



TELEPHONE (503) 357-5717  
FAX (503) 357-5698  
WEBSITE: [www.stuntzner.com](http://www.stuntzner.com)  
2137 19<sup>th</sup> Avenue  
Forest Grove, OR 97116

**COOS BAY - FOREST GROVE - DALLAS - JUNCTION CITY**

December 21, 2015

Oregon Water Resources Department  
725 Summer Street NE, Ste. A  
Salem, OR 97301-1266

**RE: Application for a Permit to Use Surface Water**

To Whom It May Concern:

An *Application for a Permit to Use Surface Water* has been completed. You will find the following enclosed:

1. Check #11746 in the amount of \$1531.00 to cover the Application fee.
2. The completed and signed *Application for a Permit to Use Surface Water*
  - Application Map
  - Land Use Information Form
  - Property Deed with Legal Description
  - ODF Fish Screening Letter
  - Final Proof Survey and Certificate of Water Right

If you have any questions on this submitted material, please contact Jeffrey Kee at 503-357-5717 or [jkee@stuntzner.com](mailto:jkee@stuntzner.com)

Sincerely,  
**Stuntzner Engineering & Forestry LLC**

Carol Taylor  
Office Assistant

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DEC 24 2015

SALEM, OR

# Application for a Permit to Use Surface Water



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

## SECTION 1: APPLICANT INFORMATION AND SIGNATURE

### Applicant Information

NAME MARK UNGER		PHONE (HM)	
PHONE (WK) 503-628-2513	CELL	FAX	
ADDRESS 33640 SW UNGER RD			
CITY CORNELIUS	STATE OR	ZIP 97113	E-MAIL * MJ@UNGERFAMILYFARMS.COM

### Organization Information

NAME UNGER FAMILY FARMS INC		PHONE 503-624-2513		FAX
ADDRESS 33640 SW UNGER RD			CELL	
CITY CORNELIUS	STATE OR	ZIP 97113	E-MAIL *	

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

AGENT / BUSINESS NAME		PHONE		FAX
ADDRESS			CELL	
CITY	STATE	ZIP	E-MAIL *	

Note: Attach multiple copies as needed

\* By providing an e-mail address, consent is given to receive all correspondence from the department electronically. (paper copies of the final order documents will also be mailed.)

### 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.
- The Department encourages all applicants to wait for a permit to be issued before beginning construction of any proposed diversion. Acceptance of this application does not guarantee a permit will be issued.
- If I begin construction prior to the issuance of a permit, I assume all risks associated with my actions.
- 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.**

Applicant Signature

Print Name and title if applicable

Date

Applicant Signature

Print Name and title if applicable

Date

# Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050 & ORS 537.140)

## Include this checklist with the application

Check that each of the following items is included. The application will be returned if all required items are not included. If you have questions, please call the Water Rights Customer Service Group at (503) 986-0900.

- SECTION 1: applicant information and signature
- SECTION 2: property ownership
- SECTION 3: source of water requested
- SECTION 4: water use
- SECTION 5: water management
- SECTION 6: resource protection
- SECTION 7: project schedule
- SECTION 8: within a district
- SECTION 9: remarks

### Attachments:

- 
- Land Use Information Form with approval and signature (*must be an original*) or signed receipt
  - 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 - Amount enclosed: \$ 1,531.00  
See the Department's Fee Schedule at [www.oregon.gov/owrd](http://www.oregon.gov/owrd) or call (503) 986-0900.

### Provide a map and check that each of the following items is included:

- 
- 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)
  - 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:

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SALEM, OR

# Application for a Permit to Use Surface Water



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

## SECTION 1: APPLICANT INFORMATION AND SIGNATURE

### Applicant Information

NAME <del>DANIEL UNGER</del> Mark Unger			PHONE (HM)		
PHONE (WK) 503-936-6771 503.628-2513		CELL		FAX	
ADDRESS 33640 SW UNGER RD					
CITY CORNELIUS		STATE OR	ZIP 97113	E-MAIL * MJ@ungerfamilyfarms.com	

### Organization Information

NAME UNGER FAMILY FARMS INC			PHONE 503-628- 503-936-6771 2513		FAX
ADDRESS 33640 SW UNGER RD					CELL
CITY CORNELIUS		STATE OR	ZIP 97113	E-MAIL *	

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

AGENT / BUSINESS NAME			PHONE		FAX
ADDRESS					CELL
CITY		STATE	ZIP	E-MAIL *	

Note: Attach multiple copies as needed

\* By providing an e-mail address, consent is given to receive all correspondence from the department electronically. (paper copies of the final order documents will also be mailed.)

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By my signature below I confirm that I understand:

DEC 24 2015

- 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.
- The Department encourages all applicants to wait for a permit to be issued before beginning construction of any proposed diversion. Acceptance of this application does not guarantee a permit will be issued.
- If I begin construction prior to the issuance of a permit, I assume all risks associated with my actions.
- 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.

SALEM, OR

 I (we) affirm that the information contained in this application is true and accurate.

Mark J. Unger  
Applicant Signature

Mark Unger  
Print Name and title if applicable

12/7/15  
Date

Applicant Signature

Print Name and title if applicable

Date

S-88159

**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.

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*).

Washington County 155 N First St. Hillsboro, Or 97124

Alvin John Haase Family Trust 33373 SW Firdale Rd. Cornelius Or 97113

***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.***

**SECTION 3: SOURCE OF WATER**

**A. 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: Grandpas Pond Certificate 40718

Tributary to: Christensen Creek

Source 2: Unger Pond Certificate 23377

Tributary to: Christensen Creek

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**

Do you, or will you, own the reservoir(s) described in item 3A above?

Yes.

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- 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 3A 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.

**SECTION 4: WATER USE**

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	USE	PERIOD OF USE	AMOUNT
Grandpas Pond	Irrigation	April-November	27.0 <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input checked="" type="checkbox"/> af
Unger Pond	Irrigation	April-November	23.5 <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input checked="" 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

**For irrigation use only:**

Please indicate the number of primary and supplemental acres to be irrigated.

Primary: 38.76 Acres                      Supplemental: \_\_\_\_\_ Acres

List the Permit or Certificate number of the underlying primary water right(s): 23377, 40718

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 50.5 AF

- 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 source?

Pump (give horsepower and type): Unger Pond 50hp, Centrifugal pump, Grandpas Pond 40 hp centrifugal.

Other means (describe): Grandpas Pond uses a bulge system to gather water. The Pond has a valve that can be opened to allow gravity to feed into the sump.

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water.

Unger Pond pumps directly into mainline, Grandpas Pond water is released into a sump area, from there it is pumped into the mainline.

### B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure **RECEIVED BY OWRD**  
sprinkler)

Overhead sprinklers, drip and mist.

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### C. Conservation

Please describe why the amount of water requested is needed and measures you propose to: prevent **SALEM, OR**  
waste; measure the amount of water diverted; prevent damage to public uses of affected surface  
waters.

The berry crops require plenty of water to size the fruit and grow the bush. Depending on the dryness of the year the bush needs more water to grow. We are installing drip and mist systems to more efficiently provide and conserve water. There are timers on the pumps to limit water use.

## SECTION 6: RESOURCE PROTECTION

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: All points of diversion will have proper fish protection systems in place approved by ODFW, see attached letter.

Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.  
Describe planned actions: If any riparian plants are destroyed they will be re-planted at a 1:1 basis.

Operating equipment in a water body will be managed and timed to prevent damage to aquatic life.  
Describe: There is an existing system in place, no additional work is anticipated.

Water quality will be protected by preventing erosion and run-off of waste or chemical products.  
Describe: An existing delivery system will be utilized, no additional work is anticipated.

**SECTION 7: PROJECT SCHEDULE**

Date construction will begin: 1975.

Date construction will be completed: May be completed by June 2018.

Date beneficial water use will begin: June 1, 2016

**SECTION 8: WITHIN A DISTRICT**

Check here if the point of diversion or place of use are located within or served by an irrigation or other water district.

Irrigation District Name	Address	
City	State	Zip

**SECTION 9: REMARKS**

Use this space to clarify any information you have provided in the application.

\_\_\_\_\_



## 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 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
		<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: Tom Harry Title: Senior Planner  
 Signature: [Signature] Phone: 503-846-3846 Date: 12/13/15  
 Government Entity: Washington 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: \_\_\_\_\_

5-88159

# 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: DANIEL UNGER  
First Last

Mailing Address: 33640 S.W. UNGER ROAD

CORNELIUS OR 97113 Daytime Phone: 503-936-6771  
City State Zip

## 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:
15	3W	26	SE ¼ SW	1400	5515 - FARMLAND	<input checked="" type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	AG
15	3W	26	SW ¼ SE	1000	5515 - FARMLAND	<input checked="" type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	AG
15	3W	26	NE ¼ SW	900	5515 - FARMLAND	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	AG
						<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:

WASHINGTON 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: 50.5     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:

SURFACE WATER APPLICATION TO IRRIGATE 38.76 ACRES ON TAX LOT 900.

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.

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**First American  
Title Company of Oregon**

Customer Service Department  
121 SW Morrison Street Suite 300 - Portland, OR 97204  
Phone: 503.219.TRIO (8746) Fax: 503.790.7872  
Email: cs.portland@firstam.com  
Today's Date : 12/15/2015

OWNERSHIP INFORMATION	
Owner : Unger Mark J	Bldg # 1 Of 1
CoOwner : Unger Julianne M	Ref Parcel Number : 1S32600 00900
Site Address : 34035 SW Unger Rd Cornelius 97113	Parcel Number : R0436200
Mail Address : 33640 SW Unger Rd Cornelius Or 97113	T: 01S R: 03W S: 26 Q: QQ:
County : Washington (OR)	

PROPERTY DESCRIPTION	
Map Page Grid :	
Census Tract : 330.00	Block: 1
Neighborhood : 1S21	
School District : Farmington View	
Subdivision/Plat :	
Building Use : Single Family Res	
Land Use : 5515 Agr, Farm Zone, Improved	
Legal : ACRES 38.76, ZONED	
	: FARMLAND-POTENTIAL ADDITIONAL TAX
	: LIABILITY

ASSESSMENT AND TAX INFORMATION	
Mkt Land	: \$409,920
Mkt Structure	: \$16,790
Mkt Total	: \$452,280
%Improved	: 4
M50AssdTotal	: \$101,800
Levy Code	: 05802
15-16 Taxes	: \$1,550.01
Millage Rate	: 12.0962
Zoning	: EFU

PROPERTY CHARACTERISTICS		
Bedrooms : 1	Year Built : 1890	Patio SqFt :
Bathrooms : 1.00	EffYearBlt : 1890	Deck SqFt :
Heat Method : Stove	BsmFin SF :	ExtFinish : Wood Std
Foundation : Post Pier	BsmUnfinSF :	Const Type : Wdstudno Shtg
Lot Acres : 38.76	BldgSqFt : 748	Roof Shape : Gable
Lot SqFt : 1,688,386	1stFlrSF : 532	Roof Matl : Wd Shake
Garage Type :	UpperFISF :	Porch SqFt :
Garage SF :	Attic SqFt : 216	Paving Matl :

TRANSFER INFORMATION						
Owner Name(s)	Sale Date	Doc#	Sale Price	Deed Type	Loan Amount	Loan Type
: Unger Mark J	: 09/26/1991	53784	: \$40,000	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:

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This title information has been furnished, without charge, in conformance with the guidelines approved by the State of Oregon Insurance Commissioner. The Insurance Division cautions intermediaries that this service is designed to benefit the ultimate insureds. Indiscriminate use only benefiting intermediaries will not be permitted. Said services may be discontinued. No liability is assumed for any errors in this report.

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SALEM, OR

STATE OF OREGON  
County of Washington 88

I, Jerry B. Hanson, Director of Assessment and Taxation and Ex-Officio County Clerk for said county, do hereby certify that the within instrument of writing was received and recorded in Book of Records of said county.



Doc : 99049217  
Rect: 230226 41.00  
04/21/1999 03:46:14pm

APR 21 1999

1-3

92884

21

Recorded By TICOR TITLE

W686631

SPECIAL WARRANTY DEED - STATUTORY FORM  
INDIVIDUAL GRANTOR

UAD 1-24-97

BABE ANDREW ZAGELOW, Trustee of the BABE ANDREW ZAGELOW REVOCABLE LIVING TRUST, Grantor,  
conveys and specially warrants to MARK J. UNGER and JULIANNE M. UNGER, husband & wife, Grantees,  
the following described real property free of encumbrances created or suffered by the Grantor except as specifically  
set forth herein, situated in WASHINGTON County, Oregon to-wit:

as per attached Exhibit "A"

\*\*\*THIS DEED IS GIVEN TO FULFILL THAT CERTAIN CONTRACT DATED JANUARY 5, 1979, AND  
RECORDED JANUARY 15, 1979, IN RECORDER'S FEE NO. 790001638, WASHINGTON COUNTY  
RECORDS\*\*\* (SUBSEQUENT ASSIGNMENTS OF CONTRACT RECORDED 1-1-92, IN RECORDER'S  
FEE NO. 92002739 AND APRIL 19, 1991, RECORDER'S FEE NO. 91-019055)

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

The property is free of all encumbrances created or suffered by the Grantor except liens or encumbrances  
suffered, permitted or created by the Grantee subsequent to January 5, 1979,  
the date of the contract which this deed is given to fulfill.

The true consideration for this conveyance is fulfillment of contract (Here comply with the requirements of ORS 93.030)

Dated this 17th day of April, 1999

BABE ANDREW ZAGELOW, Trustee of  
BABE ANDREW ZAGELOW REVOCABLE LIVING TRUST

BY: Babe Andrew Zagelow  
Babe Andrew Zagelow

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 AND TO DETERMINE ANY  
LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN  
ORS 30834.

STATE OF OREGON, County of Marion ) ss.  
This instrument was acknowledged before me on April 17, 1999,  
Babe Andrew Zagelow, Trustee



Debra L. Yager  
Notary Public for Oregon  
My commission expires

**SPECIAL WARRANTY DEED**

ZAGELOW UNGER	GRANTOR
GRANTEE'S ADDRESS, ZIP	
After recording return to:	
Mark and Julianne Unger 31640 SW Unger Road Cornelius, OR 97113	
NAME, ADDRESS, ZIP	
Until a change is requested, all tax statements shall be sent to the following address:	
as above	
NAME, ADDRESS, ZIP	

SPACE RESERVED  
FOR  
RECORDER'S USE

STATE OF OREGON, ) ss.  
County of }  
I certify that the within instru-  
ment 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/title/instru-  
ment/microfilm/reception No. of  
Record of Deeds of said County.  
Witness my hand and seal of  
County attixed.

NAME TITLE  
By Deputy

2

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**TICOR TITLE INSURANCE**

Report No. W686631-KH

**LEGAL DESCRIPTION**

**PARCEL 1:** The Southeast one-quarter of the Southwest one-quarter of Section 26, Township 1 South, Range 3 West, Willamette Meridian, in the County of Washington and State of Oregon.

**PARCEL 2:** The Northeast one-quarter of the Southwest one-quarter of Section 26, Township 1 South, Range 3 West of the Willamette Meridian, in the County of Washington and State of Oregon.

APR 21 1999

3<sup>6</sup>

8019-2



**First American  
Title Company of Oregon**

Customer Service Department  
121 SW Morrison Street Suite 300 - Portland, OR 97204  
Phone: 503.219.TRIO (8746) Fax: 503.790.7872  
Email: cs.portland@firstam.com  
Today's Date : 12/15/2015

**OWNERSHIP INFORMATION**

Owner	: Unger Mark J	Bldg #	1	Of	1
CoOwner	: Unger Julianne M	Ref Parcel Number	: 1S32600 01000		
Site Address	: 33285 SW Unger Rd Cornelius 97113	Parcel Number	: R0436219		
Mail Address	: 33640 SW Unger Rd Cornelius Or 97113	T: 01S	R: 03W	S: 26	Q: QQ:
County	: Washington (OR)				

**PROPERTY DESCRIPTION**

Map Page Grid :  
Census Tract : 330.00 Block: 1  
Neighborhood : 1S21  
School District : Farmington View  
Subdivision/Plat :  
Building Use : Single Family Res  
Land Use : 5515 Agr, Farm Zone, Improved  
Legal : ACRES 78.72, ZONED  
: FARMLAND-POTENTIAL ADDITIONAL TAX  
: LIABILITY

**ASSESSMENT AND TAX INFORMATION**

Mkt Land : \$589,740  
Mkt Structure : \$330,640  
Mkt Total : \$1,001,440  
%Improved : 36  
M50AssdTotal : \$302,700  
Levy Code : 05803  
15-16 Taxes : \$4,927.64  
Millage Rate : 12.5644  
Zoning : EFU

**PROPERTY CHARACTERISTICS**

Bedrooms	: 5	Year Built	: 1960	Patio SqFt	: 720
Bathrooms	: 3.00	EffYearBlt	: 1960	Deck SqFt	:
Heat Method	: Comb Htg/cool	BsmFin SF	: 2,043	ExtFinish	: Wood Std Shtg
Foundation	: Concrete Ftg	BsmUnfinSF	:	Const Type	: Wd Stud\shgt
Lot Acres	: 78.72	BldgSqFt	: 4,086	Roof Shape	: Hip
Lot SqFt	: 3,429,043	1stFlrSF	: 2,043	Roof Matl	: Comp Shingle
Garage Type	: Attached	UpperFISF	:	Porch SqFt	:
Garage SF	: 676	Attic SqFt	:	Paving Matl	: Concrete

**TRANSFER INFORMATION**

Owner Name(s)	Sale Date	Doc#	Sale Price	Deed Type	Loan Amount	Loan Type
:Unger Mark J	:06/26/2007	70774	:	:Bargain & Sal	:\$800,000	:Conventi
:Unger Mark J	:11/07/2006	132056	:\$729,000	:Bargain &	:\$624,857	:Private
:West Coast Trust	:00/00/2006	132056	:	:	:	:
:West Coast Trust Trustee	:11/09/1999	125831	:	:Deed	:	:
:Unger Patrick J/Paul T Trutees;U	:09/23/1999	109420	:\$200,000	:Deed	:	:
:Unger Patrick J/Georgia	:01/23/1997	7113	:	:Cr Est By	:	:

RECEIVED BY OWRD

This title information has been furnished, without charge, in conformance with the guidelines approved by the State of Oregon Insurance Commissioner. The Insurance Division cautions intermediaries that this service is designed to benefit the ultimate insureds. Indiscriminate use only benefiting intermediaries will not be permitted. Said services may be discontinued. No liability is assumed for any errors in this report.

DEC 24 2015

S-88159

SALEM, OR

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Washington County, Oregon **2007-070774**  
06/26/2007 02:49:58 PM  
D-DBS Cnt#1 Stn#7 K GRUNEWALD  
\$5.00 \$9.00 \$11.00 - Total = \$22.00



01133107200700707740010018

I, Richard Hobemicht, Director of Assessment and Taxation and Ex-Offi cio County Clerk for Washington County, Oregon, do hereby certify that the within instrument of writing was received and recorded in the book of records of said county.

*Richard Hobemicht*  
Richard Hobemicht, Director of Assessment and Taxation, Ex-Officio County Clerk



RECORDING REQUESTED BY:  
Fidelity National Title Company of Oregon

GRANTOR'S NAME:  
Mark J. Unger

GRANTEE'S NAME:  
Mark J. Unger and Julianne M. Unger

SEND TAX STATEMENTS TO:  
Mark J. Unger and Julianne M. Unger  
33640 SW Unger Road  
Cornelius, OR 97113

AFTER RECORDING RETURN TO:  
Mark J. Unger  
33640 SW Unger Road  
Cornelius, OR 97113

Escrow No: 6007687-FTPOR06

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**BARGAIN AND SALE DEED – STATUTORY FORM**  
(INDIVIDUAL or CORPORATION)

Mark J. Unger, Grantor, conveys to

Mark J. Unger and Julianne M. Unger, <sup>husband & wife,</sup> Grantee, the following described real property, situated in the County of Washington, State of Oregon,

The West one-half of the Southeast one-quarter of Section 26, Township 1 South, Range 3 West, Willamette Meridian, in Washington County, Oregon.

**BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. THIS INSTRUMENT DOES 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, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 197.352.**

The true consideration for this conveyance is \$0(See ORS 93.030).

Dated June 21, 2007

*Mark J. Unger*  
Mark J. Unger

State of OREGON

COUNTY of Washington

6007687

This instrument filed for record by Fidelity National Title Company as an accommodation only. It has not been examined as to its execution or as to its effect upon the title.

This instrument was acknowledged before me on 6/25, 2007

by *MARK J. Unger*

*[Signature]*  
Notary Public - State of Oregon  
My commission expires:







**First American  
Title Company of Oregon**

Customer Service Department  
121 SW Morrison Street Suite 300 - Portland, OR 97204  
Phone: 503.219.TRIO (8746) Fax: 503.790.7872  
Email: cs.portland@firstam.com  
Today's Date : 12/15/2015

**OWNERSHIP INFORMATION**

Owner	: Unger Mark J	Bldg #	1	Of	1
CoOwner	: Unger Julianne M	Ref Parcel Number	: 1S32600 01400		
Site Address	: 33640 SW Unger Rd Cornelius 97113	Parcel Number	: R0436317		
Mail Address	: 33640 SW Unger Rd Cornelius Or 97113	T: 01S	R: 03W	S: 26	Q: QQ:
County	: Washington (OR)				

**PROPERTY DESCRIPTION**

Map Page Grid :  
Census Tract : 330.00 Block: 1  
Neighborhood : 1S21  
School District : Farmington View  
Subdivision/Plat :  
Building Use : Single Family Res  
Land Use : 5515 Agr, Farm Zone, Improved  
Legal : ACRES 39.36, ZONED FARMLAND-  
: POTENTIAL ADDITIONAL TAX LIABILITY  
:

**ASSESSMENT AND TAX INFORMATION**

Mkt Land : \$411,180  
Mkt Structure : \$427,770  
Mkt Total : \$885,100  
%Improved : 51  
M50AssdTotal : \$294,940  
Levy Code : 05802  
15-16 Taxes : \$4,141.02  
Millage Rate : 12.0962  
Zoning : EFU

**PROPERTY CHARACTERISTICS**

Bedrooms	: 4	Year Built	: 1950	Patio SqFt	:
Bathrooms	: 3.00	EffYearBlt	: 1950	Deck SqFt	: 375
Heat Method	: Heat Pump	BsmFin SF	: 1,792	ExtFinish	: Block
Foundation	: Concrete Ftg	BsmUnfinSF	:	Const Type	: Concrete Block
Lot Acres	: 39.36	BldgSqFt	: 4,004	Roof Shape	: Gable
Lot SqFt	: 1,714,522	1stFlrSF	: 952	Roof Matl	: Composition
Garage Type	: Attached	UpperFISF	: 882	Porch SqFt	: 204
Garage SF	: 720	Attic SqFt	: 378	Paving Matl	: Concrete

**TRANSFER INFORMATION**

Owner Name(s)	Sale Date	Doc#	Sale Price	Deed Type	Loan Amount	Loan Type
: Unger Mark J	: 04/21/1999	49217	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:

This title information has been furnished, without charge, in conformance with the guidelines approved by the State of Oregon Insurance Commissioner. The Insurance Division cautions intermediaries that this service is designed to benefit the ultimate insureds. Only benefiting intermediaries will not be permitted. Said services may be discontinued. No liability is assumed for any errors in this report.

RECEIVED BY OWRD

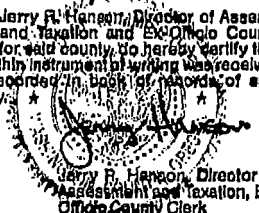
DEC 24 2015

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S-88159

STATE OF OREGON  
County of Washington ) 88

I, Jerry R. Hanson, Director of Assessment and Taxation and Ex-Officio County Clerk for said county, do hereby certify that the within instrument of writing was received and recorded in Book 157, Records of said county.



Jerry R. Hanson, Director of Assessment and Taxation, Ex-Officio County Clerk

Doc : 99049217  
Rect: 230226 41.00  
04/21/1999 03:46:14pm

APR 21 1999

1-3

SPECIAL WARRANTY DEED - STATUTORY FORM  
INDIVIDUAL GRANTOR

UAD 1-24-97

BABE ANDREW ZAGELOW, Trustee of the BABE ANDREW ZAGELOW REVOCABLE LIVING TRUST, Grantor,  
conveys and specially warrants to MARK J. UNGER and JULIANNE M. UNGER, husband & wife, Grantee,  
the following described real property free of encumbrances created or suffered by the Grantor except as specifically  
set forth herein, situated in WASHINGTON County, Oregon to-wit:

as per attached Exhibit "A"

\*\*\*THIS DEED IS GIVEN TO FULFILL THAT CERTAIN CONTRACT DATED JANUARY 5, 1979, AND  
RECORDED JANUARY 15, 1979, IN RECORDER'S FEE NO. 790001638, WASHINGTON COUNTY  
RECORDS\*\*\* (SUBSEQUENT ASSIGNMENTS OF CONTRACT RECORDED 1-1-92, IN RECORDER'S  
FEE NO. 92002739 AND APRIL 19, 1991, RECORDER'S FEE NO. 91-019055)

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

The property is free of all encumbrances created or suffered by the Grantor except liens or encumbrances  
suffered, permitted or created by the Grantee subsequent to January 5, 1979,  
the date of the contract which this deed is given to fulfill.

The true consideration for this conveyance is fulfillment of contract (Here comply with the requirements of ORS 93.030)

Dated this 17th day of April, 1999

BABE ANDREW ZAGELOW, Trustee of  
BABE ANDREW ZAGELOW REVOCABLE LIVING TRUST  
BY: Babe Andrew Zagelow  
Babe Andrew Zagelow

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 AND TO DETERMINE ANY  
LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN  
ORS 30.830.

STATE OF OREGON, County of Marion

This instrument was acknowledged before me on April 17, 1999,  
Babe Andrew Zagelow, Trustee



Notary Public for Oregon  
My commission expires

SPECIAL WARRANTY DEED

ZAGELOW	GRANTOR
UNGER	GRANTEE
GRANTEE'S ADDRESS, ZIP	
After recording return to:	
Mark and Julianne Unger	
33640 SW Unger Road	
Cornelius, OR 97113	
NAME, ADDRESS, ZIP	
Until a change is requested, all tax statements shall be sent to the following address:	
as above	
NAME, ADDRESS, ZIP	

SPACE RESERVED FOR RECORDER'S USE

STATE OF OREGON,

County of } ss.  
I certify that the within instru-  
ment was received for record on the  
day of , 19  
at o'clock M., and recorded  
in book/real/volume No. on  
page or as fee/file/instru-  
ment/microfilm/recaption No.,  
Record of Deeds of said County.  
Witness my hand and seal of  
County attixed.

NAME TITLE  
By Deputy

2

21

Recorded By TICOR TITLE

W686631

RECEIVED BY OWRD

DEC 24 2015

SALEM, OR

S-88182

**TICOR TITLE INSURANCE**

Report No. W686631-KH

**LEGAL DESCRIPTION**

**PARCEL 1:** The Southeast one-quarter of the Southwest one-quarter of Section 26, Township 1 South, Range 3 West, Willamette Meridian, in the County of Washington and State of Oregon.

**PARCEL 2:** The Northeast one-quarter of the Southwest one-quarter of Section 26, Township 1 South, Range 3 West of the Willamette Meridian, in the County of Washington and State of Oregon.

APR 21 1999

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# Oregon

Kate Brown., Governor

Department of Fish and Wildlife  
The Dalles Screen Shop  
3561 Klindt Drive  
The Dalles, OR 97058  
(541) 296-8026  
FAX (541) 296-7889  
odfw.com



November 30, 2015

Mark Unger Family Farms  
c/o Daniel Unger  
33640 SW Unger Rd.  
Cornelius, Or 97113

RE: Permit S-54583

To Whom It May Concern:

On November 23<sup>rd</sup>, 2015 Oregon Department of Fish and Wildlife Fish Screens Field Coordinator, Martin Olson, performed a fish screen inspection for Mark Unger Family Farms at two separate points of diversion associated with water permit S-54583. The fish screen that has been installed at the point of diversion in reservoir R-1440 meets current fish screening criteria up to a rate of 485 gallons per minute, while the fish screen for the diversion in reservoir R-5281 meets current criteria up to a rate of 950 gallons per minute. The installation of these fish screens will satisfy the fish screening requirements listed in Permit S-54583. These are both end of pipe screens, so no fish by-pass device is necessary.

Please contact me if you have any questions regarding this letter.

Sincerely,

  
Martin Olson  
Fish Screens Field Coordinator  
The Dalles Screens Shop

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DEC 24 2015

SALEM, OR

S-88159

STATE OF OREGON  
COUNTY OF WASHINGTON  
CERTIFICATE OF WATER RIGHT

This Is to Certify, That **PATRICK J. UNGER**  
of **Route 2, Cornelius**, State of **Oregon**, has made proof  
to the satisfaction of the STATE ENGINEER of Oregon, of a right to store the waters of  
an unnamed stream, to be appropriated under Application No. 27708, Permit No.  
21830 and Application No. 29388, Permit No. 23150,

irrigation

for the purposes of

under Reservoir Permit No. **R-1440** of the State Engineer, and that said right to store said  
waters has been perfected in accordance with the laws of Oregon; that the priority of the right  
hereby confirmed dates from **October 3, 1952**,

that the amount of water entitled to be stored each year under such right, for the purposes afore-  
said, shall not exceed **27.0** acre-feet.

The reservoir is located in Section **26** (SW $\frac{1}{4}$ SE $\frac{1}{4}$ ), Tp. **1 S.**, R. **3 W.**, W. M.

RECEIVED BY OWRD

DEC 24 2015

SALEM, OR

WITNESS the signature of the State Engineer,

affixed this **20th** day  
of **November**, 19 **57**.

LEWIS A. STANLEY  
State Engineer.

Recorded in State Record of Water Right Certificates, Volume **16**, page **23377**.

S-80159

STATE OF OREGON

COUNTY OF WASHINGTON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That ANDREW ZAGELOW

of Route 2, Box 310, Cornelius, State of Oregon 97113, has made proof

to the satisfaction of the STATE ENGINEER of Oregon, of a right to store the waters of Christensen Creek, tributary of Tualatin River, appropriated under Application number 45334, Permit number 33410

irrigation for the purposes of under Reservoir Permit No. R-5281 of the State Engineer, and that said right to store said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from July 26, 1968

that the amount of water entitled to be stored each year under such right, for the purposes aforesaid, shall not exceed 23.5 acre feet

The reservoir is located in

SE 1/4 SW 1/4 Section 26

NE 1/4 NW 1/4 Section 35

T. 1 S., R. 3 W., W. M.

RECEIVED BY OWRD

DEC 24 2015

SALEM, OR

WITNESS the signature of the State Engineer, affixed

this date. July 24, 1974

Chris L. Wheeler State Engineer

S-88152