



# Oregon

John A. Kitzhaber, MD, Governor

Water Resources Department  
North Mall Office Building  
725 Summer Street NE, Suite A  
Salem, OR 97301-1271  
503-986-0900  
FAX 503-986-0904

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NOV 13 2014

Monday, October 20, 2014

Robert Gabriel  
8474 Hazelgreen Rd NEe  
Silverton, Oregon 97381

SALEM, OR

Dear Property Owner,

The Department of Water Resources was recently informed that you have purchased a piece of property with an associated water right. The right involved is Ground Water Certificate 80671. You should be aware of the terms and conditions of this water right, and I have enclosed a copy for your review.

1) Water Use Reporting

You are required to meter and keep a monthly record of water use for each of your points of diversions. You can keep track on the form provided, and then submit your data online by December 31<sup>st</sup> each year. See the enclosed water use reporting instructions for further details.

In order to update our records, an Ownership Update (enclosed) must be filled out and returned to the Department. Please be sure to attach a copy of your property deed or legal description of the property.

Please don't hesitate to contact me with any questions you may have.

Best,

Shawn Turner  
Assistant Hydrographer  
Measurement, Recording, & Reporting Section  
Oregon Water Resources Department  
shawn.m.turner@wrdd.state.or.us  
503.986.0905



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

# Certificate of Water Right Ownership Update

## NOTICE TO SELLERS & BUYERS:

By law, all water belongs to the public (ORS 537.110). In almost every instance, a permit or water right certificate from the Water Resources Department is needed before using, diverting or storing water (ORS 537.130). However, most domestic wells do not require water rights. A certificate of water right stays with the land. In order to keep track of water right ownership, the Department requests that this form be submitted to the Department. *If for multiple rights, a separate form for each right will be required.*

Water that has been used for a long time in one place or that involves a water structure (like a dam) that already exists is no guarantee that there is a water right which would allow the water use to continue.

If you have any questions about this form or water right requirements, please contact your local watermaster or call the Water Resources Department at 503-986-0900.

*Note: Please type or print legibly when filling in the following information. Use additional paper if necessary.*

### PROPERTY SELLER INFORMATION

Applicant(s): TOM (Thoms) THOMSEN  
First Last  
 Mailing Address: 25355 NE Glass rd  
Amora ore 97002  
City State Zip  
 Phone: (503) 678-2842  
Home Work Other

### PROPERTY BUYER INFORMATION

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Applicant(s): Robert Gabriel NOV 13 2014  
First Last  
 Mailing Address: 8474 Hazelgreen rd SALEM, OR  
Silverton ore 97381  
City State Zip  
 Phone: (503) 873-1200  
Home Work Other

### PROPERTY DESCRIPTION (attach additional pages if necessary):

County: Clackamas Township: 3S Range: 1E Section: W.M.

Tax Lot Number(s): 00300, 00500, 01000, 01100, 01200

Street address of water right property: 25360 NE Glass rd Amora Ore 97002

Water Right Information (attach copy of water right permit or certificate & final proof map):

Application #: 4-13356 Permit #: 4-11751 Certificate or Page #: 50671

Will all the lands associated with this water right be owned by the buyer?  Yes  No

Name of individual completing this form: Robert Gabriel Phone: (503) 873-1200

Signature: [Signature] Date: 11/12/14

*Please be sure to attach a copy of your property deed or legal description of the property.*

STATE OF OREGON  
COUNTY OF CLACKAMAS  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

THOMAS L. THOMSEN  
25355 NE GLASS RD  
AURORA, OREGON 97002

confirms the right to use the waters of A WELL in the PUDDING RIVER BASIN for IRRIGATION OF 124.37 ACRES.

This right was perfected under Permit G-11751. The date of priority is APRIL 2, 1993. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.44 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the well.

The well is located as follows:

SW 1/4 NE 1/4, SECTION 30, TOWNSHIP 3 SOUTH, RANGE 1 EAST, W.M.; 3638 FEET NORTH AND 3810 FEET EAST FROM THE SOUTHWEST CORNER OF SECTION 30.

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre-feet for each acre irrigated during the irrigation season of each year. The period of allowed use is March 1 through October 31.

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

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

NE 1/4 NE 1/4	6.81 ACRES
NW 1/4 NE 1/4	2.41 ACRES
SW 1/4 NE 1/4	27.30 ACRES
SE 1/4 NE 1/4	14.62 ACRES
SW 1/4 NW 1/4	2.13 ACRES
SE 1/4 NW 1/4	38.21 ACRES
NE 1/4 SW 1/4	31.12 ACRES
NW 1/4 SW 1/4	1.77 ACRES

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SECTION 30  
TOWNSHIP 3 SOUTH, RANGE 1 EAST, W.M.


This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review of the order must be filed within the 60 days of the date of service.

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

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

The Director finds the use of water described by this right, as conditioned, will not impair or be detrimental to the public interest.

Issued APRIL 6, 2004.

  
Paul R. Cleary, Director  
Water Resources Department

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SALEM, OR

Recorded in State Record of Water Right Certificates Number 80671.

G-13356.DF

STATE OF OREGON  
COUNTY OF CLACKAMAS  
PERMIT TO APPROPRIATE THE PUBLIC WATERS



COPY

THIS PERMIT IS HEREBY ISSUED TO

THOMAS L. THOMSEN  
25355 NE GLASS RD.  
AURORA, OREGON 97002

503-678-2342

to use the waters of A WELL in the PUDDING RIVER BASIN for IRRIGATION OF 126.9 ACRES.

This permit is issued approving Application G-13356. The date of priority is APRIL 2, 1993. The use is limited to not more than 1.55 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the well.

The well is located as follows:

SE 1/4 NW 1/4, SECTION 30, T 3 S, R 1 E, W.M.; 215 FEET SOUTH AND 1325 FEET WEST FROM THE CENTER NORTH 1/16 CORNER OF SECTION 30.

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre-feet for each acre irrigated during the irrigation season of each year. The period of allowed use is March 1 through October 31.

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

A description of the proposed place of use under this permit is as follows:

NE 1/4 NE 1/4	7.0 ACRES
NW 1/4 NE 1/4	2.9 ACRES
SW 1/4 NE 1/4	26.3 ACRES
SE 1/4 NE 1/4	13.1 ACRES
SE 1/4 NW 1/4	41.2 ACRES
NE 1/4 SE 1/4	36.4 ACRES

SECTION 30  
TOWNSHIP 3 SOUTH, RANGE 1 EAST, W.M.

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SALEM, OR

The well shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.



- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

The permittee shall obtain a static water-level measurement for each well during March of each year and report the measurement to the Department within thirty days. The measurement shall be made by a certified water-rights examiner, registered professional geologist, or professional engineer. Water levels shall be reported as depth-to-water below ground level and shall be accompanied by supporting calculations. If a well listed on this permit displays a total static water-level decline of 25 or more feet over any period of years, as compared to the reference level, then the permittee shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s). Such action shall be taken until the water level recovers to above the 25-foot decline level or until the Department determines, based on the permittee's or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The reference level for water-level declines shall be the second annual measurement taken after water use begins under the terms of this permit. The permittee shall in no instance allow excessive decline to occur within the aquifer as a result of use under this permit.

This permit does not allow groundwater production from shallower than 150 feet below the land surface.

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

Actual construction work shall begin on or before May 10, 1995 and shall be completed on or before October 1, 1996. Complete application of the water shall be made on or before October 1, 1997.

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

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

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

The use of water shall be limited when it interferes with any prior surface or ground water rights.

The Director of the Water Resources Department has found that the proposed use of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Issued this date, May 10, 1994.

  
A. REED MARBUT

Water Resources Department  
Martha O. Pagel  
Director

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SALEM, OR

Application G-13356  
Basin 2

Water Resources Department  
Vol.13 PUDDING RIVER & MISC  
MGMT.CODE 4GG

PERMIT G-11751  
District 16

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EXHIBIT A  
LEGAL DESCRIPTION

SALEM, OR

PARCEL I (Tax Lot 300; Approximately 20.25 acres):

Part of the South one-half of the North one-half of the Northeast one-quarter of Section 30, Township 3 South, Range 1 East of the Willamette Meridian, in the County of Clackamas and State of Oregon, described as:

Beginning at the Northeast corner of said South one-half of the North one-half of the Northeast one-quarter of Section 30; thence, South 10.00 chains; thence, West 33.80 chains; thence, North 7° 55' East 6.46 chains; thence South 80° 35' East 1.51 chains; thence South 78° 20' East 2.32 chains; thence, North 82° 05' East 1.37 chains; thence South 41° 35' East 4.97 chains; thence, North 87° 05' East 6.10 chains; thence, North 13° 05' East 4.73 chains to a stake in the South line of a tract owned formerly by J. C. Wagerman; thence, South 71° 30' East 2.92 chains to the most Southerly corner of said tract; thence, North 8° 30' West 3.78 chains to a point on the line between the North and South halves of the North one-half of the Northeast one-quarter of said Section 30; thence, East 15.10 chains, to the place of beginning.

ALSO: Beginning at a point 15.5 chains East and 10.37 chains South of the one-half section between the corner between Sections 19 and 30, in said Township and Range, running thence South 0.25 chains to a stake from which a fir 2 feet in diameter, marked KOW bears North 2° 40' East 86 links; thence South 71° 30' East 10.45 chains to a stake; thence North 8° 30' West, 0.25 chains; thence North 71° 30' West 10.49 chains to the place of beginning.

SAVE AND EXCEPT: That portion of the above described tracts conveyed to B. D. and Loraine A. Nevill, August 1, 1970, Instrument No. 70 14420.

PARCEL II (Tax Lot 500; Approximately 62.72 acres):

Part of the South one-half of the Northeast one-quarter of Section 30, Township 3 South, Range 1 East of the Willamette Meridian, in the County of Clackamas and State of Oregon, described as follows:

Beginning at the Northwest corner of the said South one-half of the Northeast one-quarter; thence, East along the 1/16<sup>th</sup> Section line 160 rods to the Northeast corner of the said South one-half of the Northeast one-quarter; thence, South along the East line of said Section 30 to the center line of the Pudding River; thence, Southwesterly along the center line of the Pudding River to the intersection of said line with the South line of the said South one-half of the Northeast one-quarter; thence, West along the one-quarter section line to the center of said Section 30; thence, North along the one-quarter section line 80 rods to the point of beginning.

PARCEL III (Tax Lot 1100; Approximately 84.03 acres):

Part of the South one-half of the Northwest one-quarter and the North one-half of the Southwest one-quarter of Section 30, Township 3 South, Range 1 East of the Willamette Meridian, in the County of Clackamas and State of Oregon, described as follows:

Beginning at a point which is 35 feet West from the Northeast corner of the John Anderson Donation Land Claim in Section 30, Township 3 South, Range 1 East of the Willamette

Meridian; thence East on the 1/16 section line 1,415 feet to the North-South centerline of Section 30; thence North on said centerline 2,650 feet to the 1/16 section corner; thence West on the 1/16 section line 1,404.5 feet to an iron pipe; thence South and parallel to the West boundary line of said Section 30 a distance of 2,650 feet to the place of beginning.

PARCEL IV (Tax Lot 1000; Approximately 42.69 acres):

Part of the Southwest one-quarter of the Northwest one-quarter and part of the Northwest one-quarter of the Southwest one-quarter of Section 30, Township 3 South, Range 1 East of the Willamette Meridian, in the County of Clackamas and State of Oregon, described as:

Beginning at a basalt stone monument set at a point in the West boundary of Section 30, Township 3 South, Range 1 East of the Willamette Meridian, that is 621.3 feet North of the one-quarter section corner on the West boundary of said section; said stone marking the Southeast corner of the George L. Curry Donation Land Claim in Township 3 South, Range 1 East of the Willamette Meridian; running thence North tracing the meridian line, 704.7 feet to the Northwest corner of that certain tract of land conveyed to Eulla E. Hampton, by deed recorded in Book 199, Page 536, Records of Deeds of Clackamas County, Oregon; thence East 1,404.5 feet tracing the North boundary of said tract to the Northwest corner of the tract of land described as Parcel III in deed to Thomas L. Thomsen, Jr., recorded September 16, 1992, Recorder's Fee No. 92 57845; thence South tracing the West boundary of said tract, 1,507.90 feet to a point; thence West 1,244.35 feet to an iron pipe; thence North parallel to the West boundary of said Section 30, 803.20 feet to an iron pipe; thence West 165 feet to the place of beginning.

SAVE AND EXCEPT that portion of the above described property conveyed to Douglas Ver Meer and Linda Ver Meer, husband and wife, by deed recorded November 29, 1974, Fee No. 74 33426, Clackamas County Deed Records.

PARCEL V (Tax Lot 1200; Approximately 40 acres):

Part of the South one-half of the Northwest one-quarter, and part of the North one-half of the Southwest one-quarter of Section 30, Township 3 South, Range 1 East of the Willamette Meridian, in the County of Clackamas and State of Oregon, described as:

Beginning at a concrete monument set at the one-quarter section corner on the West boundary of Section 30, Township 3 South, Range 1 East of the Willamette Meridian; running thence North on the West boundary of said section, 621.30 feet to the Southeast corner of the George L. Curry Donation Land Claim; thence East 165 feet to an iron pipe; thence South 803.20 feet to an iron pipe; thence East 1,244.35 feet to a point in the West boundary of that certain tract of land described as Parcel III as conveyed to Thomas L. Thomsen, Jr. in deed recorded September 16, 1992, Recorder's Fee No. 92 57845; thence South tracing the West boundary of said tract, 1,141.10 feet to the Southwest corner of said tract; thence West 1,413 feet tracing the South boundary of that tract of land conveyed to Eulla E. Hampton by deed recorded in Book 199 at Page 536, to a concrete monument set at the Southwest corner of said tract, said point being the intersection of the North boundary of the John Anderson Donation Land Claim with the West boundary of Section 30, Township 3 South, Range 1 East of the Willamette Meridian; thence North tracing the West boundary of said section, 1,323.06 feet to the place of beginning.