



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](http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml).

## 1. APPLICANT INFORMATION

### A. Applicants

Applicant: Michael Seely  
First Last

Mailing Address: 18865 Hermo Road  
Clatskanie OR 97016  
City State Zip

Phone: 503 728 4603 503 369 4353  
Home Work Other

\*Fax: \_\_\_\_\_ \*Email Address: mintfarm@clatskanie.com

### B. Organizations

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

Name of Organization: \_\_\_\_\_ **RECEIVED**

Name and Title of Person Applying: \_\_\_\_\_ **JAN 05 2010**

Mailing Address or Organization: \_\_\_\_\_ **WATER RESOURCES DEPT**  
City State Zip **SALEM, OREGON**

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

\*Fax: \_\_\_\_\_ \*Email Address: \_\_\_\_\_

\*Optional

For Department Use		
App. No. <u>S-87567</u>	Permit No. _____	Date _____

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: McLean Slough Tributary to: Columbia River  
 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).

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.

**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.

**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**

See Form I

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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
McLean Slough	Irrigation	1.625 <input checked="" type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
		<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
		<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
		<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af

**C. Period of Use**

Indicate the time of year you propose to use the water: March 1 to 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: 130 acres  
*(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): 2 - 30hp Centrifugal pumps
- 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): \_\_\_\_\_

## 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:

I have a screen on the intake

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

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

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

- Other:

**C. Transport**

How will you transport water to your place of use?

Ditch or canal (give average width and depth): manmade drainage ditch  
Width 8 ft wide Depth 6 ft deep

Is the ditch or canal to be lined?  Yes  No (Existing)

Pipe (give diameter and total length): from pump station to application  
Diameter 10" and 6" Length 10" - 2100ft 6" - 4000ft

other, describe: \_\_\_\_\_

**D. Application/Distribution Method**

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

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

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

other, describe: \_\_\_\_\_

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.

Whenever possible use LEPA sprinklers, nozzles

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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: March 1, 2010

Proposed date construction will be completed: March 31, 2010

Proposed date beneficial water use will begin: As soon as possible as permit is approved

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.*

[Empty rectangular box for remarks]

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.

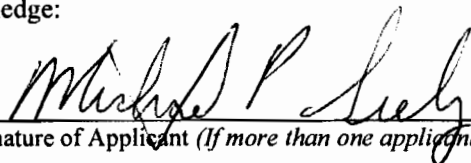
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9. SIGNATURE

By my signature below I confirm that I understand:

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

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



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

12-30-2009

Date

Before you submit your application be sure you have:

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

**WRD on the web:**  
[www.wrd.state.or.us](http://www.wrd.state.or.us)





Oregon Water Resources Department

FORM I

FOR IRRIGATION WATER USE

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

Primary  Supplemental

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

Primary: \_\_\_\_\_ Acres

Secondary: \_\_\_\_\_ Acres

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

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

1. Mint  Full season  Partial season (from: \_\_\_\_\_ to \_\_\_\_\_)

2. \_\_\_\_\_  Full season  Partial season (from: \_\_\_\_\_ to \_\_\_\_\_)

3. \_\_\_\_\_  Full season  Partial season (from: \_\_\_\_\_ to \_\_\_\_\_)

4. \_\_\_\_\_  Full season  Partial season (from: \_\_\_\_\_ to \_\_\_\_\_)

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

325 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: \_\_\_\_\_

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Scale: 1" = 400 feet

Location of Water Diversion:

West 525 feet and South 450 feet from the NE Corner of the SE ¼ of the NW ¼ of Section 33. (See '1' on map)

Location of Pump Station:

East 75 feet and South 525 feet from the NW Corner of the SW ¼ of the NE ¼ of Section 33. (See '1' on map)

Proposed Place of Use:

USE	TWP	RNG	SEC	QQ	TAX LOT	ACRES	ACRES per TAX LOT	TOTAL ACRES
Irrig.	8N	4W	33	NW NW	901	4.3		
Irrig.	8N	4W	33	SW NW	901	1.8		
Irrig.	8N	4W	33	NE NW	901	38.1		
Irrig.	8N	4W	33	SE NW	901	13.5		
Irrig.	8N	4W	33	NW NE	901	22.7		
Irrig.	8N	4W	33	SW NE	901	4.3	84.7	
Irrig.	8N	4W	28	NE SW	1000	5.0		
Irrig.	8N	4W	28	SE SW	1000	27.1		
Irrig.	8N	4W	28	SW SE	1000	12.6		
Irrig.	8N	4W	28	NW SE	1000	0.6	45.3	130

County: Columbia County

Basin: North Coast Basin

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## For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

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

→ Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): *Sec 300 Zoning Ordinance, Part 5 Comp Plan + Div 33 OAR*

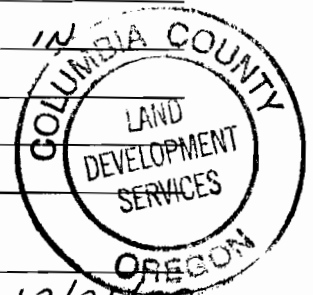
Land uses to be served by proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings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

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

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

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

*Farm use (agricultural use) allowed outright in the Primary Agriculture Zone.*



Name: Erika Owen Title: Planner II  
 Signature: Erika Owen Phone: 503-397-7216 Date: 12/21/09  
 Government Entity: Columbia 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: \_\_\_\_\_

*S- 87567*

# TICOR TITLE INSURANCE

Policy No. 22-106-

## Policy of Title Insurance

American Land  
Title Association  
Owner's Policy  
(10-17-92)

**SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B AND THE CONDITIONS AND STIPULATIONS, TICOR TITLE INSURANCE COMPANY**, a California corporation, herein called the Company, insures, as of Date of Policy shown in Schedule A, against loss or damage, not exceeding the amount of insurance stated in Schedule A, sustained or incurred by the insured by reason of:

1. Title to the estate or interest described in Schedule A being vested other than as stated therein;

2. Any defect in or lien or encumbrance on the title;
3. Unmarketability of the title.
4. Lack of a right of access to and from the land.

The Company will also pay the costs, attorneys' fees and expenses incurred in defense of the title, as insured, but only to the extent provided in the Conditions and Stipulations.

This policy shall not be valid or binding until countersigned below by an authorized signatory of the Company.


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**TICOR TITLE INSURANCE COMPANY**

By:



President

ATTEST



Secretary

  
Authorized Signatory

**SCHEDULE A**

AMOUNT: \$180,000.00

DATE: March 9, 2004  
At: 11:50 a.m.

PREMIUM: \$650.00

POLICY NUMBER: 22 106 8877

**1. NAME OF INSURED:**

Michael P. Seely, an estate in fee simple

**2. THE ESTATE OR INTEREST IN THE LAND WHICH IS COVERED BY THIS POLICY IS:**

Fee.

**3. TITLE TO THE ESTATE OR INTEREST IN THE LAND IS VESTED IN:**

Michael P. Seely, an estate in fee simple

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**4. THE LAND REFERRED TO IN THIS POLICY IS DESCRIBED AS:**

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A tract of land in Sections 28 and 33, Township 8 North, Range 4 West, Willamette Meridian, Columbia County, Oregon, more particularly described as follows:

Beginning at a point in the center of a 60 foot roadway that is North 2459.4 feet and West 2940.7 feet from the Southeast corner of Section 33, Township 8 North, Range 4 West, Willamette Meridian, Columbia County, Oregon; thence along the center line of a branch road 60 feet in width, North 23°42' East 2600.8 feet to the center of a small slough; thence along the center of said small slough North 75°08' East 112 feet; thence North 49°33' East 110 feet to the westerly edge of a dredger cut at a point that is North 4941 feet and West 1703.3 feet from the Southeast corner of the above said Section 33; thence along the Westerly edge of said dredger cut, Northerly 900 feet and thence Westerly 350 feet to an intersection with the Easterly bank of McClane Slough; thence along the Easterly bank of said McClane Slough in a general Northwesterly, thence Southwesterly, thence Southeasterly and thence Southwesterly direction to an intersection with the center line of a 60 foot roadway at a point that is North 2635.2 feet and West 3317.5 feet from the Southeast corner of the above said Section 33; thence along the centerline of the said 60 foot roadway, South 64°59' East 415.8 feet to the place of beginning.

**EXCEPTING THE FOLLOWING DESCRIBED TRACTS:**

Beginning at a point in the center of 60 foot roadway North 2459.4 feet and West 2940.7 feet from the Southeast corner of Section 33, Township 8 North, Range 4 West, Willamette Meridian; Columbia County, Oregon; thence along the centerline of a branch road 60 feet wide, North 23°42' East 214 feet; thence North 64°59' West 155 feet to the Southerly bank of McClane Slough; thence along said Slough, South 75°09' West 333.0 feet to an intersection with the centerline of a 60 foot roadway at a point that is

North 2635.2 feet and West 3317.5 feet from the Southeast corner of said Section 33; thence along the centerline of the said 60 foot roadway South 64°59' East 415.8 feet to the point of beginning; EXCEPTING roadways.

AND EXCEPTING:

Beginning at a point in the center of a sixty foot roadway that is North 2,459.4 feet and West 2940.7 feet from the Southeast corner of said Section; thence along the centerline of a branch road sixty feet wide, North 23°42' East 214.0 feet to the true point of beginning of the tract to be conveyed, said true point of beginning being further described as being the Northeasterly corner of the tract described in Partial Release of Mortgage from Jacob Rietala ex ux to Eino Rantala, et ux, dated November 18, 1938, and recorded November 26, 1938 in Mortgage Book 31, page 33; thence from said true point of beginning North 23°42' East, along the centerline of said branch road sixty feet wide, 250.0 feet; thence North 64°59' West 66.0 feet to the Easterly bank of McClane Slough; thence along the Easterly bank of said McClane Slough in a Southwesterly direction to the Northwesterly corner (the most Northerly corner) of said tract described in Partial Release of Mortgage from Jacob Rietala, et ux, to Eino Rantala, et ux; thence South 64°59' East along the Northerly line of said tract described in Partial Release of Mortgage, 155.0 feet to said true point of beginning. EXCEPTING THEREFROM that portion thereof lying within the boundary of said Branch road.

AND EXCEPTING:

Beginning at a point in the centerline of a sixty foot roadway that is North 2466.32 feet and West 2969.29 feet from the Southeast corner of Section 33, Township 8 North, Range 4 West, Willamette Meridian, Columbia County, Oregon, (in Columbia County Clerk's Instrument No. 92-9140 this point is said to be North 2459.4 feet and West 2904.7 feet from the Southeast corner of Section 33); thence North 23° 42' 00" East along the centerline of a Branch Road, 60 feet in width, a distance of 1179.06 feet; thence North 66° 18' 00" West 30.00 feet to the Westerly right of way of said Branch Road, said point being the True Point of Beginning of the parcel herein described; thence North 64° 57' 03" West a distance of 692.07 feet; thence South 23° 04' 00" West to the Easterly bank of McClane Slough; thence Easterly and Southerly along the Easterly bank of said McClane Slough to a point which is North 2459.4 feet, West 2940.7 feet, North 23° 42' 00" East 464.00 feet and North 64° 59' 00" West 66.00 feet from the Southeast corner of Section 33; thence South 64° 59' 00" East 36.00 feet to the Westerly right of way of said Branch Road; thence North 23° 42' 00" West a distance of 714.37 feet to the True Point of Beginning. EXCEPTING THEREFROM that parcel of land conveyed to Bruce W. Jolma and Mary Jo Jolma in deed recorded September 17, 1987 in Book 239, page 157, Deed Records of Columbia County, Oregon.

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**SCHEDULE B**

**EXCEPTIONS FROM COVERAGE**

This policy does not insure against loss or damage (and the company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. a. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.  
b. Proceedings by a public agency which may result in taxes or assessment, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. a. Easements, liens, encumbrances, interests or claims thereof which are not shown by the public records.  
b. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
3. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
4. a. Unpatented mining claims;  
b. Reservations or exceptions in patents or in Acts authorizing the issuance thereof;  
c. Water rights, claims or title to water; whether or not the matters excepted under (a), (b), or (c) are shown by the public records.
5. Any lien or right to a lien, for services, labor or materials heretofore or hereafter furnished, imposed by law and not shown by the public records.
6. 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.
7. The following matters are excluded from the coverage of the policy based on the proximity of the property to McClane Slough and Dredger Cut.
  - 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 McClane Slough and Dredger Cut.
  - 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 McClane Slough and Dredger Cut or has been formed by accretion to such portion.
8. 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.
9. Regulations, including levies, liens, assessments, rights of way and easements of Beaver Drainage Improvement Company.

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10/17



10. An Easement created by instrument, including the terms and provisions thereof,  
In favor of: Green River Lumber Co  
For: right of way  
Dated: December 30, 1920  
Recorded: March 16, 1921  
Book: 31 Page: 83  
in Columbia County, Oregon.
  
11. An Easement created by instrument, including the terms and provisions thereof,  
In favor of: Beaver Drainage District  
For: repair and maintenance of levees and road  
Dated: June 2, 1925  
Recorded: June 6, 1926  
Book: 39 Page: 222  
in Columbia County, Oregon.  
Assignment of said easement to Beaver Drainage Improvement Company as disclosed by fee Number 94-05813 recorded on 06/14/1994.
  
12. An Easement created by instrument, including the terms and provisions thereof,  
In favor of: West Coast Power Company  
For: transmission line  
Dated: February 26, 1938  
Recorded: March 9, 1938  
Book: 62 Page: 209  
in Columbia County, Oregon.
  
13. An Easement created by instrument, including the terms and provisions thereof,  
In favor of: Ingles Cooperative Water Assn  
For: right of way  
Recorded: November 14, 1938  
Book: 63 Page: 355  
in Columbia County, Oregon.  
Affects: exact location not disclosed
  
14. An Easement created by instrument, including the terms and provisions thereof,  
In favor of: West Coast Power Co.  
For: right to construct, reconstruct, operate and maintain electric power line  
and all necessary poles, towers and appliances  
Recorded: October 21, 1940  
Book: 67 Page: 78  
in Columbia County, Oregon.  
Affects: exact location not disclosed

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15. Mortgage, including the terms and provisions thereof, given to secure an indebtedness with interest thereon and such future advances as may be provided therein,

Mortgagor: Michael P. Seely  
Mortgagee: United States of America, acting through the Farmers Home Administration, United States Department of Agriculture

Amount: \$182,000.00  
Dated: March 8, 2004  
Recorded: March 9, 2004  
Fee No.: 04-03175

in Columbia County, Oregon.

Affects: Includes Additional Property

**END OF EXCEPTIONS**

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**JAN 05 2010**

WATER RESOURCES DEPT  
SALEM, OREGON

**OWNER'S INFLATION PROTECTION ENDORSEMENT**

Attached to Policy No. 22 106 8877

Issued by  
TICOR TITLE INSURANCE COMPANY

Dated: March 9, 2004 at 11:50 a.m.

Premium: \$0.00

The Company, recognizing the current effect of inflation on real property valuation and intending to provide additional monetary protection to the insured owner named in the policy, hereby modifies the policy as follows:

1. notwithstanding anything contained in the policy to the contrary, the amount of insurance provided by the policy, as stated in Schedule A thereof, is subject to cumulative annual upward adjustments in the manner and to the extent hereinafter specified;
2. "adjustment date" is defined, for the purposes of this endorsement, to be 12:01 a.m. on the first January 1 which occurs more than six months after the Date of Policy, as shown in Schedule A of the policy to which this endorsement is attached and on each succeeding January 1;
3. an upward adjustment will be made on each of the adjustment dates, as defined above, by increasing the maximum of insurance provided by the policy by 10% (ten percent) per year for 5 (five) years; provided, however, that the maximum amount of insurance in force shall never exceed 150% of the amount of insurance stated in Schedule A of the policy, less the amount of any claim paid under the policy which, under the terms of the conditions and stipulations, reduces the amount of insurance in force;
4. in the settlement of any claim against the Company under the policy, the amount of insurance in force shall be deemed to be the amount which is in force as of the date on which the insured claimant first learned of the assertion or possible assertion of such claim, or as of the date of receipt by the Company of the first notice of the claim, whichever shall first occur.

This endorsement is made a part of the policy and is subject to all the terms and provisions thereof and of any prior endorsements thereto. Except to the extent expressly stated, it neither modifies any of the terms and provisions of the policy and any prior endorsements, nor does it extend the effective date of the policy and any prior endorsements.

**TICOR TITLE INSURANCE COMPANY**

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**JAN 05 2010**

**WATER RESOURCES DEPT  
SALEM, OREGON**

Endorsement No. 78

Page 1 of 1

Attached to Policy No. 22 106 8877

Order No. 07-43433

S - 87567

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JAN 05 2010

WATER RESOURCES DEPT  
SALEM, OREGON

1300  
0.30 Ac.

30

28

1100  
16.20 Ac.

1000  
48.40 Ac.

1100

DREDGER CUT

901  
87.05 Ac.

100  
34.40 Ac.

5-08

900  
3.50 Ac.

300  
54.63 Ac.

S-87567

(MCCLANE)

800

401

400

14/17

