

Application for a Permit to Use Ground Water



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

Water-Use Permit Application Processing

1. Completeness Determination

The Department evaluates whether the application and accompanying map contain all of the information required under OAR 690-310-0040 and OAR 690-310-0050 (www.oregon.gov/owrd/law). The Department also determines whether the proposed use is prohibited by statute. If the Department determines that the application is incomplete, all fees have not been paid, or the use is prohibited by statute, the application and all fees submitted are returned to the applicant.

2. Initial Review

The Department reviews the application to determine whether water is available during the period requested, whether the proposed use is restricted or limited by rule or statute, and whether other issues may preclude approval of or restrict the proposed use. An Initial Review (IR) containing preliminary determinations is mailed to the applicant. The applicant has 14 days from the mailing date to withdraw the application from further processing and receive a refund of all fees paid minus \$200. The applicant may put the application on hold for up to 180 days and may request additional time if necessary.

3. Public Notice

Within 7 days of the mailing of the initial review, the Department gives public notice of the application in the weekly notice published by the Department at www.oregon.gov/owrd. The public comment period is 30 days from publication in the weekly notice.

4. Proposed Final Order Issued

The Department reviews any comments received, including comments from other state agencies related to the protection of sensitive, threatened or endangered fish species. Within 60 days of completion of the IR, the Department issues a Proposed Final Order (PFO) explaining the proposed decision to deny or approve the application. A PFO proposing approval of an application will include a draft permit, and may request additional information or outstanding fees required prior to permit issuance.

5. Public Notice

Within 7 days of issuing the PFO, the Department gives public notice in the weekly notice. Notice includes information about the application and the PFO. Protest must be received by the Department within 45 days after publication of the PFO in the weekly notice. Anyone may file a protest. The protest filing fee is \$350.00 for the applicant and \$700.00 for non-applicants. Protests are filed on approximately 10% of Proposed Final Orders. If a protest is filed, the Department will attempt to settle the protest but will schedule a contested case hearing if necessary.

6. Final Order Issued

If no protests are filed, the Department issues a Final Order consistent with the PFO. If the application is approved, a permit is issued that specifies the details of the authorized use and any terms, limitations or conditions that the Department deems appropriate.

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SALEM, OREGON

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

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant Information

NAME ROBERT W. GABRIEL TRUST, ROBERT GABRIEL TRUSTEE			PHONE (HM)
PHONE (WK) (503) 873-1200	CELL		FAX
ADDRESS 8474 HAZELGREEN ROAD NE			
CITY SILVERTON	STATE OR	ZIP 97381	E-MAIL*

Organization Information

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

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

AGENT / BUSINESS NAME DOANN HAMILTON/PACIFIC HYDRO-GEOLOGY, INC		PHONE (503) 632-5016	FAX (503) 632-5983
ADDRESS 18487 S. VALLEY VISTA ROAD			CELL (503) 349-6946
CITY MULINO	STATE OR	ZIP 97042	E-MAIL* PHGDMH@GMAIL.COM

* 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:

- 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.

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

Applicant Signature

Robert Gabriel
Print Name and title if applicable

Date

4/4/16

Applicant Signature

Print Name and title if applicable

Date

For Department Use

App. No. G1-10294

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.

- 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

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: 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
Well 1	Unnamed Intermittent stream	2,000 feet	5 feet
Well 2	Unnamed Intermittent stream	600 feet	5 feet
Well 3	Unnamed Intermittent stream	75 feet	0 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*).

The well specifications given in the table below for proposed Well 3 are estimates only. The actual well construction will be based on conditions encountered in the field. The objective will be to construct a well which develops water from the alluvial aquifer.

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SECTION 3: WELL DEVELOPMENT, CONTINUED

5-10294

Total maximum rate requested: 0.45 cfs (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below).

The table below must be completed for each source to be evaluated or the application will be returned. If this is an existing well, the 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 to obtain the necessary information.

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)
Well 1	<input type="checkbox"/>	<input checked="" type="checkbox"/>	MARI 58798	<input type="checkbox"/>	8 inch	0 to 140 feet	110 to 140 feet	0 to 50 feet	41 feet	Alluvium	140 feet		
Well 2	<input type="checkbox"/>	<input checked="" type="checkbox"/>	MARI 17269	<input type="checkbox"/>	8 inch	0 to 180 feet	110 to 141 feet	0 to 19 feet	37 feet	Alluvium	180 feet		
Well 3	<input checked="" type="checkbox"/>	<input type="checkbox"/>	NA	<input type="checkbox"/>	8 inch	0 to 200 feet	TBD	0 to 50 feet	NA	Alluvium	200 feet		
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>							Total:	200 gpm	90 AF
	<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)
Nursery	Year round	90 AF

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: 18.0 acre Acres Supplemental: _____ Acres

List the Permit or Certificate number of the underlying primary water right(s): _____

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 90 AF

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

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): All pumps will be submersible, Well 1 will have a 30 Hp, Well 2 a 15 Hp, and Well 3 a 40 Hp.

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 into a buried 4 and 6 inch PVC mainline to the place of use where hydrants will be located to attach either drip lines or portable aluminum handlines with impact sprinklers to irrigate nursery stock.

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler) Impact sprinklers and drip 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.

Irrigation of the nursery stock will be done with drip irrigation system and impact sprinklers using best management practices to prevent waste. A flow meter will be used to measure the amount of water used.

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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: NA

Use(s): NA

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

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

SECTION 8: PROJECT SCHEDULE

Date construction will begin: As soon as the permit is issued

Date construction will be completed: Within one year after the permit is issued

Date beneficial water use will begin: Within five years after the permit has been issued

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SECTION 9: 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 NA	Address	
City	State	Zip

SECTION 10: REMARKS

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

None

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: Bob Gabriel
First Last

Mailing Address: 8474 Hazelgreen Road NE

Silverton OR 97381 Daytime Phone: (503) 873-1200
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:
6S	3W	24A		1800	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Nursery
6S	3W	24A		1900	EFU	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Nursery
6S	3W	24A		2100	EFU	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Nursery
						<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:

Marion	<div style="font-size: 2em; font-weight: bold; margin: 0;">RECEIVED</div> <div style="font-size: 1.2em; font-weight: bold; margin: 5px 0;">MAY 03 2016</div>
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B. Description of Proposed Use

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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: 0.45
 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 Nursery

Briefly describe:

A new groundwater application for nursery rights for irrigation of nursery stock

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. →

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): MCC 17.136
- 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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SALEM, OREGON

Name: LISA MILLIMAN Title: ASSOCIATE PLANNER
 Signature: Lisa Milliman Phone: 503.588.5038 Date: 7/29/16
 Government Entity: MARION 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: _____

WARRANTY DEED - STATUTORY FORM
(individual)

Reel Page
2462 49

RONALD G. BOLTMAN and PATRICIA L. BOLTMAN, Grantors, convey and warrant to ROBERT W. GABRIEL, Grantee, the following described property free of encumbrances situated in Marion County, State of Oregon, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO

The said property is free from encumbrances save and except:

- (1) The assessment and tax rolls disclose that the premises herein described have been specially assessed as Farm Use Land. If the land becomes disqualified for the special assessment under the statute, an additional tax may be levied for previous years in which the farm use assessment was in effect for the land. In addition thereto, a penalty may be levied if notice of disqualification is not timely given.
- (2) The rights of the public in and to that portion of the premises herein described lying within the limits of public roads, streets and highways.

The true consideration for this conveyance is \$750,000.

Dated this 7 day of April, 2005.

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 30.930.

Ronald G. Boltman

Ronald G. Boltman

Patricia L. Boltman

Patricia L. Boltman

STATE OF OREGON, County of Marion) ss.

April 7, 2005

Personally appeared the above named Ronald G. Boltman and Patricia L. Boltman and acknowledged the foregoing instrument to be their voluntary act and deed.



Lori Neva

Notary Public for Oregon

AFTER RECORDING RETURN TO:

Robert W. Gabriel
8474 Hazelgreen NE
Silverton, Oregon 97381

SEND TAX STATEMENTS TO:

Same

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WATER RESOURCES DEPT
SALEM, OREGON

G1-18294

EXHIBIT "A"

PARCEL I:

Beginning at a point 18.54 chains East and 1.05 chains North from the quarter Section corner between Sections 13 and 24 in Township 6 South, Range 3 West of the Willamette Meridian in Marion County, Oregon, said point being the Northwest corner of a 3 acre tract owned by School District No. 134; thence South 0°37' East 3.79 chains to the Southwest corner of said School District Lot; thence North 89°23' East a distance of 1.00 chains along said School District lot; thence North 21°49' West a distance of 1.39 chains; thence North 0°37' West a distance of 2.50 chains to the North line of said School District lot; thence South 89°23' West a distance of 50 links to the place of beginning.

PARCEL II:

Beginning at the quarter section corner between Sections 13 and 24 in Township 6 South, Range 3 West of the Willamette Meridian in Marion County, Oregon; thence South 8.88 chains to the Northwest corner of a 5 acre tract of land belonging to G. W. Browning; thence South 89°55' East 20.61 chains along the North line of the said 5 acre tract to the Northeast corner thereof; thence North 35°38' East 7.64 chains along the County Road to the Southeast corner of land belonging to School District No. 134; thence North 89°29' West 6.475 chains to the Southwest corner of said school lot; thence North 0°47' West 3.69 chains along the West line of said school lot to an iron pipe; thence North 89°20' West a distance of 18.54 chains to an iron pipe; thence South 1.27 chains to the place of beginning.

ALSO: Beginning at a point 8.88 chains South from the quarter section corner between Sections 13 and 24 in Township 6 South, Range 3 West of the Willamette Meridian in Marion County, Oregon; thence South 2.55 chains to the Northwest corner of a 13 acre tract of land described in Volume 60, Page 412, Deed Records for Marion County, Oregon; thence East 18.61 chains along the North line of said tract to the Northeast corner thereof and being in the middle of the County Road leading from Salem to Fairfield; thence North 38° East 3.24 chains along the middle of said County Road; thence West 20.61 chains to the place of beginning.

SAVE AND EXCEPT therefrom land deeded to School District No. 134 in Marion County, Oregon, by deed recorded in Volume 167, Page 278, Deed Records for Marion County, Oregon.

ALSO SAVE AND EXCEPT: Beginning at the Northeast corner of a 13 acre tract of land described in Volume 60, Page 412, Deed Records for Marion County, Oregon, which is South 0°12' West 758.38 feet and East 1232.90 feet from the quarter section corner between Section 13 and 24 in Township 6 South, Range 3 West of the Willamette Meridian in Marion County, Oregon; thence West along the North line of said 13 acre tract 326.04 feet to an iron pipe; thence North 0°12'

Escrow No: 18-37418
Title No: 18-37418

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SALEM, OREGON

G-18294

East a distance of 138.06 feet to an iron pipe; thence South 84°20' East 400.30 feet to an iron pipe in the center of Market Road No. 36; thence South 36°27' West 122.50 feet to the point of beginning, being situated in Section 24, Township 6 South, Range 3 West of the Willamette Meridian in Marion County, Oregon.

Subject to:

1. The assessment and tax rolls disclose that the premises herein described have been specially assessed as Farm Use Land. If the land becomes disqualified for the special assessment under the statute, an additional tax may be levied for previous years in which the farm use assessment was in effect for the land. In addition thereto, a penalty may be levied if notice of disqualification is not timely given.
2. The rights of the public in and to that portion of the premises herein described lying within the limits of public roads, streets and highways.

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WATER RESOURCES DEPT
SALEM, OREGON

Escrow No: 18-37418
Title No: 18-37418

G-18294

RECORDING REQUESTED BY
FIDELITY NATIONAL TITLE COMPANY OF OREGON

Reel Page
2608 86

GRANTOR'S NAME
John P.W. Zielinski

GRANTEE'S NAME
Robert W. Gabriel

SEND TAX STATEMENTS TO:
Mr. Robert W. Gabriel
8474 Hazelgreen Road N.E.
Silverton, OR 97381

AFTER RECORDING RETURN TO:
Mr. Robert W. Gabriel
8474 Hazelgreen Road N.E.
Silverton, OR 97381

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

John P.W. Zielinski,
Grantor, conveys and warrants to

Robert W. Gabriel,
Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below,
situated in the County of Marion, State of Oregon,

SEE EXHIBIT ONE ATTACHED HERETO AND MADE A PART HEREOF

Subject to and excepting:

The herein described property has been classified for farm use, as disclosed by the tax roll; Rights of the public and governmental agencies in and to any portion of said land lying within the boundaries of streets, roads and highways.

Fidelity National Title | 20691

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)). 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 CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)).

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS \$375,000.00 (which is paid to a Qualified Intermediary as part of an IRC 1031 deferred exchange) (See ORS 93.030)

DATED: February 15, 2006

By: John P.W. Zielinski
John P.W. Zielinski

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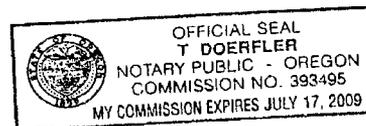
MAY 03 2016

STATE OF OREGON
COUNTY OF Marion

WATER RESOURCES DEPT
SALEM, OREGON

This instrument was acknowledged before me on
February 15, 2006

by John P.W. Zielinski
[Signature]
NOTARY PUBLIC FOR OREGON
MY COMMISSION EXPIRES: _____



G-19294

Escrow No. 01-121691-TD -22
Title Order No. 00121691

EXHIBIT ONE

Beginning at a point 20 chains South of the quarter section corner between Sections 13 and 24 in Township 6 South, Range 3 West of the Willamette Meridian, Marion County, Oregon; thence East 11.96 chains to the center of the Salem and Fairchild (County) Road; thence North 38° East along said road, 10.80 chains; thence West 18.60 chains; thence South 8.51 chains to the place of beginning.

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SALEM, OREGON

G-18294

REEL:2608

PAGE: 86

February 16, 2006, 11:15 am.

CONTROL #: 161025

State of Oregon
County of Marion

I hereby certify that the attached
instrument was received and duly
recorded by me in Marion County
records:

FEE: \$ 31.00

BILL BURGESS
COUNTY CLERK

THIS IS NOT AN INVOICE.

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