



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

# Application for Instream Lease

OWRD

## Part 1 of 4 – Minimum Requirements Checklist

|  |                       |
|--|-----------------------|
| Complete Part 1 through 4 and include the required attachments<br>Fill in or check boxes as indicated. (N/A= Not Applicable) | OWRD # <u>11-1828</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<br><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? 2 List them here: 81917 & 90534**  
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: Permit S-23210, GR-491 & GR-756**

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.

AUG 19 2020

Part 2 of 4 – Instream Lease Application Map Check **WRD**

|  |
|--|
| A Map is generally required for each water right <u>not</u> 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.

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 # 81917

**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) |
|---------------|-------|-----|-----|-----|-----|---------|---------------|-------|-----|---------------------------|
|               |       |     |     |     |     |         |               |       |     |                           |
|               |       |     |     |     |     |         |               |       |     |                           |

Total Acres: NA

**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) |
|---------------|-------|-----|-------------|---|------------------|-------------------|
|               |       |     |             |   |                  |                   |
|               |       |     |             |   |                  |                   |

Total af from storage, if applicable: \_\_\_\_ AF or  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 | Measured Distances, latitude/longitude coordinates, or river mile (if unknown you may indicate "unknown") |
|-------|------|-----|-----|-------|-----------|---|
| 1     | 36-S | 2-W | 15  | NW-SE | 2         | 2438 ft North and 1450 ft West Fm the SE Cor. Sec. 15   |
|       |      |     |     |       |           |   |
|       |      |     |     |       |           |   |

Part 3 of 4 cont. – Water Right and Instream Use Information 2020

Instream Use Information

OWRD

Table 4

| Instream Use Created by the Lease  |       |      |         |   |                           |                            |
|--|-------|------|---------|---|---------------------------|----------------------------|
| River/ Stream Name: <u>Rogue River</u> , tributary to <u>Pacific Ocean</u>   |       |      |         | River Basin: <u>Rogue</u>   |                           |                            |
| <p><b>Instream Portion:</b> 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  | Acreage | Proposed Instream Period  | Total instream rate (cfs) | Total instream volume (af) |
| Nov 18, 1958   | 1     | INDU | NA      | Five years  | 0.30 CFS                  | 216.81                     |
|  |       |      |         |   |                           |                            |
| <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><b>OR</b> <input 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><b>Proposed Instream Reach:</b></p> <p><input checked="" 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 <u>Pacific Ocean</u></p>  |       |      |         | <p><b>Or Proposed Instream Point:</b></p> <p><input type="checkbox"/> Instream use protected at the POD</p> |                           |                            |
| <p><b>OR</b> <input 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 <b>Conditions to avoid enlargement or injury to other water rights, if any, or other limitations:</b> list here _____</p> <p>Note: The Department may identify additional conditions to prevent injury and/or enlargement.</p>   |       |      |         |   |                           |                            |
| <p><b>Any additional information about the proposed instream use:</b> _____</p>  |       |      |         |   |                           |                            |

AUG 19 2020

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 # 90534

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) |
|---------------|-------|-----|-----|-----|-----|---------|---------------|-------|-----|---------------------------|
|               |       |     |     |     |     |         |               |       |     |                           |

Total Acres: NA

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) |
|---------------|-------|-----|-------------|---|------------------|-------------------|
|               |       |     |             |   |                  |                   |

Total af from storage, if applicable: \_\_\_\_\_ AF or  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 | Measured Distances, latitude/longitude coordinates, or river mile (if unknown you may indicate "unknown") |
|-------|------|-----|-----|-------|-----------|---|
| 1     | 36-S | 2-W | 15  | NW-SE | 2         | 2348 ft North and 1360 ft West Fm the SE Cor. Sec. 15   |
|       |      |     |     |       |           |   |

Note: There is only one point of diversion. It appears there is a scrivener's error transposing one or the other point of diversion description numbers between certificates.

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

**Instream Use Information**

**Table 4**

| Instream Use Created by the Lease  |       |      |      |   |                           |                            |
|--|-------|------|------|---|---------------------------|----------------------------|
| <b>River/ Stream Name:</b> <u>Rogue River</u> , tributary to <u>Pacific Ocean</u>  |       |      |      | <b>River Basin:</b> <u>Rogue</u>  |                           |                            |
| <p><b>Instream Portion:</b> 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  | Acre | Proposed Instream Period  | Total instream rate (cfs) | Total instream volume (af) |
| Nov 18, 1958   | 1     | INDU | NA   | Five years  | 0.33 CFS                  | 118.35                     |
|  |       |      |      |   |                           |                            |
| <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><b>OR</b> <input 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><b>Proposed Instream Reach:</b></p> <p><input checked="" 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 <u>Pacific Ocean</u></p>  |       |      |      | <p><b>Or Proposed Instream Point:</b></p> <p><input type="checkbox"/> Instream use protected at the POD</p> |                           |                            |
| <p><b>OR</b> <input 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 <b>Conditions to avoid enlargement or injury to other water rights, if any, or other limitations:</b> list here _____</p> <p>Note: The Department may identify additional conditions to prevent injury and/or enlargement.</p>   |       |      |      |   |                           |                            |
| <p><b>Any additional information about the proposed instream use:</b> _____</p>  |       |      |      |   |                           |                            |

RECEIVED

AUG 19 2020

OWRD

**Part 4 of 4 – Lease Provisions and Party Signatures**

|  |  |
|--|--|
| <p><b>Term of the Lease (may be from 1 year up to 5 years):</b><br/>                 The lease is requested to begin in: <u>month 10 year 2020</u> and end: <u>month 10 year 2025</u><br/>                 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><b>Public use:</b> 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 checked="" type="checkbox"/> Recreation</p> <p><input checked="" type="checkbox"/> Pollution abatement</p> <p><input checked="" type="checkbox"/> Navigation</p>   | <p><b>Termination provision (for multiyear leases):</b><br/> <b>The parties to the lease request (choose one):</b></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><b>Additive/Replacing Relationship to other instream water rights:</b> 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"/><br/>                 And attach an explanation of your intent.</p> |  |
| <p><b>Validity of the Right(s) to be leased (check the appropriate box):</b></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>  |  |

**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.

*Linda Marr*

\_\_\_\_\_  
Signature of Lessor

Date: 8/16/20

**RECEIVED**

**AUG 19 2020**

Printed name (and title): Linda Kay Marr

Business name, if applicable: Linda Kay Marr Trustee Et Al

Mailing Address (with state and zip): 183 Gresham St, Ashland, OR 97520

Phone number (include area code): 541-324-1390 \*\*E-mail address: \_\_\_\_\_

**OWRD**

Linda Marr

Date: 8/16/20

Signature of Co-Lessor

Printed name (and title): Linda Kay Marr

Business/organization name: Mace Properties LLC

Mailing Address (with state and zip): 183 Gresham St, Ashland, OR 97520

Phone number (include area code): 541-324-1390 \*\*E-mail address: \_\_\_\_\_

Date: \_\_\_\_\_

Signature of Lessee

Printed name (and title): \_\_\_\_\_

Business/organization name: \_\_\_\_\_

Mailing Address (with state and zip): \_\_\_\_\_

Phone number (include area code): \_\_\_\_\_ \*\*E-mail address: \_\_\_\_\_

**\*\* BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED TO THE LESSOR.**

RECEIVED

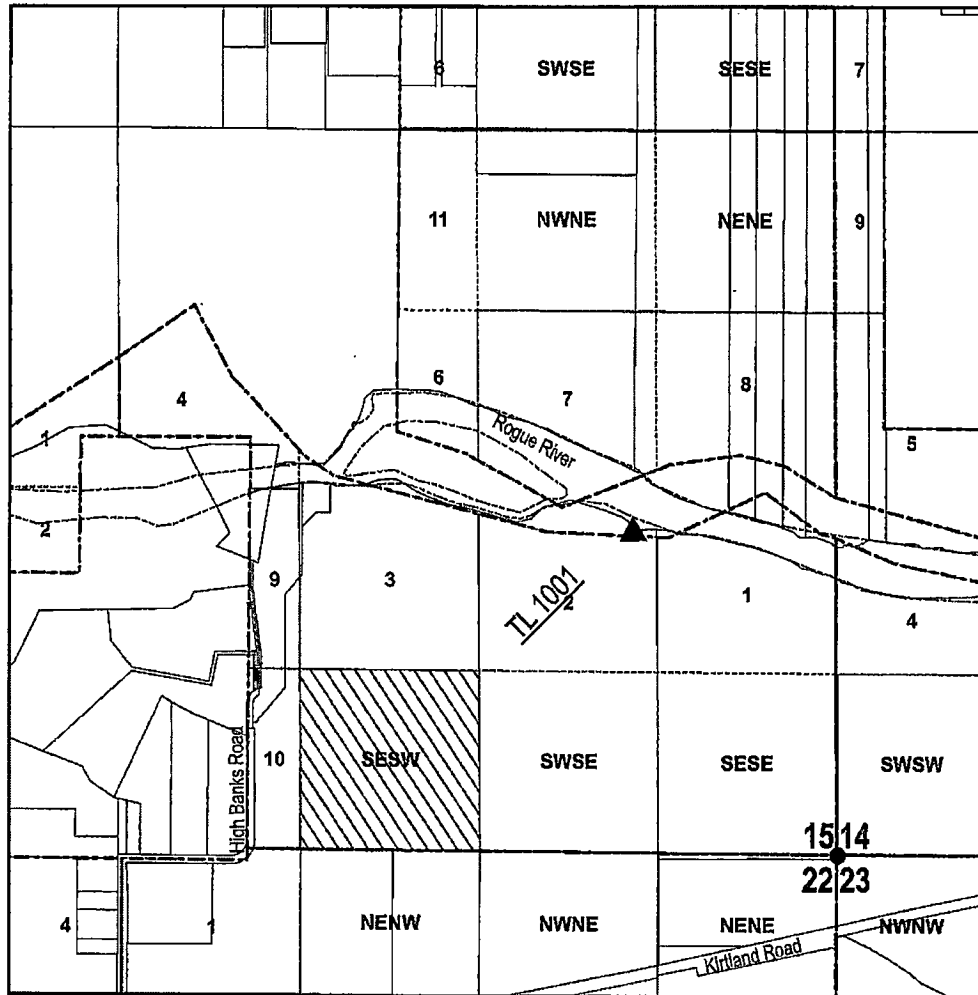
AUG 19 2020

OWRD









**Certificate 81917  
 Instream Lease Map  
 Linda Kay Marr, Trustee**

T 36 S, R 2 W  
 Sec 15



**Legend**

-  C 81917 Area of Use 0.3 CFS
-  C 81917 POD
-  Reference Cor by JC survey 20308
-  Rogue River
-  Section Line
-  Quarter-Quarter Section Line

POD is located 2438 ft North &  
 1450 ft West from the SE Cor.  
 Sec. 15, T 36 S, R 2 W.

N



1 inch = 1,320 feet

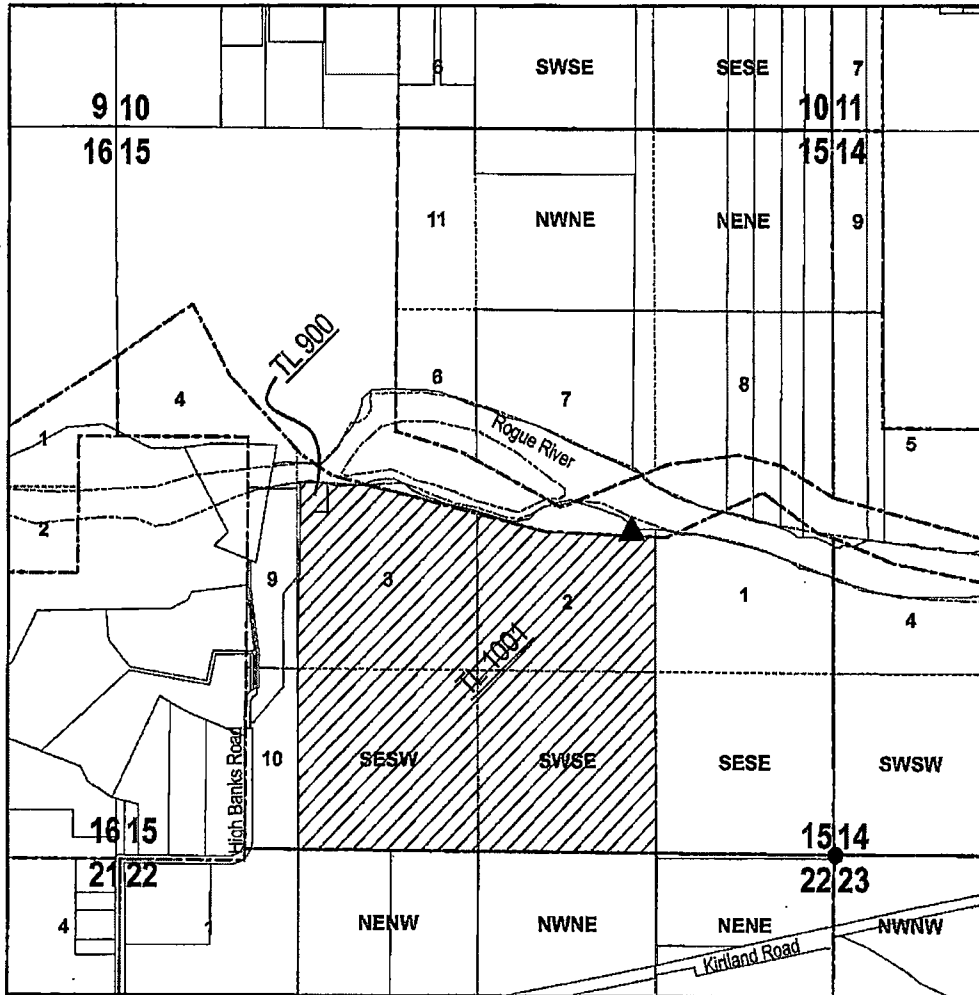
**RECEIVED**

**AUG 19 2020**

**OWRD**

**Certificate 90534  
Instream Lease Map  
Linda Kay Marr, Trustee**

**T 36 S, R 2 W  
Sec 15**



**Legend**

- ▲ C 90534 POD
- Rogue River
- Reference Cor by JC survey 20308
- - - Quarter-Quarter Section Line
- ▨ C 90534 Area of Use 0.33 CFS
- - - Section Line

POD is located 2348 ft North &  
1360 ft West from the SE Cor.  
Sec. 15, T 36 S, R 2 W.



1 Inch = 1,320 feet

**RECEIVED**

**AUG 19 2020**

**OWRD**



I, Christine Walker, County Clerk for Jackson County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.  
Christine Walker - County Clerk

Information Required by Statute:

Type of Instrument: **BARGAIN AND SALE DEED (Statutory Form)**

Grantor: Richard Lee Mace, Linda Kay Marr, Carol Ann Mace

Grantee: Mace Properties, LLC, an Oregon limited liability company

True and Actual Consideration: Consists of other value given

Until a change is requested After recording return to:

all tax statements should be sent to:

Linda Kay Marr

183 Gresham St

Ashland, Oregon 97520

Charles M. McNair, Esq.

210 Laurel Street

Medford, Oregon 97501

RECEIVED

AUG 19 2020

OWRD

---

**OREGON BARGAIN AND SALE DEED**  
**(ORS 93.860)**

Richard Lee Mace, Linda Kay Marr, and Carol Ann Mace, each as to an undivided one third interest as a tenant in common, GRANTOR, conveys to Mace Properties, LLC, an Oregon limited liability company, GRANTEE, the following described real property located in Jackson County, State of Oregon free of encumbrances except as specifically set forth herein:

A complete legal description is attached and incorporated as Exhibit A, consisting of one page; the common street address is 8907 High Banks Road, Central Point, Oregon, 97502 and the Jackson County Assessor identifies the property as Map No. 362W15, Tax lot 900, Account No. 1-018193-1.

72 900

The true and actual consideration consists of other value given.

**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**

RECEIVED

AUG 19 2020

OWRD

EXHIBIT A

Subject Property Address: 8907 Highbanks Road, Central Point, OR 97502

**Legal Description:**

TL 900

Commencing at a brass cap found set in concrete for the Southeast corner of Donation Land Claim corner No. 45, Township 36 South, Range 2 West of the Willamette Meridian in Jackson County, Oregon; thence North, 2563.69 feet; thence East, 604.28 feet to a 5/8" rebar with plastic cap found set for the Southeast corner of tract described in Instrument No. 2013-032914 of the Official Records of said County for the true point of beginning; thence along the Southerly boundary of tract, South 89°57'04" West (record = South 89°57'10" West), 104.31 feet to a 5/8" rebar with plastic cap set; thence leaving said tract boundary, South 44°57'04" West, 143.00 feet to a 5/8" rebar with plastic cap set; thence North, 250.00 feet to a 5/8" rebar with plastic cap set for a reference monument; thence continuing North, a more or less distance of 63.74 feet to intersect the Southerly edge of the Rogue River; thence running along the said edge of river in a Easterly direction, a more or less distance of 203.15 feet to intersect the Easterly boundary of said tract; thence along said Easterly tract boundary, South 0°35'50" East (record = South 0°36'18" East), 40.90 feet to a 5/8" rebar with plastic cap found set for a reference monument; thence continuing along said boundary, South 0°35'50" East (record = South 0°36'18" East), 169.62 feet to the true point of beginning.

Jackson County Official Records **2009-014506**  
R-PRD  
Cnt=1 Sln=4 SHAWBJ **04/22/2009 10:21:56 AM**  
\$10.00 \$10.00 \$5.00 \$11.00 **Total:\$36.00**



I, Christine Walker, County Clerk for Jackson County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.  
Christine Walker - County Clerk

Information Required by Statute:  
Type of Instrument: **PERSONAL REPRESENTATIVE'S DEED (BARGAIN AND SALE DEED-Statutory Form)**  
Grantor: **LINDA KAY MARR, Successor Personal Representative of the Estate of ROBERT U. MACE, Deceased**  
Grantee: **LINDA KAY MARR, Successor Trustee of the ROBERT U. MACE TESTAMENTARY CHARITABLE TRUST u/Will dtd June 12, 006**  
True and Actual Consideration: \$0, other valuable consideration given, love and affection  
Until a change is requested, all tax statements should be sent to: LINDA MARR, TRUSTEE, 183 Gresham Street, Ashland, OR 97520  
After recording, return to:  
CHARLES M. McNAIR, OSB #75254, FOWLER & McNAIR, 210 Laurel Street, PO Box 1746, Medford, OR 97501

RECEIVED

AUG 19 2020

OWRD

=====

**PERSONAL REPRESENTATIVE'S DEED**

TL 1001

**(BARGAIN AND SALE DEED - Statutory Form)**

Pursuant to the ORDER APPROVING SECOND AND FINAL ACCOUNT AND JUDGMENT OF FINAL DISTRIBUTION filed on April 9, 2009, in the Matter of the Estate of ROBERT U. MACE, Deceased, Jackson County, Oregon, Circuit Court No. 06-741-P7, LINDA KAY MARR, Successor Personal Representative of the Estate of ROBERT U. MACE, Deceased, GRANTOR, conveys to LINDA KAY MARR, Successor Trustee of the ROBERT U. MACE TESTAMENTARY CHARITABLE TRUST u/Will dated June 12, 2006, GRANTEE, the following described real property consisting of 161.04 acres situated in the County of Jackson, State of Oregon:

The Southwest Quarter of the Southeast Quarter, the Southeast Quarter of the Southwest Quarter, and Lots 2, 3, and 10 of Section 15 in Township 36 South, Range 2 West of the Willamette Meridian in Jackson County, Oregon. Excepting therefrom the following: Commencing at the corner common to Sections 9, 10, 15 and 16 in Township 36 South, Range 2 West of the Willamette Meridian in Jackson County, Oregon; thence South 2827.6 feet and East 1587.5 feet to a 2" iron pipe for the true point of beginning; thence North 0° 02' 50" West 209.0 feet; thence South 89° 57' 10" West 209.0 feet; thence South 0° 02' 50" East 209.0 feet; thence North 89° 57' 10" East 209.0 feet to the true point of beginning.

AUG 19 2020

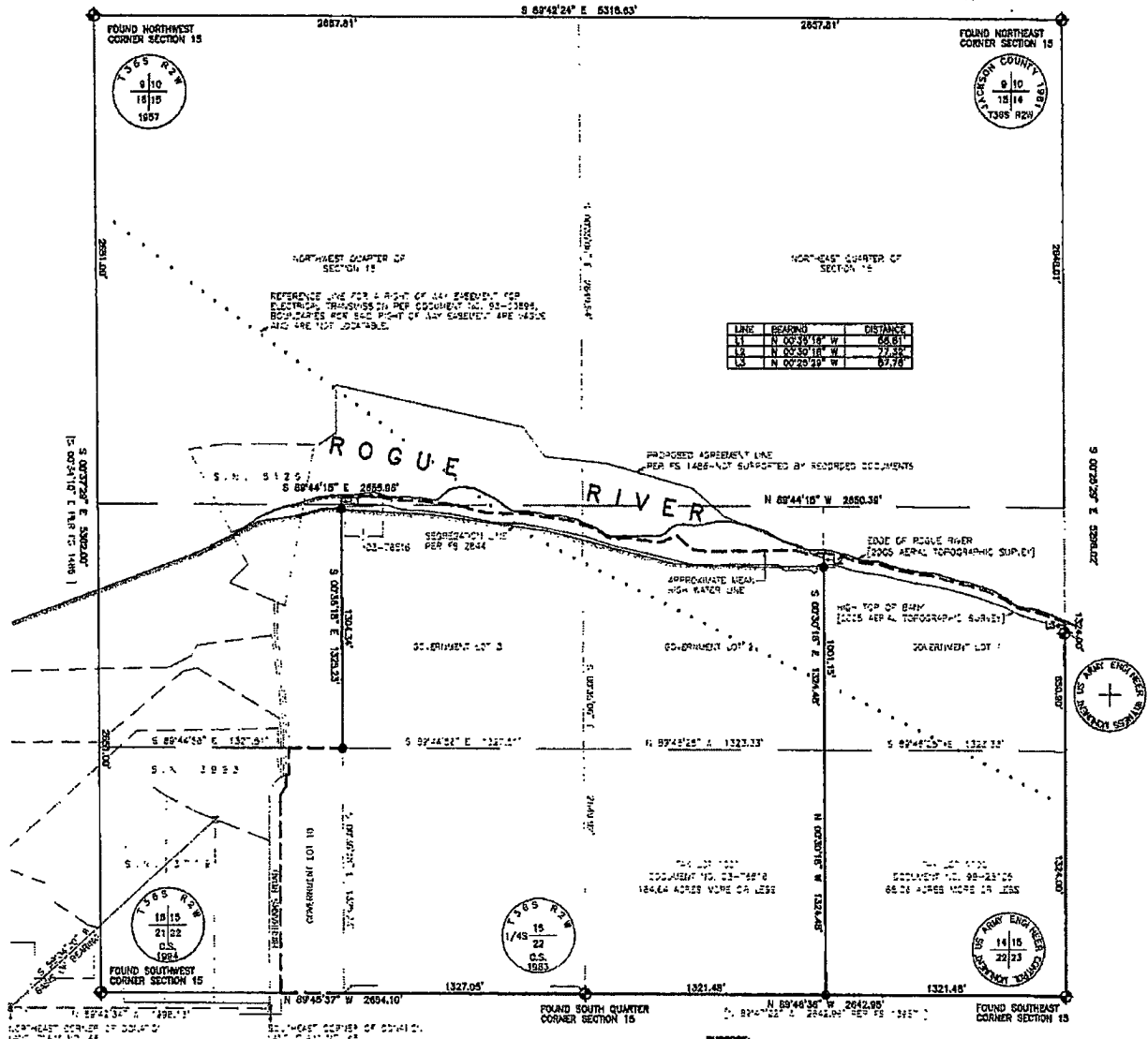
20308

OWRD

# MAP OF SURVEY

LYING WITHIN  
THE SOUTHWEST 1/4 AND THE SOUTHEAST 1/4 OF SECTION 15, TOWNSHIP 36 SOUTH, RANGE 2 WEST,  
WILLAMETTE MERIDIAN, JACKSON COUNTY, OREGON

RECEIVED  
Date 1-20-22 By C.A.  
This survey consists of  
1. Survey Map  
2. Record of Survey  
JACKSON COUNTY  
SURVEYOR



| LINE | BEARING        | DISTANCE |
|------|----------------|----------|
| 11   | N 00°39'16\" W | 56.81'   |
| 12   | N 03°50'11\" W | 71.35'   |
| 13   | N 00°22'49\" W | 67.75'   |

**ENCUMBRANCES**

ENCUMBRANCES PER TITLE REPORT DATED AUGUST 5, 2009 (ORDER NO. 4800483446) PER LAND AMERICA LAWYERS TITLE, MAY AFFECT PROPERTIES BUT ARE NOT LOCATABLE.

**TSN LOT 1001:**

AN ELECTRICAL TRANSMISSION EASEMENT RECORDED AS VOLUME 347, PAGE 39, VOLUME 367, PAGE 323, VOLUME 403, PAGE 303, VOLUME 404, PAGE 69 AND SUBPORTION OF SAID EASEMENT PER DOCUMENT NO. 93-00598 OF THE OFFICIAL RECORDS OF JACKSON COUNTY, OREGON.

AN ELECTRICAL TRANSMISSION EASEMENT RECORDED AS DOCUMENT NO. 68-04835 OF THE OFFICIAL RECORDS OF JACKSON COUNTY, OREGON.

AN ELECTRICAL TRANSMISSION EASEMENT RECORDED AS DOCUMENT NO. 93-00598 OF THE OFFICIAL RECORDS OF JACKSON COUNTY, OREGON.

AN INGRESS AND EGRESS EASEMENT RECORDED AS DOCUMENT NO. 88-25684 OF THE OFFICIAL RECORDS OF JACKSON COUNTY, OREGON.

AN ELECTRICAL TRANSMISSION EASEMENT RECORDED AS DOCUMENT NO. 88-50158 OF THE OFFICIAL RECORDS OF JACKSON COUNTY, OREGON.

TERMS AND PROVISIONS OF AN UNRECORDED AGREEMENT BETWEEN ROBERT U. MACE, PHYLLIS L. MACE AND HIGH BANKS ROCK PRODUCTS, INC. RECORDED AS DOCUMENT NO. 04-028776 OF THE OFFICIAL RECORDS OF JACKSON COUNTY, OREGON.

**TSN LOT 1100:**

AN ELECTRICAL TRANSMISSION EASEMENT RECORDED AS DOCUMENT NO. 88-22881 OF THE OFFICIAL RECORDS OF JACKSON COUNTY, OREGON.



REGISTERED  
PROFESSIONAL  
LAND SURVEYOR  
*Kerry K. Bradshaw*  
OREGON  
JULY 16, 1997  
KERRY K. BRADSHAW  
2271  
EXP. 12-31-09

**PURPOSE:**  
TO SURVEY AND MONUMENT THE BOUNDARIES OF THE TRACTS OF LAND DESCRIBED IN DOCUMENT NOS. 99-28185 AND 03-78518 OF THE OFFICIAL RECORDS OF JACKSON COUNTY, OREGON.

**PROCEDURE:**  
USING ASHTRECH GPS EQUIPMENT AND A NIKON DTM 822 TOTAL STATION THE SECTION CORNERS OF SECTION 15 WERE TIED IN A CONTROL TRIANGLE. THE SECTION WAS DIVIDED AS SHOWN AND THE BOUNDARIES WERE CALCULATED USING SAID FOUND MONUMENTS AND DEED RECORD INFORMATION. THE BOUNDARIES WERE MONUMENTED AS SHOWN HEREIN.

**LEGEND:**

⊕ - FOUND 5/8" PIN PER FS 3718  
⊙ - FOUND MONUMENT AS NOTED  
⊙ - SET 5/8\"/>

**BASE OF BEARING:**  
THE LINE BETWEEN TWO MONUMENTS, THE NORTHEAST CORNER OF PLC NO. 46 AND A 3/8\"/>

**TIMBERLINE LAND SURVEYING, INC.**  
LAND SURVEYING - WATER RIGHTS  
KERRY K. BRADSHAW, P.L.S. - C.M.R.E.

P.O. BOX 3086  
CENTRAL POINT, OREGON 97502  
PHONE: (541) 664-2878  
FAX: (541) 664-7883

**High Banks Rock Products Inc.**  
8422 Highway 6 Road  
Central Point, Or. 97602

JOB #: 08-048  
DATE: 08/07/2005  
DRAWN BY: MRRH  
CHECKED BY: KOB

PREPARED FOR: High Banks Rock Products Inc.  
F.R.S. NAME: 03-048 R2D-Lastname#123 of surveying

SHEET 1 OF 1

ADDRESSORS MAP NO: 36-04-16 TL 1001 & 1100