

State of Oregon
 Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1266
 (503) 986-0900

Application for Instream Lease

Part 1 of 4 – Minimum Requirements Checklist

Complete Part 1 through 4 and include the required attachments Fill in or check boxes as indicated. (N/A= Not Applicable)	OWRD # <u>IL - 1805</u>
	Fee- _____

Pursuant to ORS 537.348(2) and OAR 690-077

Check all items included with this application. (N/A = Not Applicable)

Yes **Part 1** – Completed Minimum Requirements Checklist and Application Fee

Fees	<input type="checkbox"/> \$520.00 for a lease involving four or more landowners or four or more water rights	<input checked="" type="checkbox"/> \$350.00 for all other leases
	<input checked="" type="checkbox"/> Check enclosed or <input type="checkbox"/> Fee Charged to customer account _____ (account name)	

Yes **Part 2** – Completed Instream Lease Application Map Checklist.

Yes **Part 3** – Completed Water Right and Instream Use Information
 Include a separate **Part 3** for **each water right**

Yes **Part 4** – Completed Instream Lease Provisions and Signatures

Yes **How many water rights are leased? 3 List them here: 87279, 87280, 22912**
 Include a separate **Part 3** for each **water right**.

Yes N/A **Other Water Rights**, if any, appurtenant to the lands involved in the lease application and not proposed to be leased instream?
List those other water rights here: _____

Yes No Conservation Reserve Enhancement Program (CREP). Are some or all of the lands to be leased part of CREP or another Federal program (list here: _____)?

Attachments:

Yes N/A **Map:** Instream Lease map requirements (see Part 2 of this application)

Yes N/A **Tax Lot Map:** If a portion of the water right *not included in the lease* is appurtenant to lands owned by others, a tax lot map must be included with the lease application. The tax lot map should clearly show the property involved in the lease.

Yes N/A Supporting documentation describing why a right (or portion thereof) is valid and not subject to forfeiture even though the right has not been exercised for five or more consecutive years. This information only needs to be provided if the checkbox has been checked to identify that the water right has not been used in the last five years and is not subject to forfeiture (See Part 4 of 4).

Yes N/A If the Lessor (water right holder) is not the deeded landowner - provide one of the following.

- A notarized statement from the landowner consenting to the lease and a copy of the recorded deed; or.
- A water right conveyance agreement and a copy of the recorded deed for the landowner at the time the water right was conveyed; or
- Other documentation which provides authority to pursue the lease absent consent of the landowner.

RECEIVED
 APR 03 2020
 OWRD

Part 2 of 4 – Instream Lease Application Map Checklist

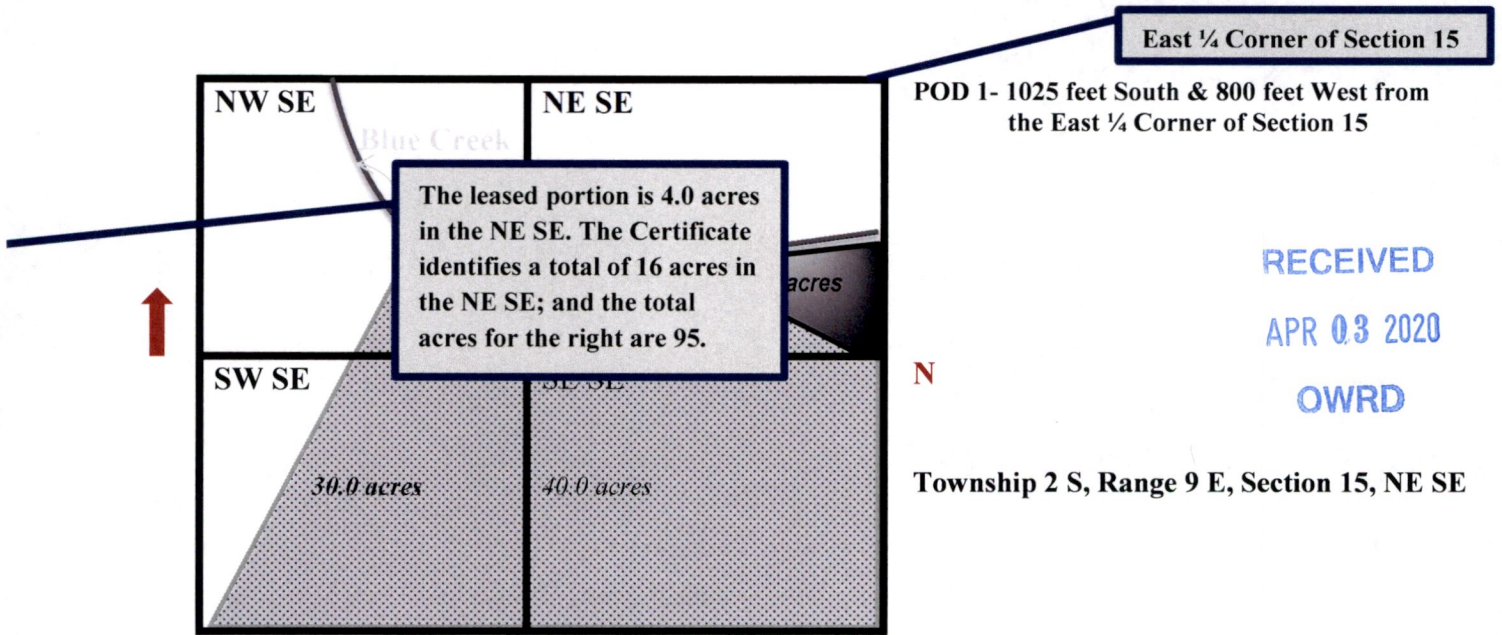
A Map is generally required for each water right not leased in its entirety

The application map (if required) should include all the items listed below and match the existing water right(s) of record. Check all boxes that apply.

This should be a simple map. (*See example below*). A copy of a final proof survey map with the portion to be leased shaded or hachured in will also suffice.

- N/A** A map is required for each water right not leased in its entirety. More than one QQ and property may be included on each map. A map is not required, if leasing the entire right or if the right to be leased is for municipal or quasi-municipal water use.
- The map should be of sufficient quality to be reproducible. Please do not use highlighters to mark items on the map as highlighters do not always copy.
- A North arrow and map scale (no smaller than 1" = 1320').
- Township, Range, Section, quarter quarter (QQ), and a clearly labeled survey corner.
- For irrigation or other similar use, the number of acres to be leased in each quarter-quarter clearly labeled and hachured to differentiate between the acres being leased and any remaining. If the place of use is broken down by more than one priority date, or source stream, and/or point of diversion you must identify each with separate hachuring and clearly label.
- If available, identify the existing point(s) of diversion.

EXAMPLE MAP (the darker shaded portion representing the portion leased instream)



Part 3 of 4 – Water Right and Instream Use Information

Use a separate Part 3 for each water right to be leased instream

Water Right Information

Water right # 87279

Table 1

Water Right Information: Provide a description of the originating water right to be leased. Also include your tax lot number(s). Fill in all applicable information. For example, if your water right has multiple points of diversion (POD) but they're not numbered, you do not need to include a number. If not enough room below, you may add additional rows (see instructions) or attach spreadsheet (matching Table 1). Please clearly label any attachments.

If only leasing a portion of the right - complete Table 1 as indicated **Entirety** - If the entire water right is to be leased, skip to Table 3.

Priority Date	POD #	Twp	Rng	Sec	Q-Q	Tax Lot	Gov't Lot/DLC	Acres	USE	Previous Lease # (if any)
EXAMPLE										
12/2/1901	3	2-S	9-E	15	NE SE	100	47	4.0	IR	IL-1100
12/15/1952	1	25-S	6-W	29	SW-NE	900		0.9	IR	
	1	-	-		-					
		-	-		-					
		-	-		-					
		-	-		-					

Total Acres: ac

Table 2

To illustrate the totals for the water right proposed to be leased instream							
Total rate and volume by priority date, POD, use and acreage as appropriate considering the right to be leased. If not enough room below, you may add additional rows (see instructions) or attach spreadsheet (matching Table 2). Please clearly label any attachments. (cfs = cubic feet per second and af = acre-feet)							
Priority Date	POD #	Use	Total Acres	Other Information (such as conditions/limitations on the right)		Total Rate (cfs)	Total Volume (af)
12/15/1952	1	IR	0.9				2.25
Total af from storage, if applicable: _____ AF or <input checked="" type="checkbox"/> N/A							
Any additional information about the right: _____							

RECEIVED

APR 03 2020

Table 3

Point of Diversion (POD) description: If the POD is not described on the certificate or if there is more than one POD listed on the certificate, then the specific POD(s) involved in the lease must be described. If not enough room below, you may add additional rows (see instructions) or attach spreadsheet (matching Table 3). Please clearly label any attachments.						
POD #	Twp	Rng	Sec	Q-Q	DLC/ Gov't lot	Measured Distances, latitude/longitude coordinates, or river mile (if unknown you may indicate "unknown")
1	25-S	6-W	29	NW-SE		110 feet North and 1220 feet East from the SW corner of DLC 42
	-	-		-		

OWRD

Part 3 of 4 – Water Right and Instream Use Information

Use a separate Part 3 for each water right to be leased instream

Water Right Information

Water right # 22912

Table 1

Water Right Information: Provide a description of the originating water right to be leased. Also include your tax lot number(s). Fill in all applicable information. For example, if your water right has multiple points of diversion (POD) but they're not numbered, you do not need to include a number. If not enough room below, you may add additional rows (see instructions) or attach spreadsheet (matching Table 1). Please clearly label any attachments.

If only leasing a portion of the right - complete Table 1 as indicated **Entirety** - If the entire water right is to be leased, skip to Table 3.

Priority Date	POD #	Twp	Rng	Sec	Q-Q	Tax Lot	Gov't Lot/DLC	Acres	USE	Previous Lease # (if any)
EXAMPLE										
12/2/1901	3	2-S	9-E	15	NE SE	100	47	4.0	IR	IL-1100
12/9/1949	1	25-S	6-W	29	NE-SW	900		8.8	IR	
12/9/1949	1	25-S	6-W	29	SE-NW	900		9.2	IR	
		-	-		-					
		-	-		-					
		-	-		-					

Total Acres: 18.0ac

Table 2

To illustrate the totals for the water right proposed to be leased instream						
Total rate and volume by priority date, POD, use and acreage as appropriate considering the right to be leased. If not enough room below, you may add additional rows (see instructions) or attach spreadsheet (matching Table 2). Please clearly label any attachments. (cfs = cubic feet per second and af = acre-feet)						
Priority Date	POD #	Use	Total Acres	Other Information (such as conditions/limitations on the right)	Total Rate (cfs)	Total Volume (af)
12/9/1949	1	IR	18.0			45.0
Total af from storage, if applicable: _____ AF or <input checked="" type="checkbox"/> N/A						
Any additional information about the right: _____						

RECEIVED

APR 03 2020

OWRD

Table 3

Point of Diversion (POD) description: If the POD is not described on the certificate or if there is more than one POD listed on the certificate, then **the specific POD(s)** involved in the lease must be described. If not enough room below, you may add additional rows (see instructions) or attach spreadsheet (matching Table 3). Please clearly label any attachments.

POD #	Twp	Rng	Sec	Q-Q	DLC/ Gov't lot	Measured Distances, latitude/longitude coordinates, or river mile (if unknown you may indicate "unknown")
1	25-S	6-W	29	NW-SE		See Cert
	-	-		-		

Part 3 of 4 – Water Right and Instream Use Information

Use a separate Part 3 for each water right to be leased instream

Water Right Information

Water right # 87280

Table 1

Water Right Information: Provide a description of the originating water right to be leased. Also include your tax lot number(s). Fill in all applicable information. For example, if your water right has multiple points of diversion (POD) but they're not numbered, you do not need to include a number. If not enough room below, you may add additional rows (see instructions) or attach spreadsheet (matching Table 1). Please clearly label any attachments.

If only leasing a portion of the right - complete Table 1 as indicated **Entirety** - If the entire water right is to be leased, skip to Table 3.

Priority Date	POD #	Twp	Rng	Sec	Q-Q	Tax Lot	Gov't Lot/DLC	Acres	USE	Previous Lease # (if any)
EXAMPLE										
12/2/1901	3	2-S	9-E	15	NE SE	100	47	4.0	IR	IL-1100
1/3/1980	1	25-S	6-W	29	SW-NE	900	42	1.7	IR	
1/3/1980	1	25-S	6-W	29	NW-SE	900	42	2.2	IR	
		-	-		-					RECEIVED
		-	-		-					APR 03 2020
		-	-		-					

Total Acres: 3.9ac

OWRD

Table 2

To illustrate the totals for the water right proposed to be leased instream						
Total rate and volume by priority date, POD, use and acreage as appropriate considering the right to be leased. If not enough room below, you may add additional rows (see instructions) or attach spreadsheet (matching Table 2). Please clearly label any attachments. (cfs = cubic feet per second and af = acre-feet)						
Priority Date	POD #	Use	Total Acres	Other Information (such as conditions/limitations on the right)		Total Rate (cfs)
1/3/1980	1	IR	3.9			9.75
Total af from storage, if applicable: _____ AF or <input checked="" type="checkbox"/> N/A						
Any additional information about the right: _____						

Table 3

Point of Diversion (POD) description: If the POD is not described on the certificate or if there is more than one POD listed on the certificate, then the specific POD(s) involved in the lease must be described. If not enough room below, you may add additional rows (see instructions) or attach spreadsheet (matching Table 3). Please clearly label any attachments.						
POD #	Twp	Rng	Sec	Q-Q	DLC/ Gov't lot	Measured Distances, latitude/longitude coordinates, or river mile (if unknown you may indicate "unknown")
1	25-S	6-W	29	NW-SE		110 feet North and 1220 feet East from the SW corner of DLC 42
	-	-		-		

Please check this box if you don't know the location of the POD(s) and want the Department to identify the

Part 3 of 4 cont. – Water Right and Instream Use Information

RECEIVED

Instream Use Information

APR 03 2020

Table 4

OWRD

Instream Use Created by the Lease						
River/ Stream Name: <u>Calapooya Creek, tributary to Umpqua River</u>				River Basin: <u>Umpqua</u>		
<p>Instream Portion: Use Table 4 to illustrate the instream rate, volume and instream period by priority date, POD (if more than one), Use (if more than one), and acreage as appropriate considering the right to be leased.</p> <p>If not enough room below, you may add additional rows (see instructions) or attach a spreadsheet (matching the below portion of Table 4). Please clearly label any attachments.</p>						
Priority date	POD #	Use	Acres	Proposed Instream Period	Total instream rate (cfs)	Total instream volume (af)
<p>Note: If not certain of the instream rate, volume and/or instream period, see the instructions and/or contact Department Staff for assistance. The instream rate and volume may be up to the maximum rate and duty/volume allowed by the right, as described in Table 2 or on your Certificate if leasing the entire right. The proposed instream period may be no longer than the irrigation season or the authorized period of allowed use.</p>						
<p>OR <input checked="" type="checkbox"/> Please check this box if you are not sure of the proposed rate, volume and instream period. As part of its review process, the Department will identify the appropriate instream rate, volume and period considering the water right(s) being leased and instream benefits.</p>						
Instream Reach						
<p>Proposed Instream Reach:</p> <p><input type="checkbox"/> A reach typically begins at the point of diversion (POD) and ends at the mouth of the source stream: From the POD to _____</p>				<p>Or Proposed Instream Point:</p> <p><input type="checkbox"/> Instream use protected at the POD</p>		
<p>OR <input checked="" type="checkbox"/> Please check this box if you are not sure of the proposed reach and want water to be protected within a reach below the POD, if possible. (If no reach is identified or the above box is not checked, and there is only one POD listed on the certificate, the lease may be processed to be protected at the POD.)</p>						
Additional Instream Information						
<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A Conditions to avoid enlargement or injury to other water rights, if any, or other limitations: list here _____</p> <p>Note: The Department may identify additional conditions to prevent injury and/or enlargement.</p>						
<p>Any additional information about the proposed instream use: <u>N/A</u></p>						

Part 4 of 4 – Lease Provisions and Party Signatures

<p>Term of the Lease (may be from 1 year up to 5 years): The lease is requested to begin in: month <u>April</u> year <u>2020</u> and end: month <u>Oct</u> year <u>2024</u> Note: The begin month is generally the first month of the irrigation season and the end month is the last month in the irrigation season. If not an irrigation right, this would be the first and last month of your authorized period of allowed use.</p>	
<p>Public use: Check the public use(s) this lease will serve (as defined by ORS 537.332):</p> <p><input checked="" type="checkbox"/> Conservation, maintenance and enhancement of aquatic, fish and wildlife, fish and wildlife habitat and any other ecological values.</p> <p><input type="checkbox"/> Recreation</p> <p><input checked="" type="checkbox"/> Pollution abatement</p> <p><input type="checkbox"/> Navigation</p>	<p>Termination provision (for multiyear leases): The parties to the lease request (choose one):</p> <p><input checked="" type="checkbox"/> a. The option of terminating the lease prior to expiration of the full term with written notice to the Department by the Lessor(s) and/or Lessee.</p> <p><input type="checkbox"/> b. The option of terminating the lease prior to expiration of the full term, with consent by all parties to the lease.</p> <p><input type="checkbox"/> c. The parties would not like to include a Termination Provision.</p> <p>(See instructions for limitations to this provision)</p>
<p>Additive/Replacing Relationship to other instream water rights: Instream leases are generally additive to other existing instream water rights created as a result of instream leases, transfers and/or allocations of conserved water. Since instream leases are also generally senior to other instream rights created through a state agency process or conversion of minimum flows, they generally replace a portion of these junior instream rights.</p> <p>If you would like this lease to relate to other instream water rights differently, please check this box. <input type="checkbox"/> And attach an explanation of your intent.</p>	
<p>Validity of the Right(s) to be leased (check the appropriate box):</p> <p><input checked="" type="checkbox"/> The water right(s) to be leased have been used under the terms and conditions of the right(s) during the last five years or have been leased instream; or</p> <p><input type="checkbox"/> The water right(s) have not been used for the last five years according to the terms and conditions of the right(s). However, the water right(s) is not subject to forfeiture under ORS 540.610(2). Documentation describing why the water right(s) is not subject to forfeiture is provided.</p>	

RECEIVED
 APR 03 2020
 OWRD

Precedent: If a right which has been leased is later proposed to be leased again or later transferred or become part of an allocation of conserved water project, a new injury review shall be required. An instream lease shall not set a precedent on a future transaction.

The undersigned declare:

1. The Lessor(s) agree during the term of this lease, to suspend use of water allowed under the subject water right(s) and under any appurtenant primary or supplemental water right(s) not involved in the lease application; and
2. The Lessor(s) certify that I/we are the water right holder(s) of the right(s) described in this instream lease application. If not the deeded landowner, I/we have provided documentation with the lease application that I/we have authorization to pursue the lease application and/or have obtained consent from the deeded landowner; and
3. All parties affirm that information provided in this lease application is true and accurate.

Yvonne Silveira
 Signature of Lessor

Date: 3/31/2020

Printed name (and title): Yvonne Silveira Business name, if applicable: _____
 Mailing Address (with state and zip): 5620 Fort McKay Road Oakland, OR 97462
 Phone number (include area code): _____ **E-mail address: _____

See next page for additional signatures.

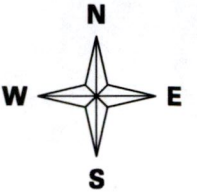
Instream Lease Application Map

Yvonne Silveira

T.25S R.6W Section 29

Douglas County

Certificates 22912, 87279, 87280



RECEIVED

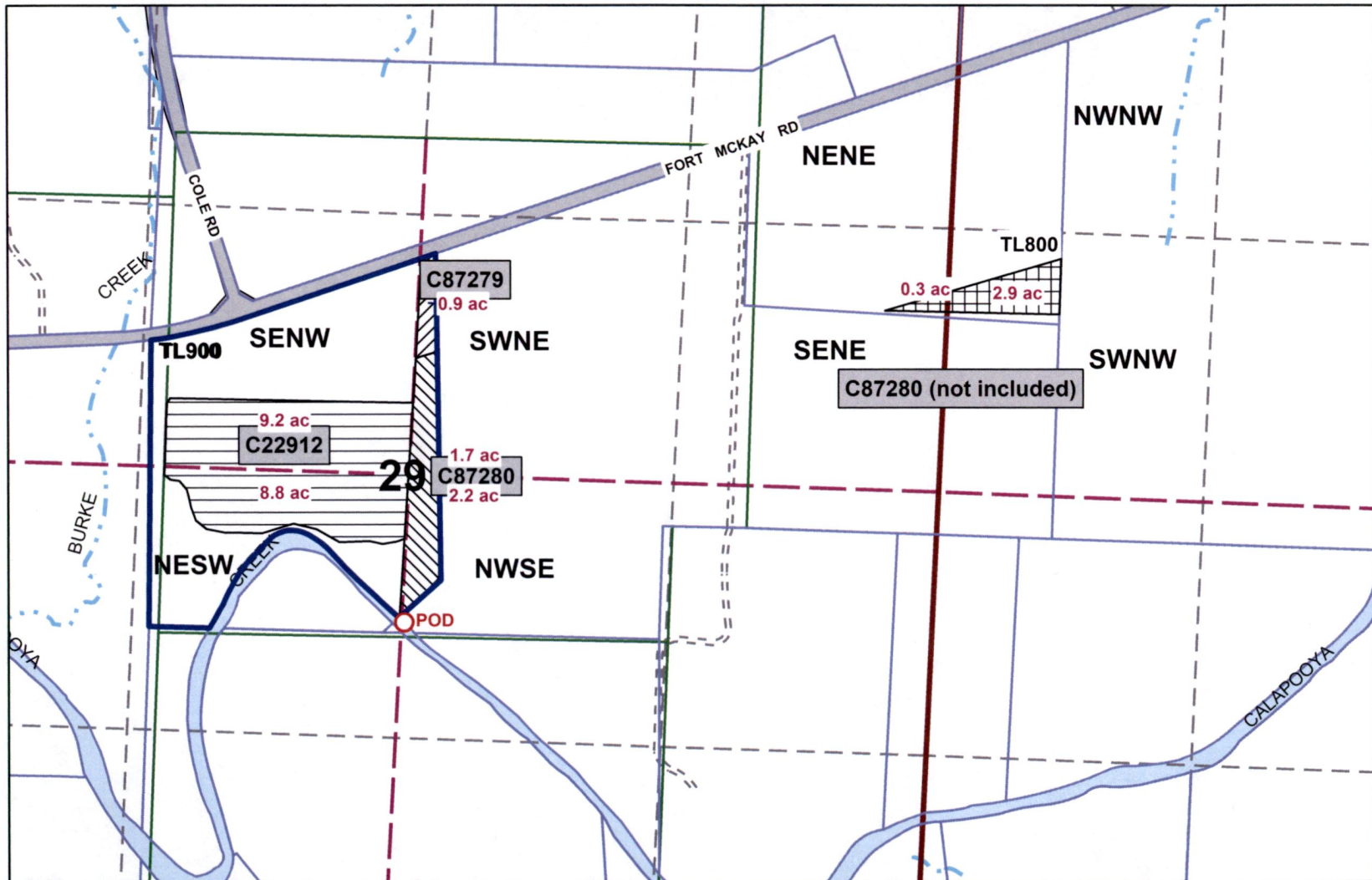
APR 03 2020

OWRD

Legend

- C87280 3.9 acres Priority date 1/3/1980
- C87280 3.2 acres not included in lease Priority date 1/3/1980
- C87279 0.9 acres Priority date 12/15/1972
- C22912 18.0 acres Priority date 12/9/1949

Scale: 1"=800'



Property Details for Property ID: R28080

Owner Information :

Owner Name: SILVEIRA, YVONNE R	
Owner Address #1: 5620 FT MCKAY RD	
Owner Address #2:	
Owner Address # 3:	Alternate Account #: 6062.00
Owner City/State/Zip: OAKLAND, OR 97462	Account Status: A

Property Information :

Township: 25	Situs Address: 5620 FORT MCKAY RD OAKLAND, OR 97462
Range: 06W	Map ID: 25062900900
Section: 29	County Property Class: 5121
Quarter:	Legal Acreage: 5.00
Sixteenth:	Code Area: 00105
Maintenance Area: 2	Neighborhood Code: SH
Year Built: 1974	Living Area: 2320
Bedrooms: 3	Baths: BATH2.5
Exemption Code:	Exemption Desc.:
MFD Home ID:	

Value Information : 2019-2020 Certified Values and Tax Information

Improvement Appr. Value: \$207,668.00	Total Appr. Value: \$258,531.00
Land Appr. Value: \$50,863.00	Exemption Value: \$0.00
Land Market Value: \$169,381.00	Total Assessed Value: \$258,413.00
Total Real Market Value: \$377,049.00	Taxes Imposed: \$2,011.19

Sales Information :

Deed No: 2018-12638	
Sale Price: \$596,389.00	Sale Date: 7/30/2018

DISCLAIMER

The information provided here is for convenience ONLY. For All Commercial, Industrial, and Multi-Family Properties visit the Douglas County Assessor's Office. The records located at the Douglas County Assessor's office are the one and only legal instruments for Assessment purposes. Although reasonable attempts are made to maintain this information as accurate as possible, these documents are being provided as an informational convenience ONLY. Douglas County in no way will be liable for any inaccuracies, inconsistencies, errors, omissions, or other deviations in these documents from the original copies maintained and filed at the Douglas County Assessor's Office.

RECEIVED
APR 03 2020
OWRD

RECEIVED

APR 03 2020

OWRD

STATE OF OREGON
COUNTY OF DOUGLAS
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

KURT M. AND VERONICA SPENCER
6459 OAK HILL ROAD
ROSEBURG, OR 97470

NORTHWEST FARM CREDIT SERVICES, FLCA
PO BOX 1490
ROSEBURG, OR 97470

confirms the right to use the waters of CALAPOOYA CREEK, a tributary to the UMPQUA RIVER for IRRIGATION of 7.1 ACRES.

This right was perfected under Permit S-45243. The date of priority is JANUARY 3, 1980. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.09 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
25 S	6 W	WM	29	NW SE	42	110 FEET NORTH AND 1220 FEET EAST FROM THE SW CORNER OF DLC 42

The amount of water used for irrigation, 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 for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

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

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
25 S	6 W	WM	28	SW NW	63	2.9
25 S	6 W	WM	29	SW NE	42	1.7
25 S	6 W	WM	29	SE NE	63	0.3
25 S	6 W	WM	29	NW SE	42	2.2

This certificate describes that portion of the water right confirmed by Certificate 85724, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered NOV 07 2011, approving Transfer Application T-11215.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

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

WITNESS the signature of the Water Resources Director, affixed November 7, 2001.



Dwight French, Water Right Services Administrator, for
PHILLIP C. WARD, DIRECTOR

RECEIVED

APR 03 2020

OWRD

APPLICATION FOR CHANGE IN POINT OF DIVERSION, PLACE OF USE & USE
FROM MAP (1 of 2)

CERTIFICATES - 79303, 43957, 85724, 85765, 27632 AND 49003

PERMITS - S20066, S24886, S45243, S21982, S21066 AND S21982

TOWNSHIP 25 SOUTH RANGE 6 WEST, W.M.

DOUGLAS COUNTY, OREGON

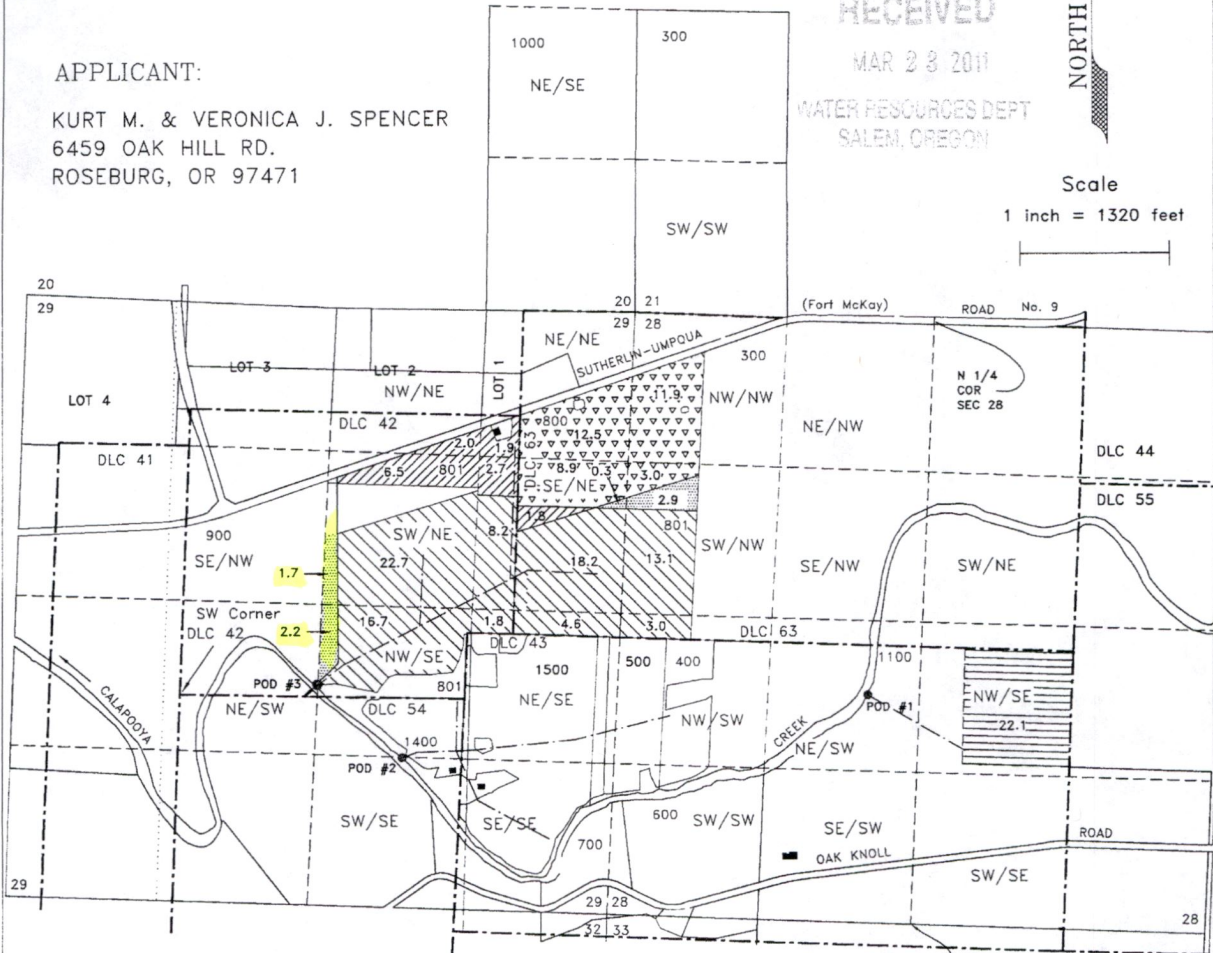
APPLICANT:

KURT M. & VERONICA J. SPENCER
 6459 OAK HILL RD.
 ROSEBURG, OR 97471

RECEIVED
 MAR 23 2011
 WATER RESOURCES DEPT
 SALEM, OREGON



Scale
 1 inch = 1320 feet



Base map from Douglas County GIS database over 2005 FSA aerial photo for assumed best fit

S 1/4 COR SEC 28






POINTS OF DIVERSION:

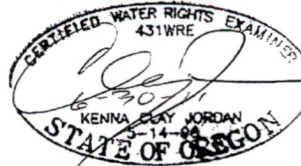
- #1 - NE/SW, Sec. 28, DLC43, 2000' N. & 450' W. from the S 1/4 Corner Sec. 28
- #2 - SW/SE, Sec. 29, DLC54, 540' S & 520' W. from the NE Corner DLC54
- #3 - NW/SE, Sec. 29, DLC42, 110' N & 1220' E. from the SW Corner DLC42

RECEIVED

APR 03 2020

OWRD

-  Certificate 85765 - 14.9 acres
 POD #3, Priority - December 15, 1952
 Change in Place of Use
-  Remaining Right 36.3 acres (TL-800)
-  Certificate 85724 - 88.3 acres
 POD #3, Priority - January 3, 1980
 Change in POD, Place of Use & use
-  Remaining Right 7.1 acres (TL-800 & 900)
-  Certificate 79303 - 22.1 acres
 POD #1, Priority - January 8, 1951
 Change in Place of Use & use



T 11215

This map is not intended to provide legal dimensions or locations of property ownership lines.

JORDAN ENGINEERING
 460 JORDAN LANE
 ROSEBURG, OR 97471
 (541) 673-1931

September 7, 2010, n.e.d.

STATE OF OREGON
 COUNTY OF DOUGLAS

RECEIVED
 APR 03 2020
 OWRD

CERTIFICATE OF WATER RIGHT

This Is to Certify, That ESSELSTROM LOGGING CO.

of 837 S. Jackson St., Roseburg, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Galapooya Creek a tributary of Umpqua River for the purpose of irrigation under Permit No. 19130 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from December 9, 1949

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.22 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NW¹/₄SE¹/₄, as projected within Burk DLC #42, Section 29, Township 25 South, Range 6 West, W. M.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2¹/₂ acre feet per acre for each acre irrigated during the irrigation season of each year,

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

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

8.8 acres in the NE¹/₄SW¹/₄
 9.2 acres in the SE¹/₄NW¹/₄
 Section 29
 Township 25 South, Range 6 West, W. M.
 both as projected within Burk DLC #42

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed

this 12th day of July, 1957.

LEWIS A. STANLEY
 State Engineer

WATER USE APPLICATION MAP

App. # 24324
Permit No. 19130

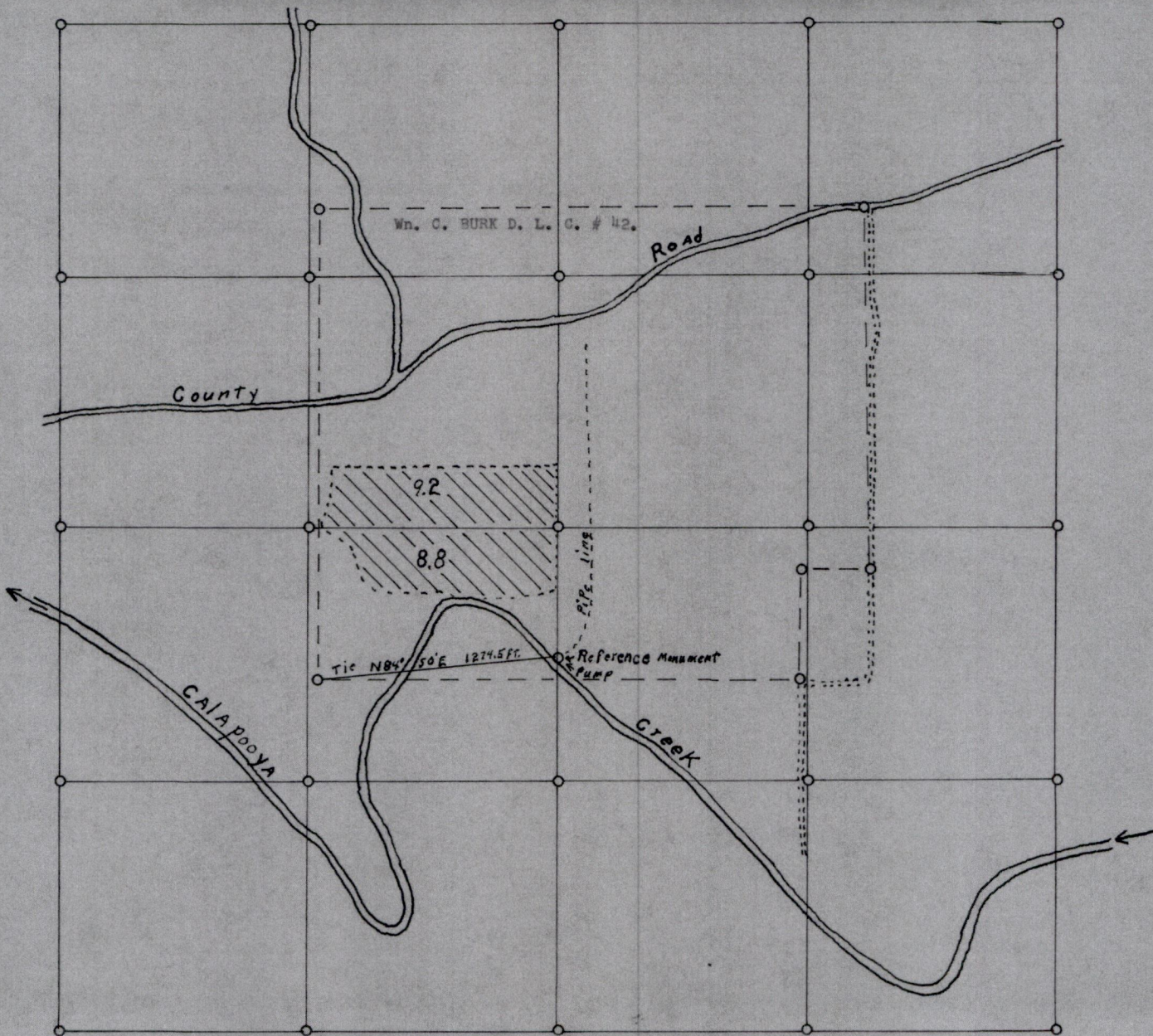
Scale 1" = 500'

SECT. 29, T.25 S., R.6 W. W.M.

RECEIVED

APR 03 2020

OWRD



I, WILFORD N. HAINES of DRAIN OREGON do hereby certify that this map was made from notes taken during an actual survey made by me on April 3, 1952; that the monument shown on this map consisting of a 1 1/2" iron pipe 36" long driven 30" in the ground is N. 84° 50' E. 1224.6 ft. from the SW. Cor. of the Wn. C. BURK D. L. C. # 42.

REGISTERED
OREGON
LAND SURVEYOR
Wilford N. Haines
MAY 7 1948
WILFORD N. HAINES
239

STATE OF OREGON

RECEIVED

COUNTY OF DOUGLAS

APR 03 2020

CERTIFICATE OF WATER RIGHT

OWRD

THIS CERTIFICATE ISSUED TO

KURT M. AND VERONICA SPENCER
6459 OAK HILL ROAD
ROSEBURG, OR 97470

NORTHWEST FARM CREDIT SERVICES, PCA
25615 NE 128TH AVENUE
BATTLEGROUND, WA 98604

confirms the right to use the waters of CALAPOOYA CREEK, a tributary to the UMPQUA RIVER for IRRIGATION of 0.9 ACRE.

This right was perfected under Permit S-21982. The date of priority is DECEMBER 15, 1952. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.01 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
25 S	6 W	WM	29	NW SE	42	110 FEET NORTH AND 1220 FEET EAST FROM THE SW CORNER OF DLC 42

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year and 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:


IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
25 S	6 W	WM	29	SW NE	42	0.9

This certificate describes that portion of the water right confirmed by Certificate 49003, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered NOV 07 2011, approving Transfer Application T-11215.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use herein described and is subject to the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed NOV 07 2011.



 Dwight French, Water Right Services Administrator, for
 PHILLIP C. WARD, DIRECTOR

APPLICATION FOR CHANGE IN POINT OF DIVERSION, PLACE OF USE & USE
FROM MAP (2 of 2)

CERTIFICATES - 79303, 43957, 85724, 85765, 27632 AND 49003
 PERMITS - S20066, S24886, S45243, S21982, S21066 AND S21982
 TOWNSHIP 25 SOUTH RANGE 6 WEST, W.M.
 DOUGLAS COUNTY, OREGON

APPLICANT:

KURT M. & VERONICA J. SPENCER
 6459 OAK HILL RD.
 ROSEBURG, OR 97471

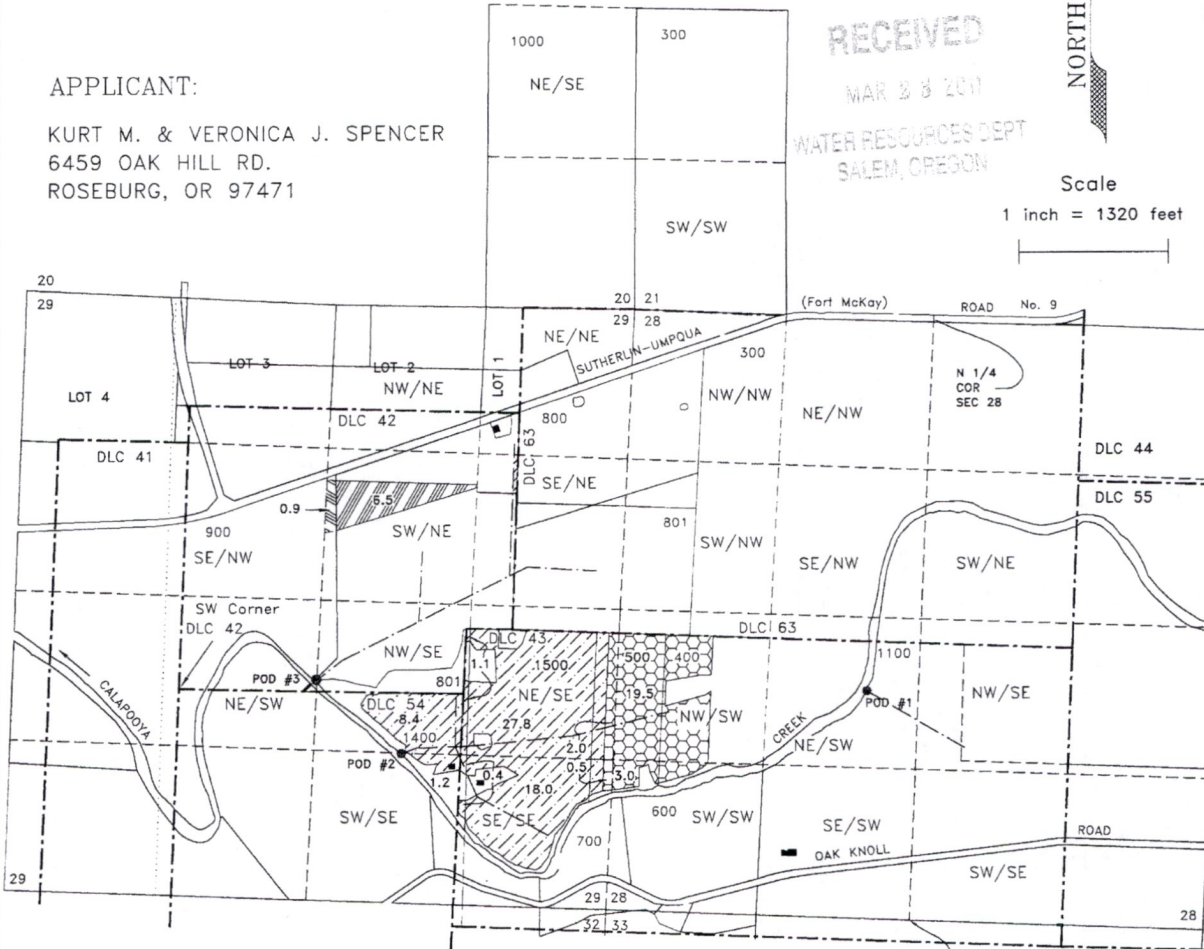
RECEIVED

MAR 23 2020

WATER RESOURCES DEPT
 SALEM, OREGON



Scale
 1 inch = 1320 feet



Base map from Douglas County GIS database over 2005 FSA aerial photo for assumed best fit

POINTS OF DIVERSION:

- #1 - NE/SW, Sec. 28, DLC43, 2000' N. & 450' W. from the S 1/4 Corner Sec. 28
- #2 - SW/SE, Sec. 29, DLC54, 540' S & 520' W. from the NE Corner DLC54
- #3 - NW/SE, Sec. 29, DLC42, 110' N & 1220' E. from the SW Corner DLC42



Certificate 43957 - 25.0 acres
 POD #2, Priority - April 4, 1957
 Change in POD & Place of Use



Certificate 27632 - 56.9 acres
 POD #2, Priority - January 31, 1952
 Change in POD & Place of Use



Certificate 49003 - 6.5 acres
 POD #3, Priority - December 15, 1952
 Change in Place of Use



Remaining Right 0.9 acres (TL-900)



RECEIVED

T 11215

APR 03 2020

OWRD

JORDAN ENGINEERING
 460 JORDAN LANE
 ROSEBURG, OR 97471
 (541) 673-1931

This map is not intended to provide legal dimensions or locations of property ownership lines.

September 7, 2010, n.e.d.

Douglas County Official Records
Patricia K. Hitt, County Clerk

2018-012638

07/31/2018 02:08:06 PM

DEED-BS Cnt=1 Stn=41 DDWILKIN
\$20.00 \$11.00 \$10.00 \$60.00

\$101.00

DOUGLAS COUNTY CLERK



RECEIVED

APR 03 2020

OWRD

CERTIFICATE PAGE

**DO NOT REMOVE THIS PAGE FROM ORIGINAL
DOCUMENT**

THIS PAGE MUST BE INCLUDED IF DOCUMENT IS RE-RECORDED

First American Title
1700 NW Garden Valley Blvd. #204
Roseburg, OR 97471

2913948 (ke)

RECEIVED

APR 03 2020

OWRD



After recording return to:
Yvonne Renee Silveira
5620 Fort McKay Road
Oakland, OR 97462

Until a change is requested all tax
statements shall be sent to the
following address:
Yvonne Renee Silveira
5620 Fort McKay Road
Oakland, OR 97462

File No.: 7391-2913948 (KC)
Date: July 27, 2018

THIS SPACE RESERVED FOR RECORDER'S USE

STATUTORY BARGAIN AND SALE DEED

Dolores Mary Lawson, Personal Representative for the Estate of Janice E. Martin, deceased, as to an undivided one-half interest, and;

Dolores Mary Lawson, Successor Trustee of The Joseph L. Martin Credit Shelter Trust, as to an undivided one-half interest, Grantor, conveys to Yvonne Renee Silveira, Grantee, the following described real property:

See Legal Description attached hereto as Exhibit A and by this reference incorporated herein.

The true consideration for this conveyance is **\$596,389.00**. (Here comply with requirements of ORS 93.030)

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. 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 THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, 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 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

RECEIVED

APR 03 2020

OWRD

APN: M127801

Bargain and Sale Deed
- continued

File No.: 7391-2913948 (KC)
Date: 07/27/2018

EXHIBIT A

LEGAL DESCRIPTION: Real property in the County of Douglas, State of Oregon, described as follows:

BEGINNING at a 1/2 inch iron rod on the Southerly right of way of the Sutherlin-Umpqua Road No. 9, from which the one-quarter corner between Sections 20 and 29, Township 25 South, Range 6 West, Willamette Meridian, bears North 1° 31' 06" West 1537.91 feet; thence along said Southerly right of way line South 70° 33' 51" West 1057.34 feet to a point; thence along the arc of a 1939.86 foot radius curve right (the long chord of which bears South 76° 22' 12" West) 382.64 feet to a point on the West line of Wm. C. Burk Donation Land Claim No. 42; thence along said West line South 1° 02' 29" West 1440.36 feet to the Southwest corner of said Donation Land Claim No. 42; thence along the South line of Donation Land Claim No. 42, South 89° 22' 19" East 1157.05 feet to a point; thence North 47° 12' 54" East 395.23 feet to a 1/2 inch iron rod; thence North 1° 51' 12" West 1627.03 feet to the point of beginning.

EXCEPTING THEREFROM that portion of the above described property lying Southerly of the centerline of Calapooia Creek.

This parcel situated in Section 29, Township 25 South, Range 6 West, Willamette Meridian, Douglas County, Oregon.