

Application for a Permit to Use Ground Water



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

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JAN 18 2012

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant Information

WATER RESOURCES DEPT
SALEM, OREGON

NAME ROY OR KRISTI MOORHOUSE		PHONE (HM) (503) 829-8983	
PHONE (WK)	CELL	FAX	
ADDRESS 13963 S. VICK ROAD			
CITY MOLALLA	STATE OR	ZIP 97038	E-MAIL

Organization Information

NAME		PHONE	FAX
ADDRESS			CELL
CITY	STATE	ZIP	CITY

Agent Information – The agent is authorized to represent the applicant in all matters relating to this application.

AGENT / BUSINESS NAME GREG OR MALIA KUPILLAS / PACIFIC HYDRO-GEOLOGY INC.		PHONE (503) 632-5016	FAX (503) 632-5983
ADDRESS 18487 S. VALLEY VISTA ROAD			CELL (503) 939-3167
CITY MULINO	STATE OR	ZIP 97042	CITY MULINO

Note: Attach multiple copies as needed

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.
- I cannot use water legally until the Water Resources Department issues a permit.
- Oregon law requires that a permit be issued before beginning construction of any proposed well, unless the use is exempt. Acceptance of this application does not guarantee a permit will be issued.
- 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 cancelled.
- 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 (we) affirm that the information contained in this application is true and accurate.

Kristi L Moorhouse
Applicant Signature

Kristi L Moorhouse
Print Name and title if applicable

01/06/12
Date

Applicant Signature

Print Name and title if applicable

Date

For Department Use		
App. No. _____	Permit No. _____	Date _____

SECTION 2: PROPERTY OWNERSHIP

Please indicate if you own all the lands associated with the project from which the water is to be diverted, conveyed, and used.

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- Yes
 - There are no encumbrances.
 - This land is encumbered by easements, rights of way, roads or other encumbrances.
- No
 - 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 irrigation and/or domestic use only (ORS 274.040).
 - Water is to be diverted, conveyed, and/or used only on federal lands.

List the names and mailing addresses of all affected landowners (*attach additional sheets if necessary*).

NA

SECTION 3: WELL DEVELOPMENT

WELL NO.	NAME OF NEAREST SURFACE WATER	IF LESS THAN 1 MILE:	
		DISTANCE TO NEAREST SURFACE WATER	ELEVATION CHANGE BETWEEN NEAREST SURFACE WATER AND WELL HEAD
3	Unnamed stream, tributary to Molalla River	~1,380 feet	~10 feet
4	Unnamed stream, tributary to Molalla River	~1,350 feet	~10 feet

Please provide any information for your existing or proposed well(s) that you believe may be helpful in evaluating your application. For existing wells, describe any previous alteration(s) or repair(s) not documented in the attached well log or other materials (*attach additional sheets if necessary*).

None

SECTION 3: WELL DEVELOPMENT, CONTINUED

Source (aquifer), if known: Alluvium

Total maximum rate requested: 1.27 cfs (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below).

Complete the table below. If this is an existing well, the following information may be found on the applicable well log. (If a well log is available, please submit it in addition to completing the table.) If this is a proposed well, or well-modification, consider consulting with a licensed well driller, geologist, or certified water right examiner.

OWNER'S WELL NAME OR NO.	PROPOSED	EXISTING	WELL ID (WELL TAG) NO.* OR WELL LOG ID**	FLOWING ARTESIAN	CASING DIAMETER	CASING INTERVALS (IN FEET)	PERFORATED OR SCREENED INTERVALS (IN FEET)	SEAL INTERVALS (IN FEET)	MOST RECENT STATIC WATER LEVEL & DATE (IN FEET)	PROPOSED USE			
										SOURCE AQUIFER***	TOTAL WELL DEPTH	WELL-SPECIFIC RATE (GPM)	ANNUAL VOLUME (ACRE-FEET)
3	<input type="checkbox"/>	<input checked="" type="checkbox"/>	CLAC 20017/20304	<input type="checkbox"/>	8" inside 12"	+2'-340'	100'-304' over various intervals	0'-38' & 338'-346'	13' 2/16/95	Alluvium	340'	400	
4	<input type="checkbox"/>	<input checked="" type="checkbox"/>	CLAC 51358	<input type="checkbox"/>	12"	+2'-381'	100'-307' over various intervals	0'-38'	15' 1/10/97	Alluvium	381'	600	
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>						Total			253.25
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									

* Licensed drillers are required to attach a Department-supplied Well Tag, with a unique Well ID or Well Tag Number to all new or newly altered wells. Landowners can request a Well ID for existing wells that do not have one. The Well ID is intended to serve as a unique identification number for each well.
 ** A well log ID (e.g. MARI 1234) is assigned by the Department to each log in the agency's well log database. A separate well log is required for each subsequent alteration of the well.
 *** Source aquifer examples: Troutdale Formation, gravel and sand, alluvium, basalt, bedrock, etc.

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SECTION 4: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Irrigation	March 1 to October 31	253.25

Exempt Uses: Please note that 15,000 gallons per day for single or group **domestic** purposes and 5,000 gallons per day for a single **industrial or commercial** purpose are exempt from permitting requirements.

For irrigation use only:
 Please indicate the number of primary and supplemental acres to be irrigated (*must match map*).
 Primary: 101.3 Acres Supplemental: 0.0 Acres
 List the Permit or Certificate number of the underlying primary water right(s): NA

 Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 253.25

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- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households: _____
- If the use is **mining**, describe what is being mined and the method(s) of extraction: _____

SECTION 5: WATER MANAGEMENT

A. Diversion and Conveyance

What equipment will you use to pump water from your well(s)?

- Pump (give horsepower and type): Well 3: 50 Hp submersible; Well 4: 100 Hp turbine
- Other means (describe): _____

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. Water will be pumped from the wells directly to the buried mainlines for distribution to the various places of use.

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler)
Water will be applied using either big gun type sprinklers or impact sprinklers on hand lines.

C. Conservation

Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; prevent damage to aquatic life and riparian habitat; prevent the discharge of contaminated water to a surface stream; prevent adverse impact to public uses of affected surface waters.

The tenant farmer regularly maintains their irrigation equipment to maximize performance and eliminate waste. Recently, all impact sprinklers on hand lines were replaced; new flow control nozzles were also installed (which equalize application rate along the length of the lateral line, preventing over-application). Gaskets on portable pipe are inspected annually, and replaced as needed. For some crops (particularly sweet corn) irrigation monitoring and scheduling is conducted by an independent soil consultant.

SECTION 6: STORAGE OF GROUND WATER IN A RESERVOIR

If you would like to store ground water in a reservoir, complete this section (if more than one reservoir, reproduce this section for each reservoir).

Reservoir name: NA Acreage inundated by reservoir: _____

Use(s): _____

Volume of Reservoir (acre-feet): _____ Dam height (feet, if excavated, write "zero"): _____

Note: If the dam height is greater than or equal to 10.0' above land surface AND the reservoir will store 9.2 acre feet or more, engineered plans and specifications must be approved prior to storage of water.

SECTION 7: USE OF STORED GROUND WATER FROM THE RESERVOIR

If you would like to use stored ground water from the reservoir, complete this section (if more than one reservoir, reproduce this section for each reservoir).

Annual volume (acre-feet): NA

USE OF STORED GROUND WATER	PERIOD OF USE
NA	NA

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SECTION 8: PROJECT SCHEDULE

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Date construction will begin: No new construction necessary

Date construction will be completed: Wells proposed for use already exist and irrigation systems are in place and ready for use

Date beneficial water use will begin: April 2012

SECTION 9: REMARKS

Use this space to clarify any information you have provided in the application (attach additional sheets if necessary).

The rates given for the wells above in Section 3 are NOT intended to be used for specified rates for each well in the permit, but are only provided to give an approximation of each well's capacity. The two wells proposed for use are intended to be operated either individually or in combination to irrigate the place of use.

Land Use Information Form



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

Applicant(s): Roy or Kristi Moorehouse

Mailing Address: 13963 S. Vick Road

City: Molalla

State: OR

Zip Code: 97038

Daytime Phone: _____

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. 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:
<u>5S</u>	<u>2E</u>	<u>4 & 5</u>	_____	<u>5 2E 5 300</u>	<u>EFU</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Irrigation</u>
_____	_____	_____	_____	_____	_____	<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, and/or used or developed.

Clackamas County

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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
 Permit Amendment or Ground Water Registration Modification
 Limited Water Use License
 Allocation of Conserved Water
 Exchange of Water

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

Estimated quantity of water needed: 1.27 cubic feet per second gallons per minute acre-feet

Intended use of water: Irrigation Commercial Industrial Domestic for _____ household(s)
 Municipal Quasi-Municipal Instream Other _____

Briefly describe:

Water will be pumped from two wells located on the listed property and conveyed to the place of use for irrigation of crops.

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

See bottom of Page 3. →

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The following section must be completed by a planning official from each county and city listed unless the project is 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 the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): SECTION 401.04 (A).
- Land uses to be served by the 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.

FOR: 13963 S. VICK ROAD, MOLALLA, OR

Name: GARY HEWITT Title: SR. PLANNER

Signature: [Signature] Phone: 503-742-4519 Date: 1-19-12

Government Entity: CLACKAMAS 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: _____

Land Use Information Form



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

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SALEM, OREGON

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 jurisdiction(s) 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. Please be aware that your application will not be approved without land use approval.

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) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
 - b) The application involves a change in place of use only;
 - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; **and**
 - d) The application involves irrigation water uses only.

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying 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.

Land Use Information Form



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

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Applicant(s): Roy or Kristi Moorehouse

Mailing Address: 13963 S. Vick Road

City: Molalla

State: OR

Zip Code: 97038

Daytime Phone: _____ **WATER RESOURCES DEPT
 SALEM, OREGON**

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. 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:
<u>5S</u>	<u>2E</u>	<u>4 & 5</u>	_____	<u>5 2E 5 300</u>	_____	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Irrigation</u>
_____	_____	_____	_____	_____	_____	<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, and/or used or developed:

Clackamas 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
 Permit Amendment or Ground Water Registration Modification
 Limited Water Use License
 Allocation of Conserved Water
 Exchange of Water

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

Estimated quantity of water needed: 1.27
 cubic feet per second
 gallons per minute
 acre-feet

Intended use of water: Irrigation
 Commercial
 Industrial
 Domestic for _____ household(s)
 Municipal
 Quasi-Municipal
 Instream
 Other _____

Briefly describe:

Water will be pumped from two wells located on the listed property and conveyed to the place of use for irrigation of crops.

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See bottom of Page 3. →

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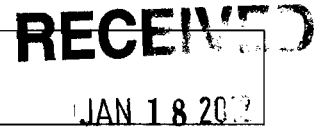
The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval 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 the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): _____.
- Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

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

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



Name: _____ Title: _____ **WATER RESOURCES DEPT
SALEM, OREGON**

Signature: _____ Phone: _____ Date: _____

Government Entity: _____

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: Clackamas Co. Staff contact: May Glasgow

Signature: Phone: 503 742 4520 Date: 1-12-12

CONTRACT -- REAL ESTATE

THIS CONTRACT, Made this 3rd day of May, 1994, between ANN WELLMAN, hereinafter called the Seller, and ROY MOORHOUSE and KRISTI MOORHOUSE, as tenants by the entirety, hereinafter called the Buyer,

WITNESSETH: That in consideration of the mutual covenants and agreements herein contained, the Seller agrees to sell unto the Buyer and the Buyer agrees to purchase from the Seller all of the following described lands and premises situated in Clackamas County, State of Oregon, to wit:

A part of Claim No. 38, being the Donation Land Claim of W. D. Woodcock and wife in Township 5 South, Range 2 East of the Willamette Meridian, in the County of Clackamas and State of Oregon:

Beginning at the Southeast corner of said Claim No. 38, running thence North 8° East 20.82 chains; thence North 45° West 32.62 chains; thence South 86° West to the Easterly line of the tract of land conveyed to the Portland, Eugene and Eastern Railway Company by Deed recorded in Book 130, Page 304, Deed Records; thence Southerly along the Easterly line of said railroad tract to the South line of said Woodcock Donation Land Claim; thence Easterly along said claim line to the Southeast corner thereof and the point of beginning.

EXCEPT THEREFROM any portion lying within public roads.

Recorded By
First American Title Insurance Company of Oregon
75717

For the sum of THREE HUNDRED NINETY SEVEN THOUSAND FIVE HUNDRED and NO/100 Dollars (\$397,500.00), hereinafter called the purchase price, on account of which EIGHTY EIGHT THOUSAND and NO/100 Dollars (\$88,000.00) is paid on the execution hereof (the receipt of which is hereby acknowledged by the Seller); the Buyer agrees to pay the remainder of the purchase price (to wit: \$309,500.00) to the order of the Seller in annual installments of not less than SEVENTY SEVEN THOUSAND THREE HUNDRED SEVENTY FIVE and no/100 Dollars (\$77,375.00) each, payable on the tenth day of January 1995 and the tenth day of each January thereafter until the entire purchase price plus all accrued interest is paid in full.

The true and actual consideration for this conveyance is \$397,500.00. (Here comply with ORS 93.030.)

All of the deferred payments shall bear interest at the rate of nine percent per annum from November 1, 1994 until paid; interest to be paid at the time the annual payments are due and to be in addition to the minimum annual payments above required. Taxes on the premises for the current tax year shall be prorated between the parties hereto as of the date of this contract.

The Buyer warrants to and covenants with the Seller that the real property described in this contract is primarily for Buyer's personal, family or household purposes.

The Buyer shall be entitled to possession of the lands on the date hereof and may retain such possession so long as Buyer is not in default under the terms of this contract. The Buyer agrees that at all times Buyer will keep the premises and the buildings, now or hereafter erected thereon, in good condition and repair and will not suffer or permit any waste or strip thereof; that Buyer will keep the premises free from construction and all other liens and save the Seller harmless therefrom and reimburse Seller for all costs and attorney's fees incurred by Seller in defending against any such liens; that Buyer will pay any and all taxes hereafter levied against the property, as well as all water rents, public charges and municipal liens which hereafter lawfully may be imposed upon the premises, all promptly before the same or any part thereof become past due; that at Buyer's expense, Buyer will insure and keep insured all buildings now or hereafter erected on the premises against loss or damage by fire (with extended coverage) in an amount not less than insurable value in a company or companies satisfactory to Seller, specifically naming the Seller as an additional insured, with loss payable first to the Seller and then to the Buyer as their respective interest may appear and all policies of insurance to be delivered to the Seller as soon as insured. Now if the Buyer shall fail to pay any such liens, costs, water rents, taxes or charges or to procure and pay for such insurance, the Seller may do so and any payment so made shall be added to and become a part of the debt secured by this contract and shall bear interest at the rate aforesaid, without waiver, however, of any right arising to the Seller for Buyer's breach of contract.

(CONTINUED ON NEXT PAGE)

Ann Wellman
21630 SW Stafford Road
Tualatin, Oregon 97062

Grantor's Name and Address

Roy & Kristi Moorhouse
13963 S. Vick Road
Malina, Oregon 97038

Grantee's Name and Address

After Recording Return to (Name, Address, Zip):
Ann Wellman
21630 SW Stafford Road
Tualatin, Oregon 97062

Until requested otherwise send all tax statements to:

Roy & Kristi Moorhouse
13963 S. Vick Road
Malina, Oregon 97038

STATE OF OREGON,
County of _____ } ss

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

Name _____ Title _____
By _____, Deputy

94 37411

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SALEM, OREGON

The Seller agrees that at Seller's expense and within thirty days from the date hereof, Seller will furnish unto Buyer a title insurance policy insuring (in an amount equal to the purchase price) marketable title in and to the premises in the Seller on or subsequent to the date of this agreement, save and except the usual printed exceptions and that building and other restrictions and easements now of record, if any. Seller also agrees that when the purchase price is fully paid and upon request and upon surrender of this agreement, Seller will deliver a good and sufficient deed conveying the premises in fee simple unto the Buyer, Buyer's heirs and assigns, free and clear of encumbrances as of the date hereof and free and clear of all encumbrances since the date placed, permitted or arising by, through or under Seller, excepting, however, the easements, restrictions and the taxes, municipal liens, water rents and public charges so assumed by the Buyer and further excepting all liens and encumbrances created by the Buyer or Buyer's assigns.

And it is understood and agreed between the parties that time is of the essence of this contract, and in case the Buyer shall fail to make the payments above required, or any of them, punctually within 20 days of the time limited therefor, or fail to keep any agreement herein contained, then the Seller shall have the following rights and options:

- (1) To declare this contract canceled for default and null and void, and to declare the purchaser's rights forfeited and the debt extinguished, and to retain all sums previously paid hereunder by the Buyer;
(2) To declare the whole unpaid principal balance of the purchase price with the interest thereon at once due and payable; and/or
(3) To foreclose this contract by suit in equity.

In any of such cases, all rights and interest created or then existing in favor of the Buyer as against the Seller hereunder shall utterly cease and the right to the possession of the premises above described and all other rights acquired by the Buyer hereunder shall revert to and revert in the Seller without any act of re-entry, or any other act of the Seller to be performed and without any right of the Buyer of return, reclamation or compensation of moneys paid on account of the purchase of the property as absolutely, fully and perfectly as if this contract and such payments had never been made; and in case of such default all payments theretofore made on this contract are to be retained by and belong to the Seller as the agreed and reasonable rent of the premises up to the time of such default. And the Seller, in case of such default, shall have the right immediately, or at any time thereafter, to enter upon the land aforesaid, without any process of law, and take immediate possession thereof, together with all the improvements and appurtenances thereon or thereto belonging.

The Buyer further agrees that failure by the Seller at any time to require performance by the Buyer of any provision hereof shall in no way affect Seller's right hereunder to enforce the same, nor shall any waiver by the Seller of any breach of any provision hereof be held to be a waiver of any succeeding breach of any such provision, or as a waiver of the provision itself.

In case suit or action is instituted to foreclose this contract or to enforce any provision hereof, the losing party in the suit or action agrees to pay such sum as the trial court may adjudge reasonable as attorney's fees to be allowed the prevailing party in the suit or action and if an appeal is taken from any judgment or decree of the trial court, the losing party further promises to pay such sum as the appellate court shall adjudge reasonable as the prevailing party's attorney's fees on such appeal.

In construing this contract, it is understood that the Seller or the Buyer may be more than one person or a corporation; that if the context so requires, the singular pronouns shall be taken to mean and include the plural and the neuter, and that generally all grammatical changes shall be made assumed and implied to make the provisions hereof apply equally to corporations and individuals.

This agreement shall bind and inure to the benefit of, as the circumstances may require, not only the immediate parties hereto but their respective heirs, executors, administrators, personal representatives, successors in interest and assigns as well.

IN WITNESS WHEREOF, the parties have executed this instrument in duplicate; if either of the undersigned is a corporation, it has caused its name to be signed and its seal, if any affixed by an officer or other person duly authorized to do so by order of its board of directors.

Handwritten signatures: Roy Moorhouse, Kristi Moorhouse, Ann L. Wellman

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

*Seller Comply with ORS 93.908 at one price to annul the remedy.

STATE OF OREGON, County of Clackamas, 1994
This instrument was acknowledged before me on May 3, 1994
by Roy Moorhouse, Kristi Moorhouse and Ann L. Wellman
This instrument was acknowledged before me on _____, 19____
by _____
as _____



Handwritten signature: Frances E. Miller
Notary Public for Oregon
commission expires 4/9/95

ORS 93.635 (1) All instruments contracting to convey fee title to any real property, at a time more than 12 months from the date that the instrument is executed and the parties are bound, shall be acknowledged, in the manner provided for acknowledgment of deeds, by the conveyer of the title to be conveyed. Such instruments, or a memorandum thereof, shall be recorded by the conveyer not later than 15 days after the instrument is executed and the parties are bound thereby.
ORS 93.990 (2) Violation of ORS 93.635 is punishable, upon conviction, by a fine of not more than \$100.

ADDITIONAL PROVISIONS
Notwithstanding anything to the contrary contained herein, the entire principal balance plus all accrued interest shall be paid in full not later than January 10, 1988. Buyer is aware of that certain lease agreement by and between Seller and Jon Schiever covering a portion of the subject property and allowing Jon Schiever to farm and cultivate the subject premises through October 15, 1984. The lease payments with respect to said lease agreement have been forgiven for the calendar year 1984 in exchange for the agreement by Jon Schiever to vacate the premises not later than October 15, 1984. As such, Buyer is not entitled to any pro-rates with respect to such lease and accepts the property subject to the rights of Jon Schiever to farm and cultivate the premises through October 15, 1984 and further agrees to honor and comply with the rights of Jon Schiever with respect to the subject property through October 15, 1984. Buyer is aware that the subject property is specially assessed as Farm Use. In the event that the property ever fails to qualify for said special assessment, Buyer agrees to pay all additional taxes and/or penalties which may be imposed due to such disqualification, regardless of the tax year to which they may pertain.

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JAN 18 2012
WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED

JAN 18 2012

WATER RESOURCES DEPT
SALEM, OREGON

STATE OF OREGON } ss.
County of Clackamas }
I, John Kauffman, County Clerk, for the County of Clackamas, do hereby certify that the instrument of writing was received for recording in the records of said county at

94 MAY -4 AM 10:53



Witness my hand and official seal this 18th day of January, 2012.
John Kauffman
JOHN KAUFFMAN
County Clerk

Recording Candidate
CPR-82 (Rev. 6/91)

94 37411

3

Date _____

(For staff use only)



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

WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):

- SECTION 1: _____
- SECTION 2: _____
- SECTION 3: _____
- SECTION 4: _____
- SECTION 5: _____
- SECTION 6: _____
- SECTION 7: _____
- SECTION 8: _____
- SECTION 9: _____
- Land Use Information Form _____
- 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.
- Fees _____

RECEIVED

JAN 18 2012

WATER RESOURCES DEPT
SALEM, OREGON

MAP

- Permanent quality and drawn in ink
- Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
- North Directional Symbol
- Township, Range, Section, Quarter/Quarter, Tax Lots
- Reference corner on map
- Location of each well, and/or dam if applicable, by reference to a recognized public land survey corner (distances north/south and east/west). Each well must be identified by a unique name and/or number.
- Indicate the area of use by Quarter/Quarter and tax lot clearly identified
- Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
- Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)
- Other _____

