



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

## 1. APPLICANT INFORMATION

### A. Individuals

Applicant: TERESO RODRIGUEZ  
First Last

Mailing Address: 1786 PASEO LAGUNA SECO #163  
LIVERMORE CA 94551  
City State Zip

Phone: 1-925-454-0244 1-510-409-3887 \_\_\_\_\_  
Home Work Other

\*Fax: 1-510-235-2232 \*Email Address: teresclindarodriguez@netscape.com

### B. Organizations

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

Name of Organization: n/a **RECEIVED**

Name and Title of Person Applying: \_\_\_\_\_ **JAN 22 2010**

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

Phone : \_\_\_\_\_ **RECEIVED**  
Day Evening

\*Fax: \_\_\_\_\_ \*Email Address: \_\_\_\_\_ **FEB 26 2010**

\*Optional **WATER RESOURCES DEPT**  
**SALEM, OREGON**

For Department Use		
App. No. <u>G-13315</u>	Permit No. _____	Date _____

**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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**3. GROUND WATER DEVELOPMENT**

**A. Well Information**

Number of well(s): 1  
 Name of nearest surface water body: Columbia River  
 Distance from well(s) to nearest stream or lake:  
 1) 3.5 miles    2) \_\_\_\_\_    3) \_\_\_\_\_    4) \_\_\_\_\_

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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 with this application. Identify each well with a number corresponding to the wells designated on the map and proceed to section 4 of the form. If the well has not been constructed, or if you do not have a well log, please complete the following:*

Well(s) will be constructed by:

*Well already constructed - See attached 'Water Well Report'*

Mailing Address: \_\_\_\_\_

City

State

Zip

Completion Date: \_\_\_\_\_

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

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:

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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.

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- 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** *attached*
- If your proposed use is **mining**, attach **Form R**
- If your proposed use is **municipal or quasi-municipal**, attach **Form M**
- If your proposed use is **commercial/industrial**, attach **Form Q**

**B. Amount of Water**

Provide the production rate in gallons per minute (gpm) and the total annual amount of water you need from each well, from each source or aquifer, for each use. You do not need to provide source information if you are submitting a well log with your application.

Well No.	Source or aquifer	Type of use	Total rate of water requested (in gpm)	Total annual quantity (in gallons)	Production rate of well (in gpm)

**C. Maximum Rate of Use Requested**

What is the maximum, instantaneous rate of water that will be used? 95 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: April 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: 16.5  
 (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): 7.5 horsepower submersible pump
- other means (describe): \_\_\_\_\_

**B. Transport**

How will you transport water to your place of use?

- Ditch or canal (give average width and depth):

Width n/a Depth n/a

Is the ditch or canal to be lined?  Yes  No

- Pipe (give diameter and total length):

Diameter 2 1/2 dia Length 1700 feet

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

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**C. Application/Distribution Method**

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

DILLED WELL WITH SUBMERSIBLE PUMP AND SPRINKLER SYSTEM (HAND LINES AND UNDERGROUND LINES)

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.

my soil type (SANDY) permeability requires shallow wet plant (alfalfa) root depth zone. A sprinkler system has proven to provide a more even water application

**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: Existing

Proposed date construction will be completed: existing

Proposed date beneficial water use will begin: APRIL 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.

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## 8. MAP REQUIREMENTS

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

## 9. SIGNATURE

By my signature below I confirm that I understand:

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

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

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

1-10-2010  
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](http://www.wrd.state.or.us) or call (503) 986-0900.

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

WATER WELL REPORT

WATER RESOURCES DEPARTMENT.
SALEM, OREGON 97310
within 30 days from the date
of well completion.

STATE OF OREGON
(Please type or print)
(Do not write above this line)

UMAT
3771

State Well No. 5N1291E-31
State Permit No.

(1) OWNER:
Name Tereso Rodriguez
Address Rt 2 Box 2825
Hermiston, Oregon 97838

(10) LOCATION OF WELL:
County Umatilla Driller's well number
SW 1/4 NW 1/4 Section 31 T. 5 N. R. 29 E. W.M.
Bearing and distance from section or subdivision corner

(2) TYPE OF WORK (check):
New Well [x] Deepening [ ] Reconditioning [ ] Abandon [ ]
If abandonment, describe material and procedure in Item 12.

(11) WATER LEVEL: Completed well.
Depth at which water was first found 20 ft.
Static level 30 ft. below land surface. Date 2-4-80
Artesian pressure lbs. per square inch. Date

(3) TYPE OF WELL:
Rotary [x] Driven [ ]
Cable [ ] Jetted [ ]
Bored [ ]
(4) PROPOSED USE (check):
Domestic [x] Industrial [ ] Municipal [ ]
Irrigation [ ] Test Well [ ] Other [ ]

(12) WELL LOG: Diameter of well below casing
Depth drilled 84 ft. Depth of completed well 84 ft.
Formation: Describe color, texture, grain size and structure of materials;
and show thickness and nature of each stratum and aquifer penetrated,
with at least one entry for each change of formation. Report each change in
position of Static Water Level and indicate principal water-bearing strata.

(5) CASING INSTALLED: Threaded [ ] Welded [x]
8" Diam. from 1 ft. to 84 ft. Gage 250

Table with columns: MATERIAL, From, To, SWL. Entries include: Topsoil (0-4), Sand, gray (4-20), Sand (20-75), Gravel, coarse (75-84)

(6) PERFORATIONS: Perforated? [ ] Yes [x] No.
Type of perforator used
Size of perforations in. by in.
perforations from ft. to ft.

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(7) SCREENS: Well screen installed? [ ] Yes [x] No
Manufacturer's Name
Type Model No.
Diam. Slot size Set from ft. to ft.

Work started 1-25 1980 Completed 2-4 1980
Date well drilling machine moved off of well 2-4 1980

(8) WELL TESTS: Drawdown is amount water level is
lowered below static level
a pump test made? [ ] Yes [x] No If yes, by whom?
Yield: gal./min. with ft. drawdown after hrs.

Drilling Machine Operator's Certification:
This well was constructed under my direct supervision.
Materials used and information reported above are true to my
best knowledge and belief.
(Signed) James T. Luth Date 2-4, 1980
(Drilling Machine Operator)
Drilling Machine Operator's License No. 665

(9) CONSTRUCTION
Well seal-Material used Cement
Well sealed from land surface to 20 ft.
Diameter of well bore to bottom of seal 12 in.
Diameter of well bore below seal 8 in.
Number of sacks of cement used in well seal 12 sacks
How was cement grout placed? Placed by tremie pipe
from bottom to top of oversized steel
shoe.

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 TROY GRIFFIN
(Person, firm or corporation) (Type or print)
Address 900 HERMISTON AVE, HERMISTON ORE
(Signed) Troy Griffin
(Water Well Contractor)
Contractor's License No. 65 Date 2-4, 1980

Was a drive shoe used? [x] Yes [ ] No Plugs Size: location ft.
Did any strata contain unusable water? [ ] Yes [x] No
Type of water? depth of
Method of sealing strata off
Was well gravel packed? [ ] Yes [x] No Size of gravel
Gravel placed from ft. to

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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: 16.5 ~~17.19~~ Acres

Supplemental: \_\_\_\_\_ 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.

Circle one	Season Allowed
Permit/Certificate # _____	_____
Permit/Certificate # _____	_____
Permit/Certificate # _____	_____
Permit/Certificate # _____	_____

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

36.4  
~~43.11~~ acre feet 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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# 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: TERESO RODRIGUEZ

Mailing Address: 1786 PASEO LAGUNA SECO Apt #163

LIVERMORE CA 94551 Daytime Phone: 1-510-409-3987

### 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:
5N	29E	31	NW SW	1100	RR 4	<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	IRRIGATION
						<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:

UMATILLA COUNTY

### B. Description of Proposed Use

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

- Permit to Use or Store Water
- Water-Right Transfer
- Exchange of Water
- Allocation of Conserved Water
- Limited Water Use License
- Permit Amendment of Ground Water Registration Modification

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Source of water:  Reservoir/Pond  Ground Water  Surface Water (name) \_\_\_\_\_

Estimated quantity of water needed: 95  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:

Use irrigation to grow alfalfa & vegetables

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-77315



# Oregon

Theodore R. Kulongoski, Governor

**Water Resources Department**  
North Mall Office Building  
725 Summer Street NE, Suite A  
Salem, OR 97301-1266  
503-986-0900  
FAX 503-986-0904

## NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdictions where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you.

## NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

## For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form.

This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

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

Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): 152.156 A(1)

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: Richard Jennings Title: Planner

Signature: [Signature] Phone: 278-6249 Date: 2-8-10

Government Entity: Umatilla 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: \_\_\_\_\_

# UMATILLA COUNTY ASSESSOR

## Real Property Assessment Report

FOR ASSESSMENT YEAR 2009

2/10/2010 10:36:23 AM

**Account #** 130213  
**Map #** 5N2931-B0-01100  
**Code - Tax #** 0803-130213

**Tax Status** ASSESSABLE  
**Acct Status** ACTIVE  
**Subtype** NORMAL

**Owner** RODRIGUEZ TERESO & LINDA

**Deed Reference #** UNKNOWN

**Agent**

**Sales Date/Price** UNKNOWN

**In Care Of**

**Legal Description** UNKNOWN

**Mailing Address**

**Appraiser** EVANS, KEN

1786 PASEO LAGUNA SECO #163  
 LIVERMORE, CA 94551

		<b>MA</b>	<b>SA</b>	<b>NH</b>	<b>Unit</b>
<b>Prop Class</b>	409	03	44	000	54458-2
<b>RMV Class</b>	409				

Situs Address(s)	Situs City
ID# 80808 HICKEY LN	HERMISTON

Value Summary					
Code Area		AV	RMV	RMV Exception	CPR
0803	Impr.	15,750	40,200	Impr.	0
	Land	65,740	165,350	Land	0
<b>Code Area Total</b>		81,490	205,550	0	
<b>Grand Total</b>		81,490	205,550	0	

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Land Breakdown											
Code Area	ID#	RFD	Plan Zone	Value Source	TD%	LS	Size	Land Class	IRR Class	IRR Size	
0803	1	R	RR-4	Rural Site	0	A	17.19	L			
<b>Code Area Total</b>							17.19			0	
<b>Grand Total</b>							17.19			0.00	

Improvement Breakdown							
Code Area	ID#	YR Built	Stat Class	Description	TD%	Total Sq. Ft.	MS ACCT #
0803	1	1986	462	Double wide	0		
0803	1		110	Residential Other Improvements	0	1620	
<b>Code Area Total</b>						1,620	
<b>Grand Total</b>						1,620	

Exemptions/Special Assessments/Potential Liability		
Code Area	Type	Description

Manufactured Structure Accounts: 0803-124360 0803-802004

8-17315

NOTE AND MORTGAGE

M707-0  
44185

THE MORTGAGOR, TERESO RODRIGUEZ AND LINDA SUE RODRIGUEZ

2 4 6 3 1 2 6 3

mortgages to the STATE OF OREGON, represented and acting by the Director of Veterans' Affairs, pursuant to ORS 407.030, the following described real property located in the State of Oregon and County of Umatilla

Return w  
P69764

The North Half of the Southwest Quarter of the Northwest Quarter of Section 31, Township 5 North, Range 29, E.W.M., Umatilla County, Oregon, EXCEPTING THEREFROM the North 652 feet of the West 208 feet thereof, the said property excepted herefrom being that property conveyed to Leon M. Dennis, et ux, by Deed recorded in Book 209, Page 34 of the Deed Records of Umatilla County, Oregon, and that land conveyed to Eldora L. Gaede, a single woman, by Deed recorded in Book 297, Page 166, of the Deed Records of Umatilla County, Oregon;

PAID  
JUN 12 2000  
STATE OF OREGON  
DIRECTOR OF VETERANS' AFFAIRS

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All being East of the Willamette Meridian, in the County of Umatilla and State of Oregon;

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EXCEPTING any and all water rights of way.

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Together with the following described Mobile Home which is firmly affixed to the property:

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SALEM, OREGON

1973, FLEETWOOD, 12x60, Serial # 15270.

Together with a non-exclusive easement for road and utility purposes over and across the following described real property, to-wit:

The Southerly 10 feet and the Easterly 14 feet of the West Half of the Southeast Quarter of the Southwest Quarter of the Northwest Quarter of Section 31, Township 5 North, Range 29, East of the Willamette Meridian, County of Umatilla, State of Oregon.

together with the tenements, hereditaments, rights, privileges, and appurtenances including roads and easements used in connection with the premises; electric wiring and fixtures; furnace and heating system, water heaters, fuel storage receptacles; plumbing, ventilating, water and irrigating systems; screens, doors; window shades and blinds, shutters; cabinets, built-ins, linoleums and floor coverings, built-in stoves, ovens, electric sinks, air conditioners, refrigerators, freezers, dishwashers; and all fixtures now or hereafter installed in or on the premises; and any shrubbery, flora, or timber now growing or hereafter planted or growing thereon; and any replacements of any one or more of the foregoing items, in whole or in part, all of which are hereby declared to be appurtenant to the land, and all of the rents, issues, and profits of the mortgaged property;

to secure the payment of Twenty-Nine Thousand Four Hundred Fifty-One and No/100----- Dollars

(\$29,451.00----), and interest thereon, evidenced by the following promissory note:

I promise to pay to the STATE OF OREGON Twenty-Nine Thousand Four Hundred Fifty-One and No/100----- Dollars (\$29,451.00-----), with interest from the date of initial disbursement by the State of Oregon, at the rate of 5.9----- percent per annum until such time as a different interest rate is established pursuant to ORS 407.072, principal and interest to be paid in lawful money of the United States at the office of the Director of Veterans' Affairs in Salem, Oregon, as follows:  
\$188.00----- on or before November 15, 1978----- and \$188.00 on the 15th of each month----- thereafter, plus one-twelfth of----- the ad valorem taxes for each successive year on the premises described in the mortgage, and continuing until the full amount of the principal, interest and advances shall be fully paid, such payments to be applied first as interest on the unpaid balance, the remainder on the principal.  
The due date of the last payment shall be on or before October 15, 2003-----  
In the event of transfer of ownership of the premises or any part thereof, I will continue to be liable for payment and the balance shall draw interest as prescribed by ORS 407.070 from date of such transfer.  
This note is secured by a mortgage, the terms of which are made a part hereof.  
Dated at HERMISTON, OREGON  
October 2, 1978

The mortgagor or subsequent owner may pay all or any part of the loan at any time without penalty.

The mortgagor covenants that he owns the premises in fee simple, has good right to mortgage same, that the premises are free from encumbrance, that he will warrant and defend same forever against the claims and demands of all persons whomsoever, and this covenant shall not be extinguished by foreclosure, but shall run with the land.

MORTGAGOR FURTHER COVENANTS AND AGREES:

1. To pay all debts and moneys secured hereby;
2. Not to permit the buildings to become vacant or unoccupied; not to permit the removal or demolition of any buildings or improvements now or hereafter existing; to keep same in good repair; to complete all construction within a reasonable time in accordance with any agreement made between the parties hereto;
3. Not to permit the cutting or removal of any timber except for his own domestic use; not to commit or suffer any waste;
4. Not to permit the use of the premises for any objectionable or unlawful purpose;
5. Not to permit any tax, assessment, lien, or encumbrance to exist at any time;
6. Mortgagee is authorized to pay all real property taxes assessed against the premises and add same to the principal, each of the advances to bear interest as provided in the note;
7. To keep all buildings unceasingly insured during the term of the mortgage, against loss by fire and such other hazards in such company or companies and in such an amount as shall be satisfactory to the mortgagee; to deposit with the mortgagee all such policies with receipts showing payment in full of all premiums; all such insurance shall be made payable to the mortgagee; insurance shall be kept in force by the mortgagor in case of foreclosure until the period of redemption expires;