST PAUL SCHOOL 1,782.99
WILLAMETTE REG ESD 110.76
CHEMEKETA COM COL 233.65

VALUES:	LAST YEAR	THIS YEAR
MARKET & SPECIAL USE VALUES:		
LAND - RMV	11,920	0
LAND - SPEC	227,510	241,100
IMPROVEMENT	137,590	132,200
TOTAL VALUE	377,020	373,300
TAXABLE VALUES:		
ASSESSED	377,020	373,300

EDUCATION TOTAL: 2,127.40

GENERAL GOVERNMENT:
MARION COUNTY 1,129.31
MARION SOIL & WTR 18.67
ST PAUL FD 396.52
REGIONAL LIBRARY 30.54

NET TAXABLE: 377,020 373,300

GENERAL GOVERNMENT TOTAL 1,575.04

POTENTIAL ADDITIONAL TAX LIABILITY

*Spring 62
58
58
50*

If a mortgage company pays your taxes,
This statement is for your records only.

EXCLUDE FROM LIMIT:
ST PAUL FD, BOND 195.68
ST PAUL SCHOOL BOND 820.70
CHEMEKETA COM COL 30.87
CHEMEKETA COM COL, BON 67.75

EXCLUDE FROM
LIMIT TOTAL: 1,115.00

2009-10 PROPERTY
TAX TOTALS =====
4,817.44

Full Payment with 3% Discount	2/3 Payment with 2% Discount	1/3 Payment No Discount
4,672.92	3,147.40	1,605.82

TOTAL TAX (After Discount) 4,672.92

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SALEM, OREGON

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

This Is To Certify, That **RALPH A. CASE**

of Star Rt., Box 30 B, St. Paul, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of a well a tributary of Willamette River for the purpose of irrigation of 225.88 acres under Permit No. G-3479 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from August 22, 1967

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 2.02 cubic feet per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, as projected within Gervais DLC 65, Section 31, T. 4 S., R. 2 W., W. M. Well located 1000 feet North and 1880 feet West from SE Corner, Gervais DLC 67.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2 $\frac{1}{2}$ acre feet per acre for each acre irrigated during the irrigation season of each year;

and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

- 4.6 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
 - 2.6 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$
 - 36.6 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
 - 40.0 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
 - 2.8 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
 - 4.0 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
 - 40.0 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
 - 26.8 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
- all as projected within Gervais DLC 65
 Section 31
 T. 4 S., R. 2 W., W. M.

- 10.0 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
 - 18.5 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$
 - 18.4 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
 - 20.8 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$
- all as projected within Gervais DLC 67
 Section 6
 T. 5 S., R. 2 W., W. M.

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 SALEM, OREGON

G-17277