

T-10387

T-10387

Name Basco Bros LLC

By _____

Address P.O. Box 131Winchester, OR 97495541-459-9368Change in POUDate filed 5-15-07

Date of hearing _____

Place of hearing _____

Date of order 3-25-08 Vol. 74, page 432

Date for application of water _____

Proof mailed _____

Proof received _____

Certificate issued _____ Vol. _____, page _____

DESCRIPTION OF WATER RIGHT

Name of stream N. Umpqua RiverTrib. of Umpqua River County of DouglasUse IR

Quantity of water _____ No. of acres _____

Name of ditch _____

Date of priority 5/15/1959In name of Robert + Dudley

_____ Adjudication, Vol. _____, page _____

App. No. 33099 Per. No. 26192 Cert. No. 80234

Certificate cancelled _____

Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>5-15-07</u>	<u>350.00</u>	<u>87581</u>
<u>10-4-17</u>	<u>125.00</u>	<u>124845</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.
<u>11/1/17</u>	<u>\$125.00</u>	<u>VP046057</u>

REMARKS

NAID

CWRE: Kenna Clay Jordan #431

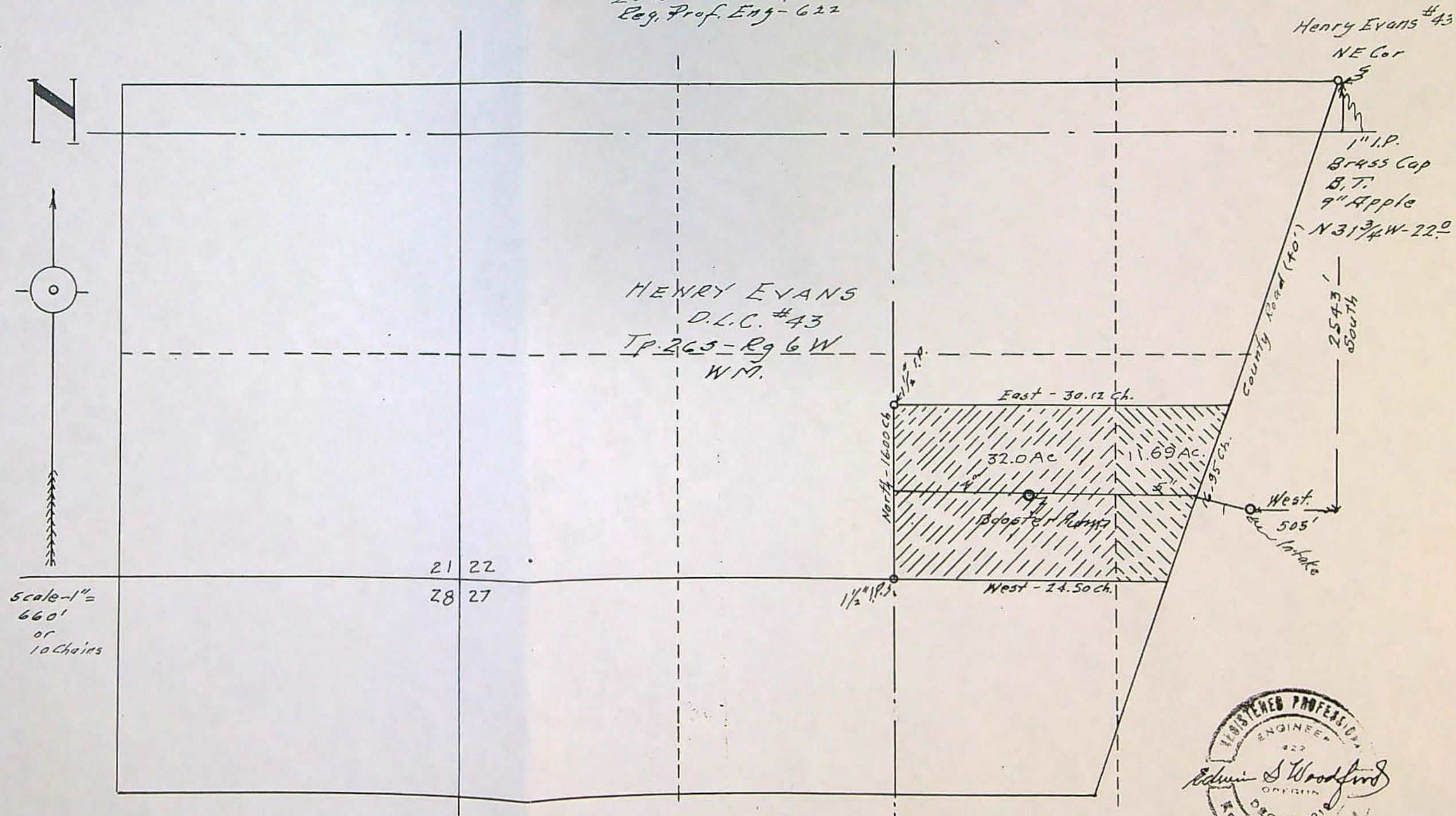
Public Notice: 5/22/07

Contractor: Anderson

95264 issued 2/5/2021

Note:- This map prepared
from Field Surveys & Gov. Field
Notes of Henry Evans D.L.C. #43
Tp. 26S - R96W W.M.

Edwin S. Woodford
Reg. Prof. Eng - 622



Application No. 33099
Permit No. 26192

Mailing List for Final Transfer Certificate(s)

Transfer Application: T-10387

Certificate: 95264 (C-80324)

Certificate/Transfer Holder: (include copy of map)

BASCO BROS LLC
PO BOX 131
WINCHESTER OR 97495

Is the Transfer Holder(s) of record currently identified as a landowner of any tax lots involved as confirmed by the County records? YES and NO

Copies of Final Transfer Certificate(s) to be sent to:

1. Watermaster District #: 15
2. Water Availability
3. Vault
4. File

Other persons to receive copies: (include map):

5. Kenna Clay Jordan, CWRE
6. **Current Landowner – Map Tax Lots: 260622D02600 & 260622D02700**
Riotegi Howmeowners Assoc.
PO Box 131
Winchester OR 97495
7. **Current Landowner – Map Tax Lot: 260622D01800**
Aleksander Skarlatos
294 Bonifacio Lane
Roseburg OR 97471

Record Marking(s):

1. Original Application# S-33099
2. Old Certificate# 80234

Copies Mailed

by: TM
(STAFF)

on: 2/5/2021
(DATE)



Oregon

Kate Brown, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Ste A

Salem, OR 97301

Phone: 503-986-0900

Fax: 503-986-0904

www.Oregon.gov/OWRD

Date Mailed: FEB 05 2021

NOTICE OF CERTIFICATE ISSUANCE

Attached is a certificate that confirms the water rights established under the terms of a transfer order issued by this Department.

This certificate is an order in other than a contested case. This order is subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

This statement of judicial review rights is required under ORS 536.075; it does not alter or add to existing review rights or create review rights that are not otherwise provided by law.

The water must be controlled and not wasted. To change the location of the point of diversion, the character of use, or the location of use requires the advance approval of the Water Resources Director.

If you have any questions please contact Gerry Clark at 503-986-0811.



STATE OF OREGON
COUNTY OF DOUGLAS
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BASCO BROS LLC
PO BOX 131
WINCHESTER OR 97495

confirms the right to the use of water perfected under the terms of Permit S-26192. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

SOURCE OF WATER: NORTH UMPQUA RIVER, A TRIBUTARY OF THE UMPQUA RIVER

PURPOSE OR USE: IRRIGATION OF 2.6 ACRES

MAXIMUM RATE: 0.033 CUBIC FOOT PER SECOND

DATE OF PRIORITY: MAY 15, 1959

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q
26 S	6 W	WM	22	SE SE

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 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 for each acre irrigated during the irrigation season of each year, provided further that the right to the use of water is limited to the period when the flow of water in the North Umpqua River is 525 c.f.s. or more at its mouth.

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

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
26 S	6 W	WM	22	SW SE	43	0.63
26 S	6 W	WM	22	SE SE	43	0.17
26 S	6 W	WM	22	SE SE		1.80

The water user shall maintain and operate an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted.

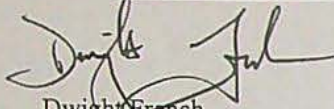
The right to the use of the water for the above purpose is restricted to beneficial use on the place of use described.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

This certificate is issued to confirm a change in PLACE OF USE approved by an order of the Water Resources Director entered March 25, 2008, at Special Order Volume 74, Page 432, approving Transfer Application T-10387, and together with Certificate 83869, supercedes Certificate 80234, State record of Water Right Certificates.

Issued **FEB 05 2021**



Dwight French
Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

2018 list (G)

Δ in place of use
! Redescription

MEMO -Proof to Satisfaction

Application #	Permit #	Transfer # T-10387
WRD Reviewer J Skaug	Date June 2020	
WRD Peer Reviewer J Link	Date 8/20	

Research

Sp 74 pg 432

App# S33099
Permit # 526192

- ☒ Organize file in chronological order
- ☒ Pull CBU Report & Map(s), Application Map, relevant Permit, Certificate, or Transfer Order, most recent Assignments, Extension Orders, SWL Measurements, Fish Screen Certification Documents, Water Use Reports & Pump Tests
- ☒ Search for Water Right Location using Interactive Mapper. Identify Tax Lots & check for Area of Interest (AOI)
- ☒ Water Organization identified using AOI? ☒ No ☐ Yes
 - If "Yes" cc: _____ & Add to Mailing List
- ☒ Print Tax Lot Map from ormap.net for the original Place of Use, and confirm Current Ownership & Address with County Assessor tax lots 2700, 1800, 1900, 2300, 2400, 2600
- ☒ If there is a new owner, Add to Mailing List, including the owner(s) name & tax lot number
- ☒ Print Platcard & check for Place of Use Conflict? ☒ No ☐ Yes
 - If "Yes", provide copy of certificate & relevant map
- ☒ Print BLM Cadastral Survey DLG 43
- ☒ Does Claim Map identify correct DLC, Gov't Lots, QQ's? ☐ No ☒ Yes
 - If "No", either _____ WRD amend map OR _____ prepare Order of Certification

Reviewing Claim

Have conditions on relevant permit, certificate, or transfer order been complied with? Yes, No, OR N/A

- ☐ Fish Conditions
- ☒ Meter/measuring device 2008 yes
- ☐ Water Use Reporting
- ☐ Pump Test (post December 19, 1988)
- ☐ Other Conditions
- ☐ SWL
- ☒ C-Date 10-1-2009 claim says summer 2009

☒ Run Capacity Calculator and Print Findings (for pump, sprinklers, pipes, ditches, as appropriate)

NOTES:

1) Kenma Clay Jordan, cwe

2) current landowner - map tax lot 260622D019003D02700

Riotegi Homeowners Assoc, PO Box 131, Winchester, OR 97495

3) current landowner - map tax lot 260622D01800

Aleksander Skarlats, 294 Bonifacio Ln, Roseburg OR 97471
going final

Redscribed in Cert 83859 RL

Determination

☒ I've determined that the permit/transfer was fully developed as authorized and that a **FINAL** Certificate should be issued.

Made proof

☐ I've determined that the permit/transfer was not fully developed as authorized and that a **PROPOSED** Certificate should be issued. A proposed Certificate should be issued for the following reason(s):

☐ I've determined that beneficial use was NOT made within the terms and conditions and that a **Proposed Order of Certification** (denial) should be issued. A proposed Order of Certification should be issued for the following reason(s):

Processing

☐ Stamp PROPOSED or Assign CERT# _____ or ORDER OF CERTIFICATION (circle one)

☐ Draft Certificates or Proposed Order of Certifications are available in the Application directory.

☐ Prepare Mailing List. Include Applicant(s); Receiving Landowner(s); Current Owner(s); Water Organizations; CWRE. Indicate records to be marked.

☐ Record marking:	App _____	Permit _____	Cert _____
	App _____	Permit _____	Cert _____
	App _____	Permit _____	Cert _____
	App _____	Permit _____	Cert _____

NOTES:

**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of Transfer Application	)	FINAL ORDER APPROVING A
T-10387, Douglas County	)	CHANGE IN PLACE OF USE AND
	)	REDESCRIPTION OF A WATER
	)	RIGHT

Authority

ORS 540.505 to 540.580 establishes the process in which a water right holder may submit a request to transfer the point of diversion, place of use, or character of use authorized under an existing water right. OAR Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

BASCO BROS LLC
PO BOX 131
WINCHESTER OR 97495

Findings of Fact

Background

1. On May 15, 2007, Basco Bros LLC, filed an application to change the place of use under Certificate 80234 (perfected under Permit S-26192). The Department assigned the application number T-10387.
2. The original Final Proof Survey for Permit S-26192 appears to have relied on fence locations for the Sectional Subdivision Lines. Recent surveys and maps submitted with this transfer application (T-10387) indicate how the Public Land Survey subdivisions are currently understood to overlay the area for this right. Therefore, for the water right description to be consistent with current descriptions of property boundaries, the right should be re-described before the changes of Transfer Application T-10387.

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

3. The following table lists the place of use as described in existing Certificate 80234 and a proposed re-description based on the above findings:

Certificate	Original Description of Place of Use		Proposed Re-Description of Place of Use		
	¼-¼	Acres	¼-¼	Acres	DLC #
80234	SW SE	26.95	SW SE	29.17	DLC 43
			SE SW	0.05	DLC 43
	SE SE	9.49	SE SE	9.13	DLC 43
	SE SE	4.28	SE SE	0.69	
Township 26 South, Range 6 West, Section 22, W.M.					

Certificate	Original Description of Place of Use		Proposed Re-Description of Place of Use		
	¼-¼	Acres	¼-¼	Acres	DLC #
80234			NE NW	0.01	DLC 43
			NW NE	1.67	DLC 43
Township 26 South, Range 6 West, Section 27, W.M.					
Total: 40.72			Total: 40.72		

4. The portion of the right to be transferred is as follows:

Certificate: 80234 in the name of Robert A. Dudley (perfected under Permit S-26192)

Use: IRRIGATION of 2.60 ACRES

Priority Date: MAY 15, 1959

Rate: 0.033 CUBIC FOOT PER SECOND (cfs)

Limit/Duty: ONE-EIGHTIETH cfs per acre, not to exceed 2.5 acre-feet per acre during the irrigation season of each year provided further that the right to the use of water is limited to the period when the flow of water in the North Umpqua river is 525.0 cfs or more at its mouth

Source: NORTH UMPQUA RIVER, tributary to UMPQUA RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q
26 S	6 W	WM	22	SE SE

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
26 S	6 W	WM	22	SW SE	43	1.65
26 S	6 W	WM	22	SE SE	43	0.92
26 S	6 W	WM	22	SE SE		0.03

5. Transfer Application T-10387 proposes to change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
26 S	6 W	WM	22	SW SE	43	0.63
26 S	6 W	WM	22	SE SE	43	0.17
26 S	6 W	WM	22	SE SE		1.80

> 2.6
acres

6. Notice of the application for transfer was published on May 22, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
7. On October 30, 2007, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-10387 to the applicant. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
8. On February 12, 2008, the Department issued a Preliminary Determination proposing to approve Transfer T-10387 and mailed a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's weekly notice on February 19, 2008, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.
9. The Oregon Department of Fish and Wildlife (ODFW) determined that a fish screening and/or by-pass device is necessary at the point of diversion. However since no change in the point of diversion is being proposed for this transfer this condition cannot be imposed by the Department.

Transfer Review Criteria [OAR 690-380-4010(2)]

10. Water has been used within the last five years according to the terms and conditions of the right, and there is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
11. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Application T-10387.
12. The proposed change would not result in enlargement of the right.
13. The proposed change would not result in injury to other water rights.

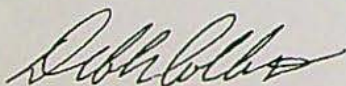
Conclusions of Law

The change in place of use proposed in application T-10387 is consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The change in place of use proposed in Transfer Application T-10387 is approved.
2. Water right certificate 80234 is cancelled. A new certificate will be issued to describe the portion of the right not affected by the transfer and will be based on the re-description of the place of use as listed in Finding of Fact #3.
3. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 80234 and any related decree.
4. The former place of use of the transferred portion of the right shall no longer receive water under the right.
5. Prior to diverting water, the water user shall install an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department. The water user shall maintain and operate the measuring device as required by the Department.
6. The approved change shall be completed and full beneficial use of the water shall be made on or before October 1, 2009. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
7. When satisfactory proof of the completed change is received, a new certificate confirming the right transferred will be issued.

Dated at Salem, Oregon this 25th day of March, 2008.


Phillip C. Ward, Director

fr

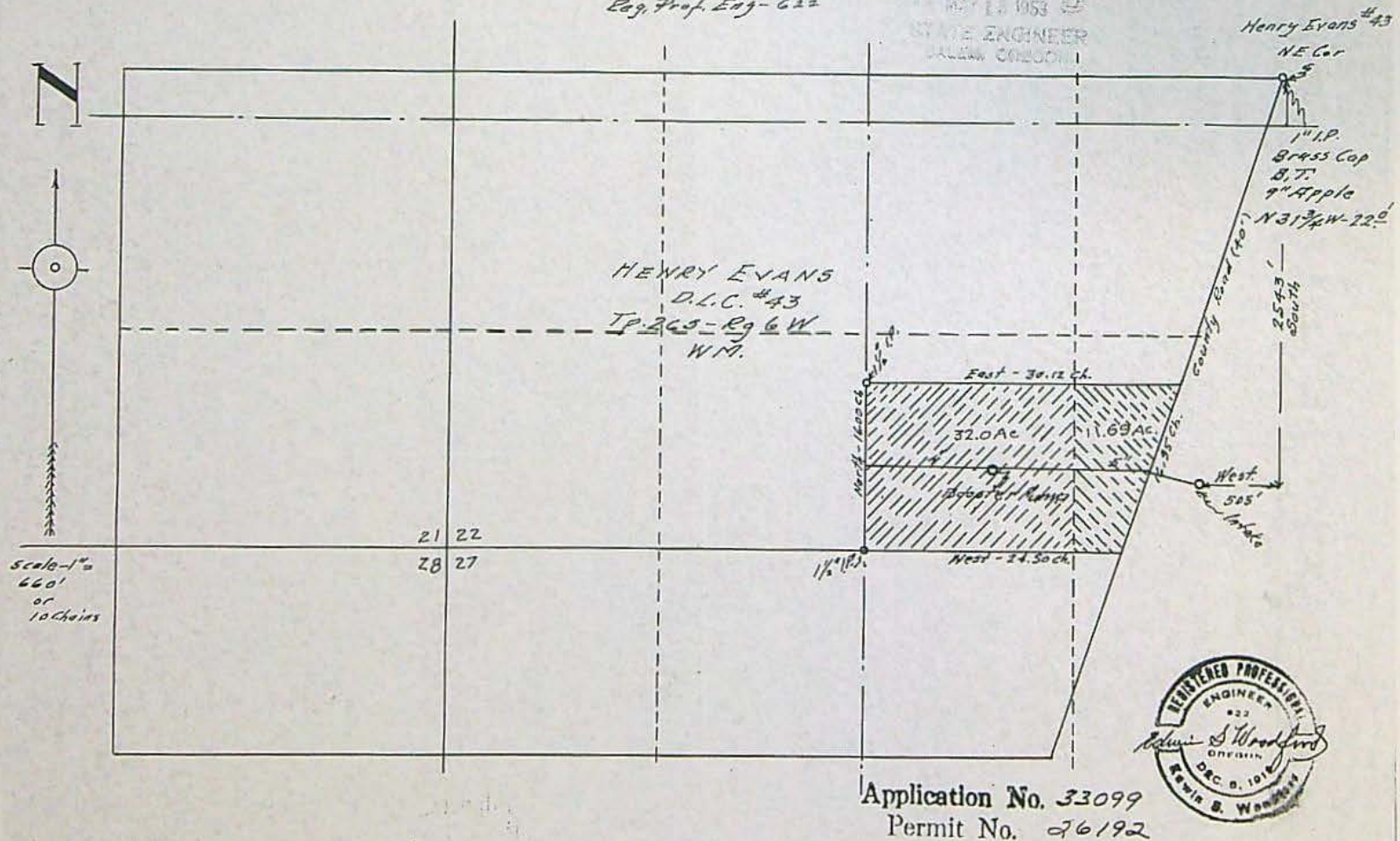
Mailing date: MAR 28 2008

Cdate = 10/1/2009
Claim says
Summer 2009

Note:- This map prepared
from Field Surveys & Gen. Field
Notes of Henry Evans D.L.C. #43
Tp. 26 S - Rg. 6 W. N.M.

Edwin S. Woodford
Reg. Prof. Eng. - 622

RECEIVED
MAY 13 1953
STATE ENGINEER
SALMON, OREGON



use map for POD only

STATE OF OREGON
COUNTY OF DOUGLAS
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ROBERT A. DUDLEY
ROUTE 2, BOX 1390
ROSEBURG, OREGON 97470

confirms the right to use the waters of the NORTH UMPQUA RIVER, a tributary of the UMPQUA RIVER, for IRRIGATION OF 40.72 ACRES.

This right was perfected under Permit 26192. The date of priority is MAY 15, 1959. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.513 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SE¼ SE¼, SECTION 22, T 26 S, R 6 W, W.M..

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is 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 2½ acre-feet for each acre irrigated during the irrigation season of each year, provided further that the right to the use of water is limited to the period when the flow of water in the North Umpqua River is 525 c.f.s. or more at its mouth.

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

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

A POW

SW¼ SE¼ ~~26.95~~ ACRES 0.63
 AS PROJECTED WITHIN EVANS DLC 43
 SE¼ SE¼ ~~9.49~~ ACRES 0.17
 AS PROJECTED WITHIN EVANS DLC 43
 SE¼ SE¼ ~~4.28~~ ACRES 1.80

SECTION 22

TOWNSHIP 26 SOUTH, RANGE 6 WEST, W.M.

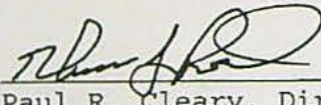
The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

This certificate describes that portion of the water right confirmed by Certificate 29960, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered MAY 28 2003, approving Transfer Application 9102.

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.

WITNESS the signature of the Water Resources

Director, affixed MAY 28 2003.


 Paul R. Cleary, Director

Recorded in State Record of Water Right Certificates numbered 80234.

STATE OF OREGON
COUNTY OF DOUGLAS
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ROBERT A. DUDLEY
ROUTE 2, BOX 1390
ROSEBURG, OREGON 97470

Confirms the right to use the waters of the NORTH UMPQUA RIVER, a tributary of UMPQUA RIVER, for IRRIGATION of 38.12 acres.

This right was perfected under Permit 26192. The date of priority is MAY, 15, 1959. The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed 0.48 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SE $\frac{1}{4}$, SE $\frac{1}{4}$ of SECTION 22, TOWNSHIP 26 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, 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 $\frac{1}{2}$ acre-feet per acre for each acre irrigated during the irrigation season of each year, provided further that the right to the use is limited to the period when flow of water in the North Umpqua River is 525 CFS or more at its mouth.

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

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

RR Cert that redescribed

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

SE $\frac{1}{4}$ SW $\frac{1}{4}$ 0.05 ACRE
AS PROJECTED WITHIN EVANS DLC 43
SW $\frac{1}{4}$ SE $\frac{1}{4}$ 27.52 ACRES
AS PROJECTED WITHIN EVANS DLC 43
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 8.21 ACRES
AS PROJECTED WITHIN EVANS DLC 43
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 0.66 ACRE

SECTION 22

TOWNSHIP 26 SOUTH, RANGE 6 WEST, W.M.

NW $\frac{1}{4}$ NE $\frac{1}{4}$ 1.67 ACRES
AS PROJECTED WITHIN EVANS DLC 43
NE $\frac{1}{4}$ NW $\frac{1}{4}$ 0.01 ACRE
AS PROJECTED WITHIN EVANS DLC 43

SECTION 27

TOWNSHIP 26 SOUTH, RANGE 6 WEST, W.M.

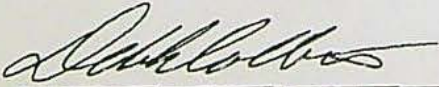
This certificate describes that portion of the water right confirmed by Certificate 80234, State Record of Water Right Certificates, as re-described, but NOT transferred, by the provisions of an order of the Water Resources Director entered MAR 25 2008, approving Transfer Application T-10387.

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.

WITNESS the signature of the Water Resources Director,

Affixed MAR 25 2008.



Phillip C. Ward, Director

Recorded in State Record of Water Right Certificates numbered 83869.



Tax Lots

Identify Tax Lots

[OR Map](#)

- ☐ Off
☒ On

County: Douglas
Taxlot: 260622D02700
Owner1: Rieteg Homeowners Association
Owner2: Null
Owner Address: P.O. Box 131, Winchester, OR 97495
Site Address: Null, Null
Acres: Null
TRSQQ: XXXX 00X0 00X0XXXX
Effective Date: May 1, 2019

Note: Tax lot information provided here is for general query purposes. It may not be up to date or may not be an official record. Please contact the respective county tax assessor's office for more current and specific information.

It is recommended to zoom to a detailed extent before query

Tax Lots

Identify Tax Lots

[OR Map](#)

- ☐ Off
☒ On

County: Douglas
Taxlot: 260622D01800
Owner1: Skarlatos, Aleksander
Owner2: Null
Owner Address: 294 Bonifacio Ln, Roseburg, OR 97471
Site Address: Null, Null
Acres: Null
TRSQQ: XXXX 00X0 00X0XXXX
Effective Date: May 1, 2019

Note: Tax lot information provided here is for general query purposes. It may not be up to date or may not be an official record. Please contact the respective county tax assessor's office for more current and specific information.

It is recommended to zoom to a detailed extent before query

Tax Lots

Identify Tax Lots

[OR Map](#)

- ☐ Off
☒ On

County: Douglas
Taxlot: 260622D01900
Owner1: Rieteg Homeowners Association
Owner2: Null
Owner Address: P.O. Box 131, Winchester, OR 97495
Site Address: Null, Null
Acres: Null
TRSQQ: XXXX 00X0 00X0XXXX
Effective Date: May 1, 2019

Note: Tax lot information provided here is for general query purposes. It may not be up to date or may not be an official record. Please contact the respective county tax assessor's office for more current and specific information.

It is recommended to zoom to a detailed extent before query

Tax Lots

Identify Tax Lots

[OR Map](#)

- ☐ Off
☒ On

County: Douglas
Taxlot: 260622D02300
Owner1: Basco Bros LLC
Owner2: Null
Owner Address: P.O. Box 131, Winchester, OR 97495
Site Address: Null, Null
Acres: Null
TRSQQ: XXXX 00X0 00X0XXXX
Effective Date: May 1, 2019

Note: Tax lot information provided here is for general query purposes. It may not be up to date or may not be an official record. Please contact the respective county tax assessor's office for more current and specific information.

It is recommended to zoom to a detailed extent before query

Tax Lots

Identify Tax Lots

[OR Map](#)

- ☐ Off
☒ On

County: Douglas
Taxlot: 260622D02400
Owner1: Basco Bros LLC
Owner2: Null
Owner Address: P.O. Box 131, Winchester, OR 97495
Site Address: Null, Null
Acres: Null
TRSQQ: XXXX 00X0 00X0XXXX
Effective Date: May 1, 2019

Note: Tax lot information provided here is for general query purposes. It may not be up to date or may not be an official record. Please contact the respective county tax assessor's office for more current and specific information.

It is recommended to zoom to a detailed extent before query

Tax Lots

Identify Tax Lots

[OR Map](#)

- ☐ Off
☒ On

County: Douglas
Taxlot: 260622D02600
Owner1: Rieteg Homeowners Association
Owner2: Null
Owner Address: P.O. Box 131, Winchester, OR 97495
Site Address: Null, Null
Acres: Null
TRSQQ: XXXX 00X0 00X0XXXX
Effective Date: May 1, 2019

Note: Tax lot information provided here is for general query purposes. It may not be up to date or may not be an official record. Please contact the respective county tax assessor's office for more current and specific information.

It is recommended to zoom to a detailed extent before query

Property Details for Property ID: R131804

 [Printer Friendly](#)

Owner Information :

(click ? for explanation of information) ?

Owner Name: SKARLATOS, ALEKSANDER

Owner Address #1: 294 BONIFACIO LN

Owner Address #2:

Owner Address #3:

Owner City/State/Zip: ROSEBURG, OR
97471

Alternate Account #:

Account Status: A

Property Information :

Township: 26

Range: 06W

Section: 22

Quarter: D

Sixteenth:

Maintenance Area: 5

Year Built: 1933

Bedrooms: 4

Exemption Code:

MFD Home ID:

Situs Address: 294 BONIFACIO LN
ROSEBURG, OR 97471

Map ID: 260622D01800

County Property Class: 401

Legal Acreage: 2.19

Code Area: 00402

Neighborhood Code: KIX

Living Area: 3170

Baths: BATH2.5

Exemption Des:

Value Information : 2019-2020 Certified Value and Tax Information

Structures/Improvements: \$408,590.00

Land/Specially Assd: \$300,000.00

Land Market Value: \$300,000.00

Measure5 Net Value: \$708,590.00

Exemption Value: \$0.00

Total Assessed M50 Value: \$648,810.00

Property Details for Property ID: R131811

 [Printer Friendly](#)

Owner Information :

(click ? for explanation of information) ?

Owner Name: RIOTEGI HOMEOWNERS ASSOCIATION

Owner Address #1: PO BOX 131

Owner Address #2:

Owner Address # 3:

Owner City/State/Zip: WINCHESTER, OR
97495

Alternate Account #:

Account Status: A

Property Information :

Township: 26

Range: 06W

Section: 22

Quarter: D

Sixteenth:

Maintenance Area: 5

Year Built:

Bedrooms:

Exemption Code: 996

MFD Home ID:

Situs Address: 232 JULIA LN ROSEBURG, OR
97471

Map ID: 260622D01900

County Property Class: 996

Legal Acreage: 1.55

Code Area: 00402

Neighborhood Code: KIX

Living Area:

Baths:

Exemption Des: COMMON AREA

Value Information :

2019-2020 Certified Value and Tax Information

Property Details for Property ID: R131803

 [Printer Friendly](#)

Owner Information :

(click ? for explanation of information) 

Owner Name: BASCO BROS LLC
Owner Address #1: PO BOX 131
Owner Address #2:
Owner Address # 3:
Owner City/State/Zip: WINCHESTER, OR
97495

Alternate Account #:

Account Status: A

Property Information :

Township: 26
Range: 06W
Section: 22
Quarter: D
Sixteenth:
Maintenance Area: 5
Year Built: 2016
Bedrooms: 3
Exemption Code:
MFD Home ID:

Situs Address: 242 BONIFACIO LN
ROSEBURG, OR 97471

Map ID: 260622D02300

County Property Class: 401

Legal Acreage: 1.17

Code Area: 00402

Neighborhood Code: KIX

Living Area: 3958

Baths: KIT.SINK

Exemption Des:

Value Information :

2019-2020 Certified Value and Tax Information

Property Details for Property ID: R131798

 [Printer Friendly](#)

Owner Information :

(click ? for explanation of information) ?

Owner Name: BASCO BROS LLC

Owner Address #1: PO BOX 131

Owner Address #2:

Owner Address # 3:

Owner City/State/Zip: WINCHESTER, OR
97495

Alternate Account #:

Account Status: A

Property Information :

Township: 26

Range: 06W

Section: 22

Quarter: D

Sixteenth:

Maintenance Area: 5

Year Built:

Bedrooms:

Exemption Code:

MFD Home ID:

Situs Address: 120 JULIA LN ROSEBURG, OR
97471

Map ID: 260622D02400

County Property Class: 400

Legal Acreage: 1.70

Code Area: 00402

Neighborhood Code: KIX

Living Area:

Baths:

Exemption Des:

Value Information :

2019-2020 Certified Value and Tax Information

Property Details for Property ID: R131810

[Printer Friendly](#)

Owner Information :

(click ? for explanation of information) ?

Owner Name: RIOTEGI HOMEOWNERS ASSOCIATION

Owner Address #1: PO BOX 131

Owner Address #2:

Owner Address # 3:

Owner City/State/Zip: WINCHESTER, OR
97495

Alternate Account #:

Account Status: A

Property Information :

Township: 26

Range: 06W

Section: 22

Quarter: D

Sixteenth:

Maintenance Area: 5

Year Built:

Bedrooms:

Exemption Code: 996

MFD Home ID:

Situs Address: 0 BONIFACIO LN ROSEBURG,
OR 97471

Map ID: 260622D02600

County Property Class: 996

Legal Acreage: 5.97

Code Area: 00402

Neighborhood Code: KIX

Living Area:

Baths:

Exemption Des: COMMON AREA

Value Information : 2019-2020 Certified Value and Tax Information

Structures/Improvements: \$0.00

Land/Specially Assd: \$71,640.00

Land Market Value: \$71,640.00

Measure5 Net Value: \$71,640.00

Exemption Value: \$71,640.00

Total Assessed M50 Value: \$0.00

Property Details for Property ID: R131809

 [Printer Friendly](#)

Owner Information :

(click ? for explanation of information) ?

Owner Name: RIOTEGI HOMEOWNERS ASSOCIATION

Owner Address #1: PO BOX 131

Owner Address #2:

Owner Address # 3:

Owner City/State/Zip: WINCHESTER, OR
97495

Alternate Account #:

Account Status: A

Property Information :

Township: 26

Range: 06W

Section: 22

Quarter: D

Sixteenth:

Maintenance Area: 5

Year Built:

Bedrooms:

Exemption Code: 996

MFD Home ID:

Situs Address: 0 DEL RIO RD ROSEBURG,
OR 97471

Map ID: 260622D02700

County Property Class: 996

Legal Acreage: 2.85

Code Area: 00402

Neighborhood Code: KIX

Living Area:

Baths:

Exemption Des: COMMON AREA

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY.

SE1/4 SEC.22 T.26S. R.6W. W.M.
DOUGLAS COUNTY
1* = 200'

REVISED ON
5-2-13

26 6 22D

SEE MAP 26 & 22

CEN
SEC

+

$$\frac{1/4}{\text{COR}}$$

CANCELLED NOS
1200 THRU 1211
1101 1302 1001
900

SEE MAP 26 6 23C

2011 MAR 26 @ 12:00

[illegible]

SEE MAP 26.6.27A

22 23
27 28
4,151,000

604,200

26 6 22D



Search Criteria

NO conflict

Meridian: Willamette

Township: 26

South

Range: 6

West

Section: 22

Records per Page: 999

Search

[Platcards Maps](#)
[Learn about it](#) [View Map](#)

Water Right	Changing Years	Priority	Use	Use Status	DLC	Gov't Lot	Q1(40)	Q2(40)	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Unknown DO
Select Cert:29960 OR CN Additional Info: ROBERT DUDLEY App: S33099 Permit: S26192 Cert: 29960	T9102	5/15/1959	IRRIGATION	CN	43																							37.69	16
Select Cert:83869 (T 10387 RR) * Additional Info: ROBERT DUDLEY App: S33099 Permit: S26192 Cert: 83869		5/15/1959	IRRIGATION		43															0.05								27.52	8.21
Select Cert:80234 (T 9102 RR) CN Additional Info: ROBERT DUDLEY App: S33099 Permit: S26192 Cert: 80234	T10387	5/15/1959	IRRIGATION	CN	43																							28.66	9.49
Select Cert:29961 OR * Additional Info: ROBERT A DUDLEY App: S34000 Permit: S26786 Cert: 29961		6/3/1960	IRRIGATION		43															0.4	0.9							7.6	4.5
Select Inchoate: T 10387 CF (REG) * Additional Info: BASCO BROS LLC App: S33099 Permit: S26192		5/15/1959	IRRIGATION		43																							(1.65)	(0.92)
Select Cert:88355 CF * Additional Info: NATHANIEL EVANS App: S33099 Permit: S26192 Cert: 88355		5/15/1959	IRRIGATION		43																							0.74	1.51
Select Permit: S 43898 * Additional Info: UMPOUA BASIN WATER ASSOCIATION INC. App: S57927 Permit: S43898		9/18/1978	QUASI-MUNICIPAL USES						*	*	*	*					*	*	*	*									
Select Cert:75901 OR * Additional Info: UMPOUA BASIN WATER ASSOCIATION INC. App: S42167 Permit: S31555 Cert: 75901		5/3/1966	QUASI-MUNICIPAL USES						*	*	*	*					*	*	*	*									
Select Cert:75902 OR * Additional Info: UMPOUA BASIN WATER ASSOCIATION INC. App: S49168 Permit: S36186 Cert: 75902		4/27/1971	QUASI-MUNICIPAL USES						*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Select Permit: R 14605 * Additional Info: BASCO BROS LLC App: R86861 Permit: R14605		5/14/2007	MULTIPLE PURPOSE																									*	*
Select Permit: S 54552 * Additional Info: BASCO BROS LLC App: S86662 Permit: S54552		5/15/2007	POND MAINTENANCE																									*	*
Select Cert:88441 CF * Additional Info: TOM MICHAELS App: S10009 Permit: S6668 Cert: 88441		2/20/1925	INDUSTRIAL/MANUFACTURING USES						*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Select App: P 79936 * Additional Info: MIKE SULLIVAN App: P79936		1/3/1995	LIVESTOCK						*	*	*	*																	
Select App: P 82830 * Additional Info: MICHAEL D SULLIVAN App: P82830		1/17/1997	FIRE PROTECTION						*	*	*	*																	
Select App: P 82830 * Additional Info: MICHAEL D SULLIVAN App: P82830		1/17/1997	LIVESTOCK						*	*	*	*																	
Select Permit: S 50030 * Additional Info: JAMES FAGER App: S69030 Permit: S50030		3/17/1987	IRRIGATION																									1.37	
Select Permit: S 50097 * Additional Info: CATHERINE BURGESS App: S69173 Permit: S50097		6/30/1987	IRRIGATION																									0.35	

6/30/2020, 7:39 AM

Acres Legend	12.25 Regular acreage	12.25 Acreage is on a canceled right	(12.25) Acreage is part of a transfer and has not been proven up on yet (inchoate)	[12.25] Acreage has been suspended	* Acreage is not specified
--------------	-----------------------	--------------------------------------	--	------------------------------------	----------------------------

Township No. 26 South Range No. 6 West of the Willamette Meridian, Oregon



WATER RESOURCES DEPARTMENT
REQUEST FOR DISTRIBUTION OF FUNDS

TO: Fiscal Services Section

DATE: October 23, 2017

FROM: Codi Holmes

RE: Request for Refund

APPLICATION: T-10387

RECEIPT #: 124845

Please prepare a refund in the amount of \$125.00, made payable to:

Name: Basco Bros, LLC

Address: PO Box 131

City: Winchester OR 97495

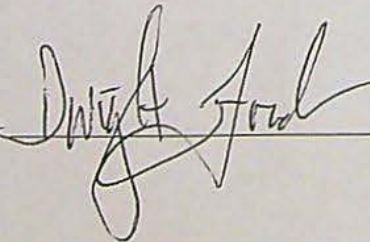
46111 0200

These funds are being paid or refunded as a result of (check one):

- ☐ Request for file to be Rejected/**Withdrawn**
- ☐ Excess fees were collected for application
- ☐ Protest filing fees
- ☐ Standing fees
- ☐ Permit recording fees
- ☒ Other: Fee not required for CoBU, Priority Date 1959

I have reviewed this distribution request and have determined the request to be justified as to the purpose indicated above. Fiscal Services is hereby authorized to process the requested distribution.

Authorized Signature: _____



Date: _____

10-23-17



Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

October 23, 2017

Bosco Bros. LLC
PO Box 131
Winchester OR 97495

On October 4, 2017 the Water Resources Department received the Claim of Beneficial Use (COBU) for the following file(s):

Application R-86861, Permit R-14605
Application S-86862, Permit S-54552
Transfer T-10387

The COBU included a report and map. In the future the Department will review your submittal. At that time we will review these items and provide a final certificate, proposed certificate, or a request for additional information.

If you are interested in having your COBU reviewed sooner, you may pay to have your file processed immediately, using the Reimbursement Authority program, which is described at:
http://www.wrd.state.or.us/OWRD/mgmt_reimbursement_authority.shtml

Customer Service phone: (503) 986-0801

If you sell the property, please contact the Department, or have the new owners contact the Department about the need to file an assignment.

Cc: file
Kenna Clay Jordan, CWRE

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **124845**

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # _____

RECEIVED FROM: Banco Bros. LLC

BY: _____

CASH: ☐ CHECK: # 1945 OTHER: (IDENTIFY) ☐ _____

APPLICATION	*SEE BELOW
PERMIT	
TRANSFER	*SEE BELOW

TOTAL REC'D	\$525.00
-------------	----------

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES	\$
OTHER: (IDENTIFY) _____	\$

0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS <u>46111</u>		
0407 COPY & TAPE FEES	$\left. \begin{array}{l} R86861-200.00 \\ 586862-200.00 \\ T10387-125.00 \end{array} \right\} \525.00	\$
0410 RESEARCH FEES		\$
0408 MISC REVENUE: (IDENTIFY) _____		\$
TC162 DEPOSIT LIAB. (IDENTIFY) _____		\$
0240 EXTENSION OF TIME		\$

WATER RIGHTS:

0201 SURFACE WATER	EXAM FEE	0202	RECORD FEE
0203 GROUND WATER	\$	0204	\$
0205 TRANSFER	\$		

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR	EXAM FEE	0219	LICENSE FEE
LANDOWNER'S PERMIT	\$	0220	\$

0200 OTHER (IDENTIFY) COBU \$525.00

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE	\$	CARD #
0210 MONITORING WELLS	\$	CARD #

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)		\$
0231 HYDRO LICENSE FEE (FW/WRD)		\$
HYDRO APPLICATION		\$

TREASURY OTHER / RDX

FUND _____ TITLE _____
OBJ. CODE _____ VENDOR # _____
DESCRIPTION _____ \$ _____

RECEIPT: **124845**

DATED: 10-4-17

BY: [Signature]

**CLAIM OF
BENEFICIAL USE
for Permits claiming more
than 0.1 cfs and All Transfers**



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

A fee of \$175 must accompany this form for permits
with priority dates after July 8, 1987.

A fee of \$175 must accompany this form for any Transfer final orders
including a water right with a priority date of July 9, 1987, or later.

Example – A transfer involves 5 rights and one of the rights
has a priority date of July 9, 1987, or later, the fee is required.

**SECTION 1
GENERAL INFORMATION**

1. File Information

APPLICATION # (G, R, S or T) T-10387	PERMIT # (IF APPLICABLE)	PERMIT AMENDMENT # (IF APPLICABLE)
--	--------------------------	------------------------------------

2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME Basco Bros. LLC		PHONE NO. 541 459-9318	ADDITIONAL CONTACT NO. 541 673-5650
ADDRESS P.O. Box 131			
CITY Winchester	STATE OR	ZIP 97495	E-MAIL

If the current property owner is not the permit or transfer holder of record, it is recommended that an assignment be filed with the Department. Each permit or transfer holder of record must sign this form.

3. Permit or transfer holder of record (this may, or may not, be the current property owner)

PERMIT OR TRANSFER HOLDER OF RECORD Same		
ADDRESS		
CITY	STATE	ZIP

RECEIVED BY OWRD

OCT 04 2017

SALEM, OR

ADDITIONAL PERMIT OR TRANSFER HOLDER OF RECORD NA		
ADDRESS		
CITY	STATE	ZIP

4. Date of Site Inspection: **12/13/2016**

5. Person(s) interviewed and description of their association with the project:

NAME	DATE	ASSOCIATION WITH THE PROJECT
Juan Yraguen	12/13/2016	Owner

6. County: **Douglas**

7. If any property described in the place of use of the permit or transfer final order is excluded from this report, identify the owner of record for that property (ORS 537.230(4)):

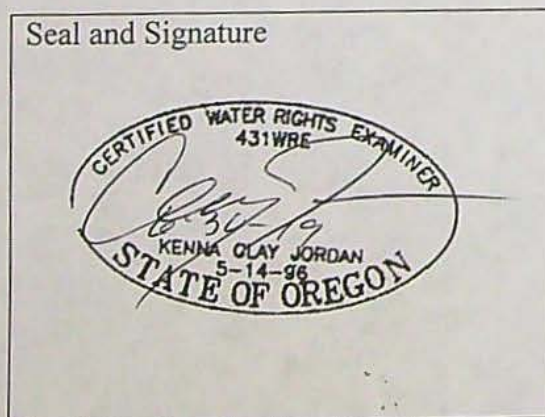
OWNER OF RECORD NA		
ADDRESS		
CITY	STATE	ZIP

Add additional tables for owners of record as needed

SECTION 2 SIGNATURES

CWRE Statement, Seal and Signature

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge.



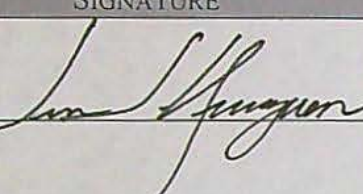
RECEIVED BY OWRD

CWRE NAME Kenna Clay Jordan		PHONE NO. 541-673-1931	ADDITIONAL CONTACT NO. N/A
ADDRESS 460 Jordan Lane			
CITY Roseburg	STATE OR	ZIP 97471	E-MAIL

Permit or Transfer Holder's of Record Signature or Acknowledgement

Each permit or transfer holder of record must sign this form in the space provided below.

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge. I request that the Department issue a water right certificate.

SIGNATURE	PRINT OR TYPE NAME	TITLE	DATE
	JUAN J. YRAGUEN	OPERATING MANAGER	9/28/17

SECTION 3 CLAIM DESCRIPTION

1. Point of diversion/appropriation name or number:

POINT OF DIVERSION/APPROPRIATION (POD/POA) NAME OR NUMBER (CORRESPOND TO MAP)	WELL LOG ID # FOR ALL WORK PERFORMED ON THE WELL (IF APPLICABLE)	WELL TAG # (IF APPLICABLE)
POD		

Attach each well log available for the well (include the log for the original well and any subsequent alterations, reconstructions, or deepenings)

2. Point of diversion/appropriation source and, if from surface water, the tributary:

POD/POA NAME OR NUMBER	SOURCE	TRIBUTARY
POD	North Umpqua River	Umpqua River

RECEIVED BY OWRD

OCT 04 2017

SALEM, OR

3. Developed use(s), period of use, and rate for each use:

POD/POA NAME OR NUMBER	USES	IF IRRIGATION, LIST CROP TYPE	SEASON OR MONTHS WHEN WATER WAS USED	ACTUAL RATE OR VOLUME USED (CFS, GPM, OR AF)
POD	Irrigation	Grass, shrubs	Irrigation Season	0.033 CFS
Total Quantity of Water Used				0.033

4. Provide a general narrative description of the distribution works. This description must trace the water system from **each** point of diversion or appropriation to the place of use:

Water is pumped from the river via a 25 HP pump into a 4 inch mainline. On the east side of the road, along the river, a "T" supplies water to a 3 inch above ground line with rainbird 30 sprinklers. The 4 inch mainline crosses the road in a westerly direction. Two 4 inch lines at "T's" travel northward to irrigate (Rainbird 5000 sprinklers) the north edge of the property as well as other land not in this transfer COBU. Irrigation at the north edge of the property north of Bonifacio Rd. is controlled using 6 zones – one at a time. Near the center of the property, the 4 inch mainline reduces to 3 inch following the road then to near the west property line. A 2 inch lateral "T's" off of the 3 inch mainline to a small shed with a controller to 8 zones with 6 sprinklers per zone. 2 zones are operated at one time (42 Rainbird 5000 & 6 Rainbird Maxi-Paw 2045A).

Reminder: The map associated with this claim must identify the location of the point(s) of diversion, Donation Land Claims (DLC), Government Lots (GLot), and Quarter-Quarters (QQ).

5. Variations:

Was the use developed differently from what was authorized by the permit,
permit amendment final order, or extension final order? If yes, describe below.

NO

(e.g. "The permit allowed three points of diversion. The water user only developed one of the points." or "The permit allowed 40.0 acres of irrigation. The water user only developed 10.0 acres.")

6. Claim Summary:

POD / POA NAME OR #	MAXIMUM RATE AUTHORIZED	CALCULATED THEORETICAL RATE BASED ON SYSTEM	AMOUNT OF WATER MEASURED	USE	# OF ACRES ALLOWED	# OF ACRES DEVELOPED
POD	0.033 CFS			irrigation	2.60	2.60

SECTION 4

SYSTEM DESCRIPTION

Are there multiple PODs or POAs?

NO

If "YES" you will need to copy and complete Sections 4B through 4G for each POD/POA.

POD/POA Name or Number this section describes (only needed if there is more than one):

RECEIVED BY OWRD

OCT 04 2017

A. Place of Use

1. Is the right for municipal use?

NO

If "YES" the table below may be deleted.

TWP	RNG	MER	SEC	QQ	GLOT	DLC	USE	IF IRRIGATION, # PRIMARY ACRES	IF IRRIGATION, # SUPPLEMENTAL ACRES
26S	6W	WM	22	SWSE		43	irrigation	0.63	
26S	6W	WM	22	SESE		43	irrigation	0.17	
26S	6W	WM	22	SESE			irrigation	1.80	
Total Acres Irrigated								2.60	

Reminder: The map associated with this claim must identify Donation Land Claims (DLC), Government Lots (GLOT), Quarter Quarters (QQ), and if for irrigation, the number of acres irrigated within each projected DLC, GLOT, and QQ.

B. Diversion and Delivery System Information

Provide the following information concerning the diversion and delivery system. Information provided must describe the equipment used to transport and apply the water from the point of diversion/appropriation to the place of use.

1. Is a pump used?

YES

If "NO" items 2 through item 6 may be deleted.

2. Pump Information

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
Unreadable	Unreadable	779A058.8	Centrifugal	3	2.5

3. Motor Information

MANUFACTURER	HORSEPOWER
US Electric	25

4. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *If A WELL, THE WATER LEVEL DURING PUMPING	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
25	100	6	25 Ave.	0.57 CFS

5. Provide pump calculations:

$$Q = \frac{(\text{HP})(\text{pump efficiency})}{(\text{total head in feet})} = \frac{(25)(6.61)}{(254 + 25 + 6)} = \frac{165.25}{285} = 0.57 \text{ CFS}$$

6. Measured Pump Capacity (using meter if meter was present and system was operating)

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)

RECEIVED BY OWRD

Reminder: For pump calculations use the reference information at the end of this document.

7. Is the distribution system piped?

YES

If "NO" items 8 through item 11 may be deleted.

8. Mainline Information

MAINLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
4"	2020'	PVC	buried
3"	380'	PVC	buried

9. Lateral or Handline Information

LATERAL OR HANDLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
4"	350'	PVC	buried
3"	600'	Aluminum	above
2"	440'	PVC	buried
1"	2400'	PVC	buried

10. Sprinkler Information

SIZE	OPERATING PSI	SPRINKLER OUTPUT (GPM)	TOTAL NUMBER OF SPRINKLERS	MAXIMUM NUMBER USED	TOTAL SPRINKLER OUTPUT (CFS)
1/4"	60	13.9	12	6	83.4 GPM = 0.186 CFS
9/64	60	4.6	6	6	27.6 GPM = 0.06 CFS
#4 nozzle	55	4.44	85	12	53.3 GPM = 0.12 CFS

Reminder: For sprinkler output determination use the reference information at the end of this document.

11. Pivot Information

MANUFACTURER	MAXIMUM WETTED RADIUS	OPERATING PSI	TOTAL PIVOT OUTPUT (GPM)	TOTAL PIVOT OUTPUT (CFS)

12. Additional notes or comments related to the system:

The pump system is also used for other water rights – Cert 83869, R-14605, S-54552 – so pump capacity and sprinkler output will not be equal.

C. Groundwater Source Information (Well and Sump)

1. Is the appropriation from ground water (well or sump)?

NO

If "NO", items 2 through 8 relating to this section may be deleted.

D. Storage

1. Does the distribution system include in-system storage (e.g. storage tank, bulge in system / reservoir)

NO

If "NO", item 2 and 3 relating to this section may be deleted.

If "YES" is it a: Storage Tank NO
Bulge in System / Reservoir NO

Complete appropriate table(s), unused table may be deleted.

2. Storage Tank:

MATERIAL (CONCRETE, FIBERGLASS, METAL, ETC.)	CAPACITY (IN GALLONS)	ABOVE GROUND OR BURIED

3. Bulge in System / Reservoir:

RESERVOIR NAME OR NUMBER (CORRESPOND TO MAP)	APPROXIMATE DAM HEIGHT	APPROXIMATE CAPACITY (IN ACRE FEET)

E. Gravity Flow Pipe

(THE DEPARTMENT TYPICALLY USES THE HAZEN-WILLIAM'S FORMULA FOR A GRAVITY FLOW PIPE SYSTEM)

1. Does the system involve a gravity flow pipe? NO

If "NO", items 2 through 4 relating to this section may be deleted.

F. Gravity Flow Canal or Ditch

(THE DEPARTMENT TYPICALLY USES MANNING'S FORMULA FOR CANALS AND DITCHES)

1. Is a gravity flow canal or ditch used to convey the water as part of the distribution system? NO

If "NO", items 2 through 4 relating to this section may be deleted.

G. Reservoir

1. Does the claim involve a reservoir modified through a transfer? NO

Reminder: Complete this section if the reservoir right has been modified through the transfer process. If the claim is for a permitted reservoir use the Claim of Beneficial Use form for reservoirs.

If "NO", items 2 through 9 relating to this section may be deleted.

**SECTION 5
CONDITIONS**

All conditions contained in the permit, permit amendment, transfer final order, or any extension final order shall be addressed. Reports that do not address all performance related conditions will be returned.

1. Time Limits:

Permits, transfer final orders, and any extension final orders contain any or all of the following dates: the date when the actual construction work was to begin, the date when the construction was to be completed, and the date when the complete application of water to the proposed use was to be completed. These dates may be referred to as ABC dates. Describe how the water user has complied with each of the development timelines established in the permit, extension or transfer final order:

RECEIVED BY OWRD

	DATE FROM PERMIT OR TRANSFER	DATE ACCOMPLISHED*	DESCRIPTION OF ACTIONS TAKEN BY WATER USER TO COMPLY WITH THE TIME LIMITS
ISSUANCE DATE	3/25/2008		
BEGIN CONSTRUCTION (A)	NA		
COMPLETE CONSTRUCTION (B)	NA		
COMPLETE APPLICATION OF WATER (C)	10/1/2009	Summer 2009	Pump was existing. Irrigation lines, sprinklers, valves and timers installed and water used under the terms and conditions of the transfer order

* MUST BE WITHIN PERIOD BETWEEN PERMIT, TRANSFER FINAL ORDER, OR ANY EXTENSION FINAL ORDER
ISSUANCE AND THE DATE TO COMPLETELY APPLY WATER

2. Is there an extension final order(s)? NO

If "NO", you may delete item 3 in this section.

4. Initial Water Level Measurements:

a. Was the water user required to submit an initial static water level measurement? NO

If "NO", items 4b through 4d relating to this section may be deleted.

6. Pump Test (Required for most ground water permits prior to issuance of a certificate)

a. Did the permit require the submittal of a pump test? NO

If "NO", items 6b through 6e relating to this section may be deleted.

7. Measurement Conditions:

a. Does the permit, permit amendment, transfer final order, or any extension final order require the
installation of a meter or approved measuring device? YES

If "NO", items 7b through 7f relating to this section may be deleted.

**Reminder: If a meter or approved measuring device was required, the COBU map must indicate
the location of the device in relation to the point of diversion or appropriation.**

b. Has a meter been installed? YES

c. Meter Information

POD/POA NAME OR #	MANUFACTURER	SERIAL #	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED
POD	McCrometer	08497- 04	working	390342 x .0001 AF	2008

8. Recording and reporting conditions

a. Is the water user required to report the water use to the Department? NO

If "NO", item 8b relating to this section may be deleted.

RECEIVED BY OWRD

9. Fish Screening

a. Are any points of diversion required to be screened to prevent fish from entering the point of diversion?

NO

If "NO", items 9b through 9e relating to this section may be deleted.

Reminder: If fish screening devices were required, the COBU map must indicate their location in relation to the point of diversion.

, the ODFW/WRD "Fish Screen Inspection" form needs to have been previously submitted or be attached to this form.

10. By-pass Devices

a. Are any points of diversion required to have a by-pass device to prevent fish from entering the point of diversion?

NO

If "NO", items 10b and 10c relating to this section may be deleted.

Reminder: If by-pass devices were required, the COBU map must indicate their location in relation to the point of diversion.

11. Other conditions required by permit, permit amendment final order, extension final order, or transfer final order:

a. Were there special well construction standards?

NO

b. Was submittal of a ground water monitoring plan required?

NO

c. Was the water user required to restore the riparian area if it was disturbed?

NO

d. Was a fishway required?

NO

e. Was submittal of a letter from an engineer required prior to storage of water?

NO

f. Was submittal of a water management and conservation plan required?

NO

g. Other conditions?

NO

If "YES" to any of the above, identify the condition and describe the water user's actions to comply with the condition(s):

--

SECTION 6 ATTACHMENTS

Provide a list of any additional documents you are attaching to this report:

ATTACHMENT NAME	DESCRIPTION
Attachment 1	Rainbird rotor #4 nozzle chart
Attachment 2	DF&W letter addressing fish conditions, Dated 8-15-17

RECEIVED BY OWRD

SECTION 7

CLAIM OF BENEFICIAL USE MAP

The Claim of Beneficial Use Map must be submitted with this claim. Claims submitted without the Claim of Beneficial Use map will be returned. The map shall be submitted on poly film at a scale of 1" = 1320 feet, 1" = 400 feet, or the original full-size scale of the county assessor map for the location.

Provide a general description of the survey method used to prepare the map. Examples of possible methods include, but are not limited to, a traverse survey, GPS, or the use of aerial photos. If the basis of the survey is an aerial photo, provide the source, date, series and the aerial photo identification number.

Survey data provided by i.e. Engineering, adjusted to subdivision map vol.22 page 49A over 7/15/2015 Google aerial photo & Oregon Map aerial photo downloaded 11/28/2016 for assumed best fit.

Map Checklist

Please be sure that the map you submit includes ALL the items listed below.

(Reminder: Incomplete maps and/or claims may be returned.)

- ☒ Map on polyester film
- ☒ Appropriate scale (1" = 400 feet, 1" = 1320 feet, or the original full-size scale of the county assessor map)
- ☒ Township, Range, Section, Donation Land Claims, and Government Lots
- ☒ If irrigation, number of acres irrigated within each projected Donation Land Claims, Government Lots, Quarter-Quarters
- ☒ Locations of fish screens and/or fish by-pass devices in relationship to point of diversion
- ☒ Locations of meters and/or measuring devices in relationship to point of diversion or appropriation
- ☒ Conveyance structures illustrated (pumps, reservoirs, pipelines, ditches, etc.)
- ☒ Point(s) of diversion or appropriation (illustrated and coordinates)
- ☒ Tax lot boundaries and numbers
- ☒ Source illustrated if surface water
- ☒ Disclaimer ("This map is not intended to provide legal dimensions or locations of property ownership lines")
- ☒ Application and permit number or transfer number
- ☒ North arrow
- ☒ Legend
- ☒ CWRE stamp and signature

RECEIVED BY OWRD

OCT 04 2017

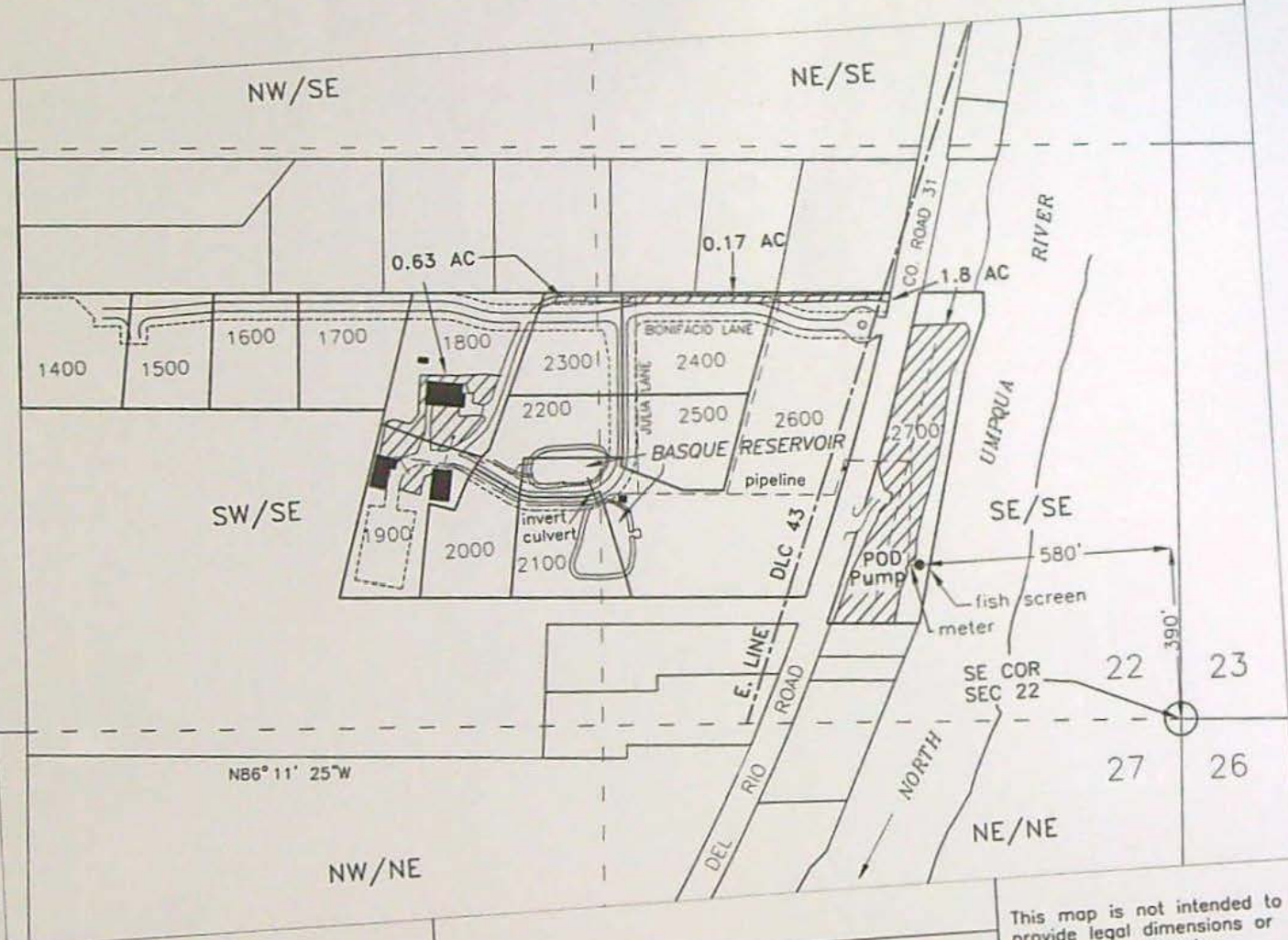
SALEM, OR

Claim of Beneficial Use

TRANSFER T-10387

TOWNSHIP 26 S., RANGE 6 W., W.M.

DOUGLAS COUNTY, OREGON



LEGEND

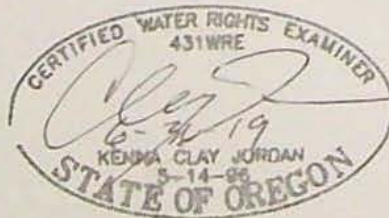
 - Irrigation - 2.6 Acres

 Mainline

 Buildings

Base GIS map provided by i.e. Engineering and adjusted to subdivision map vol.22 page 49A over 7/15/2015 Google aerial photo & Oregon Map aerial photo (11/28/2016) for assumed best fit

PREPARED FOR:
BASCO BROS. LLC
P.O. BOX 131
WINCHESTER, OR 97495



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

Assessor Map #
T-26S, R6W-22D

RECEIVED BY OWRD

OCT 04 2017

SALEM, OR = 400'

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

12/14/2016 n.e.d.

5000/5000 Plus Std. Angle Rain Curtain™ Nozzle Performance

Pressure psi	Nozzle	Radius ft.	Flow gpm	■ Precip In/h	▲ Precip In/h
25	1.5	33	1.12	0.20	0.23
	2.0	35	1.50	0.24	0.27
	2.5	35	1.81	0.28	0.33
	3.0	36	2.26	0.34	0.39
	4.0	37	2.91	0.41	0.47
	5.0	39	3.72	0.47	0.54
	6.0	39	4.25	0.54	0.62
	8.0	36	5.90	0.88	1.01
35	1.5	34	1.35	0.22	0.26
	2.0	36	1.81	0.27	0.31
	2.5	37	2.17	0.31	0.35
	3.0	38	2.71	0.36	0.42
	4.0	40	3.50	0.42	0.49
	5.0	41	4.47	0.51	0.59
	6.0	43	5.23	0.54	0.63
	8.0	43	7.06	0.74	0.85
45	1.5	35	1.54	0.24	0.28
	2.0	37	2.07	0.29	0.34
	2.5	37	2.51	0.35	0.41
	3.0	40	3.09	0.37	0.43
	4.0	42	4.01	0.44	0.51
	5.0	45	5.09	0.48	0.56
	6.0	46	6.01	0.55	0.63
	8.0	47	8.03	0.70	0.81

Pressure psi	Nozzle	Radius ft.	Flow gpm	■ Precip In/h	▲ Precip In/h
55	1.5	35	1.71	0.27	0.31
	2.0	37	2.30	0.32	0.37
	2.5	37	2.76	0.39	0.45
	3.0	40	3.47	0.42	0.48
	4.0	42	4.44	0.48	0.56
	5.0	45	5.66	0.54	0.62
	6.0	47	6.63	0.58	0.67
	8.0	50	8.86	0.68	0.79
65	1.5	34	1.86	0.31	0.36
	2.0	35	2.52	0.40	0.46
	2.5	37	3.01	0.42	0.49
	3.0	40	3.78	0.45	0.53
	4.0	42	4.83	0.53	0.61
	5.0	45	6.16	0.59	0.68
	6.0	48	7.22	0.60	0.70
	8.0	50	9.63	0.74	0.86

Precipitation rates based on half-circle operation

■ Square spacing based on 50% diameter of throw

▲ Triangular spacing based on 50% diameter of throw

Performance data collected in zero wind conditions

Performance data derived from tests that conform with ASAE Standards; ASAE S398.1.

See page 224 for complete ASAE Test Certification Statement.

RECEIVED BY OWRD

OCT 04 2017

SALEM, OR



Oregon

Kate Brown, Governor

Department of Fish and Wildlife

Rogue Watershed District Office

1495 East Gregory Road

Central Point, OR 97502

(541) 826-8774

Fax: (541) 826-8776

www.odfw.com



August 15, 2017

Attachment 2

T-10387

Basco Bros, LLC
PO Box 131
Winchester, OR 97495

Attn: Juan Yraguen

Dear Juan,

Regarding OWRD water right permit S-54552 (application S-86862), and transfer T-10387, ODFW is satisfied that the condition for fish screening at the point-of-diversion has been met, and has determined that bypass devices and a fishway are not necessary. Thank you.

Sincerely,

Rich Kilbane
SW Field Coordinator
Fish Screening and Passage Program

(541) 826-8774 ext. 243

RECEIVED BY OWRD

OCT 04 2017

SALEM, OR

Cc: Clay Jordan, CWRE



Jordan Engineering
Structural & Civil

460 Jordan Lane
Roseburg, OR 97470
541-673-1931

Water Resources Department
725 Summer St. NE, Suite A
Salem, OR 97301

Regarding: Transfer Application
Certificate 80234
Cancelled Certificate 29960
Concurrent Applications:
Basque Reservoir
Surface Water

May 11, 2007

Sir:

Inclosed is a Transfer application, Supplemental Form A, Supplemental Form B, Land Use Information Form, 4 water right maps (Historical View, Current View, From Map and a To Map), a Reimbursement Authority Estimate Application, 5 pages of supporting documentation and crop receipts.

Also inclosed with the three projects cover letter is a Operating Agreement between Basco Bros, LLC and Mr. Juan Yraguen (Applicant Signature) as letter of consent from Members, a title report with legal description, a check for \$350 for the Transfer application and a check for \$125 for the Reimbursement Application. The two checks are summed with the rest attached to a "summary of fees" cover letter.

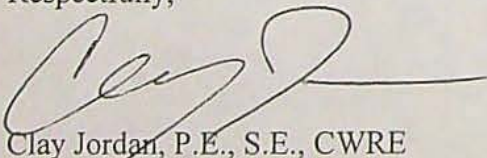
The transfer is to accommodate the footprint of the new subdivision. This includes a reservoir of concurrent application.

The first two maps, Historical View and Current View, are to translate the 1962 canceled certificate 29960's Final Proof map still being used it its current and remaining rights certificate 80234 of today's current survey information.

The supporting 5 pages of documentation include the first 4 pages of available information the 1962 CWRE had at his disposal. The last page is of current depiction of the County Tax Assessor's map.

The Reimbursement Authority application is to assist future transfers of home and driveway areas associated with future accumulated lot sales.

Respectfully,



Clay Jordan, P.E., S.E., CWRE

file: Basco Transfer-1.wpd
cc: Mr. Juan Yraguen

RECEIVED

MAY 15 2007

**WATER RESOURCES DEPT
SALEM, OREGON**

10387

2007

Jordan Engineering
Structural & Civil

460 Jordan Lane
Roseburg, OR 97470
541-673-1931

Water Resources Department
Mr. Douglas M. Parrow
725 Summer St. NE, Suite A
Salem, OR 97301

Certificate 80234
Cancelled Certificate 29960
Regarding application for:
Transfer, Reservoir and Surface Water

May 11, 2007

Mr. Parrow:

As an overview inclosed are three packets for three associated applications. Packet (1) is a Transfer application, a Reimbursement Authority Estimate application for the Transfer and a cover letter. Packet (2) is a Store Water in a Reservoir application with cover letter. Packet (3) is a Surface Water application for reservoir maintenance with a cover letter. Also inclosed for all three applications is a Operating Agreement between Basco Bros, LLC and Mr. Juan Yraguen (Applicant Signature) as letter of consent from Members, title report with legal description and one total check attached to a "summary of fees" cover letter.

Part of Certificate number 80234 involved with this project overlays three parcels owned by Basco Bros LLC. That is Tax Lot 900 at 5 acres, Tax Lot 1201 at 3 acres and Tax Lot 1200 at 14.75 acres. Not all of this noted acreage has water rights. The remaining certificated water right, covers areas of other Tax Lots not owned or involved with Basco Bros LLC.'s project. That is, except as a remaining right.

The main purpose of the Transfer is to accommodate a new subdivision and reservoir within the three Tax Lots. Future accumulated developed lots (homes, driveways, etc.) will generate subsequent transfers. Future excess transfer area will be considered for in stream leases.

A portion (2.60ac) of the water right overlaying the three Tax Lots owned by Basco Bros LLC is being transferred from under what will be the new subdivision's streets, reservoir and etc. That area is being transferred to areas within the three tax lots not having water rights as of now.

The reservoir, during irrigation season will also be a bulge in the system along with a year round

RECEIVED

MAY 15 2007

Page 1 of 3

WATER RESOURCES DEPT
SALEM OREGON

10387

multipurpose reservoir. The surface water application is for reservoir maintenance.

The uniqueness of the project is drafting a From map. A map today that professionally depicts which was certificated in the past. Assuming a water right location and size has never changed, where "it is" is the same then, now and tomorrow. Property lines, fence lines, section lines and DLC lines, to name a few, "assist" in locating where the water right has always been.

The water right's location, in earlier times of available assumed location of "locators" (noted lines above, etc.), may or may not have the same orientation with the water right today or for that matter, with subsequent outside adjacent surveys, tomorrow.

One needs to first assess whether the water right has or has not moved in location and/or size. One of the tools to do that is to research into what "locators" were available to the CWRE at the time of final proof. Then translate into today's best professional assumed location of said "locators" today.

In other words it is assumed its location and size is still and will always be the same as originally described in its certificate with its original "locators," just re-described to today's professional perceived new location of the "locators", not the water right.

Subsequent fly overs in the 70's, 80's, 90's and 2004 with period section line overlays have shown different orientations to visual property lines (tree lines and houses etc.) to as much as several 100 feet. This is in the east/west as well as the north/south direction. The DLC line also has had its concerns of orientation of field location over the decades. It is my professional opinion the fence description shown as X's on the original final proof map carries more weight than assumed section and/or DLC line perceived orientation in the field.

It has lately been brought to my attention by the County Surveyor, given recent court cases, with un-navigability of the North Umpqua River this DLC line is at the string (center line) of the river. With the terminology of the certificate and remaining rights, this CWRE will confirm with the project Surveyor's location of the DLC line unless otherwise directed.

The original certificated acreage includes 1.49 acres in the current remaining right, subjected to future investigation. My expenditures of commissioned research is to that right to transfer of enclosed application. Therefore to stay injury to the State and/or other water right holders of same certification, said 1.49 acres of original certificated right within the now remaining rights of this CWRE's limited commission is professionally temporarily allocated to the sw/se of section 22. This is until research outside this water right transfer project, such as another overlaying transfer, in the proposed remaining right is commissioned. It is understood the 1.49 acres is not real outside the original certificated footprint.

As I have been advised by the project surveyors, without integrating the interaction between section lines and legal descriptions of adjacent areas it is professionally assumed this pictorial description of section line orientation as presented, is considered more current than that rotated

RECEIVED

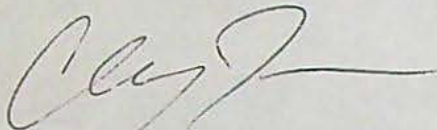
MAY 15 2007

Jordan Engineering
May 11, 2007

because of economic demands by the County to establish present Tax Assessor's presented depictions for the purpose of taxation.

In summary, the transfer and remaining rights within Basco Bros LLC's three tax lots is professionally correct with a remainder of the remaining rights professionally concluded with 1.49 acres to be defined by others of land ownership in the future. In all likely hood, this will happen with future water right activity in questioned remaining rights by land owners (others) of foot printed water right areas.

Respectfully,



Clay Jordan, P.E., S.E., CWRE

file: Basco wr cover-letter.wpd
cc: Mr. Juan Yraguen

RECEIVED

MAY 15 2007

WATER RESOURCES DEPT
SALEM, OREGON

Page 3 of 3

10387



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

March 26, 2008

BASCO BROS LLC
PO BOX 131
WINCHESTER OR 97495

Reference: Transfer 10387

Enclosed is a copy of the order approving your water right transfer application.

A time to complete the transfer is given the order. **YOU SHOULD GIVE PARTICULAR ATTENTION TO THE TIME LIMIT.** The water right for any portion of the authorized change in use or change in place of use NOT carried out within the time allowed will be lost.

An extension of the time limit can be allowed only upon a showing that diligent effort has been made to complete the actual change within the time allowed.

You have the requirement to hire a Certified Water Right Examiner (CWRE) to complete a Claim of Beneficial Use report and map which must be submitted to this department within one year of the date you completed the change or within one year of the completion date authorized in the transfer, whichever occurs first.

Sincerely,

for Doug Parrow
Natural Resource Specialist

DP:sh

cc: Watermaster #15
Kenna Clay Jordan, CWRE

Enclosure

**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of Transfer Application	)	FINAL ORDER APPROVING A
T-10387, Douglas County	)	CHANGE IN PLACE OF USE AND
	)	REDESCRIPTION OF A WATER
	)	RIGHT

Authority

ORS 540.505 to 540.580 establishes the process in which a water right holder may submit a request to transfer the point of diversion, place of use, or character of use authorized under an existing water right. OAR Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

BASCO BROS LLC
PO BOX 131
WINCHESTER OR 97495

Findings of Fact

Background

1. On May 15, 2007, Basco Bros LLC, filed an application to change the place of use under Certificate 80234 (perfected under Permit S-26192). The Department assigned the application number T-10387.
2. The original Final Proof Survey for Permit S-26192 appears to have relied on fence locations for the Sectional Subdivision Lines. Recent surveys and maps submitted with this transfer application (T-10387) indicate how the Public Land Survey subdivisions are currently understood to overlay the area for this right. Therefore, for the water right description to be consistent with current descriptions of property boundaries, the right should be re-described before the changes of Transfer Application T-10387.

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

3. The following table lists the place of use as described in existing Certificate 80234 and a proposed re-description based on the above findings:

Certificate	Original Description of Place of Use		Proposed Re-Description of Place of Use		
	¼-¼	Acres	¼-¼	Acres	DLC #
80234	SW SE	26.95	SW SE	29.17	DLC 43
			SE SW	0.05	DLC 43
	SE SE	9.49	SE SE	9.13	DLC 43
	SE SE	4.28	SE SE	0.69	
Township 26 South, Range 6 West, Section 22, W.M.					

Certificate	Original Description of Place of Use		Proposed Re-Description of Place of Use		
	¼-¼	Acres	¼-¼	Acres	DLC #
80234			NE NW	0.01	DLC 43
			NW NE	1.67	DLC 43
Township 26 South, Range 6 West, Section 27, W.M.					
Total: 40.72			Total: 40.72		

4. The portion of the right to be transferred is as follows:

Certificate: 80234 in the name of Robert A. Dudley (perfected under Permit S-26192)

Use: IRRIGATION of 2.60 ACRES

Priority Date: MAY 15, 1959

Rate: 0.033 CUBIC FOOT PER SECOND (cfs)

Limit/Duty: ONE-EIGHTIETH cfs per acre, not to exceed 2.5 acre-feet per acre during the irrigation season of each year provided further that the right to the use of water is limited to the period when the flow of water in the North Umpqua river is 525.0 cfs or more at its mouth

Source: NORTH UMPQUA RIVER, tributary to UMPQUA RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q
26 S	6 W	WM	22	SE SE

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
26 S	6 W	WM	22	SW SE	43	1.65
26 S	6 W	WM	22	SE SE	43	0.92
26 S	6 W	WM	22	SE SE		0.03

5. Transfer Application T-10387 proposes to change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
26 S	6 W	WM	22	SW SE	43	0.63
26 S	6 W	WM	22	SE SE	43	0.17
26 S	6 W	WM	22	SE SE		1.80

6. Notice of the application for transfer was published on May 22, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
7. On October 30, 2007, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-10387 to the applicant. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
8. On February 12, 2008, the Department issued a Preliminary Determination proposing to approve Transfer T-10387 and mailed a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's weekly notice on February 19, 2008, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.
9. The Oregon Department of Fish and Wildlife (ODFW) determined that a fish screening and/or by-pass device is necessary at the point of diversion. However since no change in the point of diversion is being proposed for this transfer this condition cannot be imposed by the Department.

Transfer Review Criteria [OAR 690-380-4010(2)]

10. Water has been used within the last five years according to the terms and conditions of the right, and there is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
11. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Application T-10387.
12. The proposed change would not result in enlargement of the right.
13. The proposed change would not result in injury to other water rights.

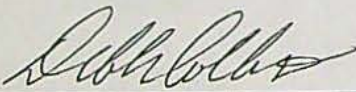
Conclusions of Law

The change in place of use proposed in application T-10387 is consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The change in place of use proposed in Transfer Application T-10387 is approved.
2. Water right certificate 80234 is cancelled. A new certificate will be issued to describe the portion of the right not affected by the transfer and will be based on the re-description of the place of use as listed in Finding of Fact #3.
3. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 80234 and any related decree.
4. The former place of use of the transferred portion of the right shall no longer receive water under the right.
5. Prior to diverting water, the water user shall install an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department. The water user shall maintain and operate the measuring device as required by the Department.
6. The approved change shall be completed and full beneficial use of the water shall be made on or before October 1, 2009. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
7. When satisfactory proof of the completed change is received, a new certificate confirming the right transferred will be issued.

Dated at Salem, Oregon this 25th day of March, 2008.



Phillip C. Ward, Director

fr

Mailing date: MAR 28 2008

STATE OF OREGON
COUNTY OF DOUGLAS
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ROBERT A. DUDLEY
ROUTE 2, BOX 1390
ROSEBURG, OREGON 97470

Confirms the right to use the waters of the NORTH UMPQUA RIVER, a tributary of UMPQUA RIVER, for IRRIGATION of 38.12 acres.

This right was perfected under Permit 26192. The date of priority is MAY, 15, 1959. The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed 0.48 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SE $\frac{1}{4}$, SE $\frac{1}{4}$ of SECTION 22, TOWNSHIP 26 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, 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 $\frac{1}{2}$ acre-feet per acre for each acre irrigated during the irrigation season of each year, provided further that the right to the use is limited to the period when flow of water in the North Umpqua River is 525 CFS or more at its mouth.

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

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

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

SE $\frac{1}{4}$ SW $\frac{1}{4}$ 0.05 ACRE
AS PROJECTED WITHIN EVANS DLC 43
SW $\frac{1}{4}$ SE $\frac{1}{4}$ 27.52 ACRES
AS PROJECTED WITHIN EVANS DLC 43
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 8.21 ACRES
AS PROJECTED WITHIN EVANS DLC 43
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 0.66 ACRE

SECTION 22

TOWNSHIP 26 SOUTH, RANGE 6 WEST, W.M.

NW $\frac{1}{4}$ NE $\frac{1}{4}$ 1.67 ACRES
AS PROJECTED WITHIN EVANS DLC 43
NE $\frac{1}{4}$ NW $\frac{1}{4}$ 0.01 ACRE
AS PROJECTED WITHIN EVANS DLC 43

SECTION 27

TOWNSHIP 26 SOUTH, RANGE 6 WEST, W.M.

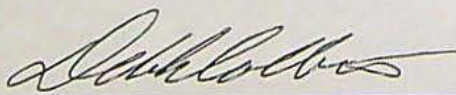
This certificate describes that portion of the water right confirmed by Certificate 80234, State Record of Water Right Certificates, as re-described, but NOT transferred, by the provisions of an order of the Water Resources Director entered MAR 25 2008, approving Transfer Application T-10387.

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.

WITNESS the signature of the Water Resources Director,

Affixed MAR 25 2008.


Phillip C. Ward, Director

Recorded in State Record of Water Right Certificates numbered 83869.

Water Right Transfer Checklist

Transfer T-10387

Transfer Specialist: RA

Transfer Type: Regular

Applicant Name/Address: Basco Bros LLC; PO Box 131; Winchester OR 97495

Agent Name/Address: NONE

CWRE Name/Number: Kenna Clay Jordan #431

Rec Landowner Name/Address: NONE

Irr. District Name/Address: NONE

Affected Gov'ts Name/Address: NONE

Commentors: Name/Address: NONE

Water Rights Affected

Records Marked	Records Copied	App File No. or Decree Name	Permit No.	Certificate No.	RR/CR Needed	RR/CR Nos.
☒	☒	S 33099	S 26192	80234	☒ Yes ☐ No	83869
☐	☐	T-9102			☐ Yes ☐ No	
☐	☐				☐ Yes ☐ No	

Key Dates & Initial Actions

Rec'd: 05/15/07	Proposed Action(s): POU POD HST APOD USE OTHER: POU	
Fees Pd: 350	WM District: 15	ODFW District: Sam Moyer
Initial Notice: 05/22/07	WM Review sent: 05/22/07	ODFW Review sent: 05/22/07
Acknowledgement Letter Sent ☒		GW Review sent: NONE

Processing Dates & Actions

Deficiency Contacts: _____

Newspaper Pub Affid Due: _____

☐ not required

DPD Mailed: _____

Affid of Pub Rec'd: _____

☐ ODFW contact sheet sent with DPD, or ☐ N/A

Last Day Published: _____

PD Mailed: _____

Affidavit Reminder Sent: _____

PD Weekly Notice: _____

Reminder Deadline: _____

Preliminary Determination

☐ Electronic Files uploaded

☐ Preliminary Determination

☐ PD Cover letter

☐ Fee Refund Due

☐ PD Notice

☐ Remaining Rights

☐ File Assigned/ ModPod updated

DPD Review (Optional)	PD Review (Salem)	Final Order Review (Salem)
Reviewer: _____	Reviewer: <u>SPD</u>	Reviewer: _____
Date: _____	Date: <u>2-11-08</u>	Date: _____
Coordinator: _____	Coordinator: <u>ADP</u>	Coordinator: <u>ADP</u>
Date: _____	Date: <u>2/12/08</u>	Date: <u>3/24/08</u>
Comments/Special Issues: Expedited through Reimbursement Authority. Re-description of all of the right, then a change in place of use for a portion of the re-described right.		

Special Order Volume: Vol 74 Pages 432

Final Order Signature Date: 3-25-08

Notice of FO email'd to processors Dorothy

Application

- ☐ The type of change is clearly indicated.
- ☐ The application is appropriately signed.
- ☐ Appropriate fees were paid. ☐ If overpayment, Refund Request to be sent with FO
- ☐ Land use form matches affected tax lots and is signed by proper official. (*from ALL affected Govt's*)
- ☐ Ditch company, district and/or BOR, sent a copy of the application and map, if appropriate.
- ☐ All required attachments received.

Water right subject to transfer

- ☐ Certificated right or Proof accepted "to the satisfaction...."
- ☐ The right been exercised according to terms & conditions of certificate.
- ☐ Delivery system has the capacity to fully divert the rate/duty of the right.
- ☐ No information in record that suggests forfeiture.
- ☐ No conflicts identified on the plat cards and plat card reports printed.
- ☐ Affidavits prepared for rights that need to be canceled or diminished.

Application Map

- ☐ The map has an original CWRE signature.
- ☐ The map size and scale accurate and appropriate per OAR 690-380-3100(1)(b)(c)&(d).
- ☐ All authorized and proposed POD's/POA's and POU's shown and clearly labeled.
- ☐ Metes and bounds for the POD's/POA's are properly described on the map.
- ☐ The POD/POA dimensions & 1/4 1/4 on map match the transfer application and certificate descriptions.
- ☐ Map acres match the tabulation on the certificate.
- ☐ Have final proof maps/deed maps for the rights. ☐ Application map matches certificate FPS.
- ☐ Have necessary aerial photos.

Determining the "From" and "To" Lands (*make working copy of application and certificates to mark on*)

- ☐ Only the authorized POD's/POA's and POU's to be transferred are listed.
- ☐ Application & certificate tabulations match. (*Mark on appl. and cert. copies and note corrections needed*)
- ☐ Marked on certificate the acreage being transferred, cancelled and remaining by 1/4 1/4.

Ownership

- ☐ The deed/ROLI matches the "from" lands. (Don't need to check "to" lands.)
- ☐ Have current tax lot map. (*If transfer application is several years old, contact assessor's office*)
- ☐ The applicant is the owner of the "from" lands.
- ☐ All owners on the deed/ROLI have signed the application.
- ☐ If necessary, there is a notarized, signed statement of consent from landowners other than applicant.
- ☐ If necessary, there is a copy of written notification to each lien holder identified on ROLI.
- ☐ Agent has authorization to make decisions.

Evaluation (materials needed for peer reviewer in bold)

- | | | | | |
|---|--------------------------------------|------------------------------------|--|--|
| ☐ application complete | ☐ map | ☐ FPS | ☐ evidence of use | ☐ land-use form |
| ☐ deed/ROLI | ☐ certificate | ☐ fees paid | ☐ well logs | ☐ plat card |
| ☐ audit | ☐ dpd | | | |

Reviews/comments/conditions received? ☐ Watermaster ☐ ODFW ☐ GW

Headgate ☐ When in the judgment ☐ Prior to diverting ☐ Existing and maintain

Measuring Devices ☐ When in the judgment ☐ Prior to diverting ☐ Existing and maintain

Injury: Y N Enlargement: Y N

Conditions to avoid enlargement/injury –



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

February 13, 2008

Basco Bros LLC
PO BOX 131
WINCHESTER OR 97495

SUBJECT: Transfer Application T-10387

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-10387. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

A public notice is being published in the Department's weekly publication simultaneously with issuance of the Preliminary Determination. The notice initiates a 30-day period in which any person may file either a protest opposing the decision proposed by the Department in the Preliminary Determination or a standing statement supporting the Department's decision.

If no protest is filed, the Department will issue a Final Order consistent with the Preliminary Determination. You should receive a copy of the Final Order about 30 days after the close of the protest period.

If a protest is filed, the application may be referred to a contested case proceeding. A contested case provides an opportunity for the proponents and opponents of the decision proposed in the Preliminary Determination to present information and arguments supporting their position in a quasi-judicial proceeding.

Sincerely,

Dorothy Pedersen
Field Services Division

cc: David Williams, District 15 Watermaster
Clay Jordan, CWRE #431

encs

Pd Notice

2-19-08

FO due 3/21

**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of Transfer Application	)	PRELIMINARY DETERMINATION
T-10387, Douglas County	)	PROPOSING APPROVAL OF A
	)	CHANGE IN PLACE OF USE AND
	)	REDESCRIPTION OF A WATER
	)	RIGHT

Authority

ORS 540.505 to 540.580 establishes the process in which a water right holder may submit a request to transfer the point of diversion, place of use, or character of use authorized under an existing water right. OAR Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

BASCO BROS LLC
PO BOX 131
WINCHESTER OR 97495

Findings of Fact

Background

1. On May 15, 2007, Basco Bros LLC, filed an application to change the place of use under Certificate 80234 (perfected under Permit S-26192). The Department assigned the application number T-10387.
2. The original Final Proof Survey for Permit S-26192 appears to have relied on fence locations for the Sectional Subdivision Lines. Recent surveys and maps submitted with this transfer application (T-10387) indicate how the Public Land Survey subdivisions are currently understood to overlay the area for this right. Therefore, for the water right description to be consistent with current descriptions of property boundaries, the right should be re-described before the changes of Transfer Application T-10387.

Pursuant to OAR 690-380-4030, any person may file a protest or standing statement within 30 days after the last date of publication of notice of this preliminary determination.
--

3. The following table lists the place of use as described in existing Certificate 80234 and a proposed re-description based on the above findings:

Certificate	Original Description of Place of Use		Proposed Re-Description of Place of Use		
	$\frac{1}{4}$ - $\frac{1}{4}$	Acres	$\frac{1}{4}$ - $\frac{1}{4}$	Acres	DLC #
80234	SW SE	26.95	SW SE	29.17	DLC 43
			SE SW	0.05	DLC 43
	SE SE	9.49	SE SE	9.13	DLC 43
	SE SE	4.28	SE SE	0.69	
Township 26 South, Range 6 West, Section 22, W.M.					

Certificate	Original Description of Place of Use		Proposed Re-Description of Place of Use		
	$\frac{1}{4}$ - $\frac{1}{4}$	Acres	$\frac{1}{4}$ - $\frac{1}{4}$	Acres	DLC #
80234			NE NW	0.01	DLC 43
			NW NE	1.67	DLC 43
Township 26 South, Range 6 West, Section 27, W.M.					
Total: 40.72			Total: 40.72		

4. The portion of the right to be transferred is as follows:

Certificate: 80234 in the name of Robert A. Dudley (perfected under Permit S-26192)

Use: IRRIGATION of 2.60 ACRES

Priority Date: MAY 15, 1959

Rate: 0.033 CUBIC FOOT PER SECOND (cfs)

Limit/Duty: ONE-EIGHTIETH cfs per acre, not to exceed 2.5 acre-feet per acre during the irrigation season of each year provided further that the right to the use of water is limited to the period when the flow of water in the North Umpqua river is 525.0 cfs or more at its mouth

Source: NORTH UMPQUA RIVER, tributary to UMPQUA RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q
26 S	6 W	WM	22	SE SE

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
26 S	6 W	WM	22	SW SE	43	1.65
26 S	6 W	WM	22	SE SE	43	0.92
26 S	6 W	WM	22	SE SE		0.03

5. Transfer Application T-10387 proposes to change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
26 S	6 W	WM	22	SW SE	43	0.63
26 S	6 W	WM	22	SE SE	43	0.17
26 S	6 W	WM	22	SE SE		1.80

6. Notice of the application for transfer was published on May 22, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
7. On October 30, 2007, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-10387 to the applicant. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
8. The Oregon Department of Fish and Wildlife (ODFW) determined that a fish screening and/or by-pass device is necessary at the point of diversion. However since no change in the point of diversion is being proposed for this transfer this condition cannot be imposed by the Department.

Transfer Review Criteria [OAR 690-380-4010(2)]

9. Water has been used within the last five years according to the terms and conditions of the right, and there is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
10. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Application T-10387.
11. The proposed change would not result in enlargement of the right.
12. The proposed change would not result in injury to other water rights.

Determination and Proposed Action

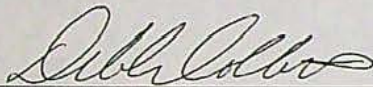
The change in place of use proposed in application T-10387 appear to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000.

If application T-10387 is approved, the final order will include the following:

- The change in place of use proposed in Transfer Application T-10387 is approved.*
- Water right certificate 80234 is cancelled. A new certificate will be issued to describe the portion of the right not affected by the transfer and will be based on the re-description of the place of use as listed in Finding of Fact #3.*

3. *The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 80234 and any related decree.*
4. *The former place of use of the transferred portion of the right shall no longer receive water under the right.*
5. *Prior to diverting water, the water user shall install an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department. The water user shall maintain and operate the measuring device as required by the Department.*
6. *The approved change shall be completed and full beneficial use of the water shall be made on or before October 1, 2009. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.*
7. *When satisfactory proof of the completed change is received, a new certificate confirming the right transferred will be issued.*

Dated at Salem, Oregon this 12th day of February, 2008.



PCW
Phillip C. Ward, Director

This Preliminary Determination was prepared by a Reimbursement Authority contractor. If you have questions about the information in this document, you may reach Dorothy Pedersen at 503-986-0890 or Dorothy.I.Pedersen@wrdd.state.or.us.

Protests should be addressed to the attention of Field Services Division, Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1266.

**Notice of Preliminary Determination for
Water Right Transfer T-10387**

T-10387 filed by Basco Brothers LLC, PO Box 131, Winchester, OR 97495, proposes a change in place of use under Certificate 80234. The right allows the use of 0.033 CFS (priority date May 15, 1959) from a diversion in Sec. 22, T26S, R6W, W.M. (Umpqua Basin) for irrigation in Sec. 22. The applicant proposes to change the place of use to areas within Sec. 22, T26S, R6W, W.M. The Water Resources Department has concluded that the proposed transfer appears to be consistent with the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, with the Department a protest or standing statement within 30 days after the date of final publication of notice in the Department's weekly notice. A protest form and additional information on filing protests may be obtained by calling (503) 986-0881. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

Dorothy Pedersen

From: Dorothy Pedersen
Sent: Wednesday, February 06, 2008 4:52 PM
To: 'Darryl Anderson'
Subject: FW: T-10387 ownership information

Attachments: 10387-rolf.pdf



10387-rolf.pdf (102 KB)

Hi Darryl,

I found this email that I had sent to you, but don't see that I ever received a response back. Please check the ownership information, if you have not already done so and let me know if we need any additional documentation. Once this is complete I'll give Salem the go-ahead to process your invoice for this project.

Thanks,
Dorothy

-----Original Message-----

From: Dorothy Pedersen
Sent: Tuesday, December 11, 2007 1:32 PM
To: 'Darryl Anderson'
Subject: T-10387 ownership information

Darryl,

We received the new ownership information and lienholder notification that was requested in the T-10387 DPD cover letter. Please check it over and let me know if it matches the "from" land and indicates that we have consent of owners and notification of all lienholders.

It appears that you have completed all the deliverables, so then go ahead and invoice this project.

Thanks,

Dorothy

P.S. I'm almost finished reviewing the T-10320 documents. What a complicated mix of primary and supplemental water right configurations! I realize again why the new rules require a separate map for each water right when more than three rights are involved in a transfer.

Dorothy I. Pedersen
Field Services Division
Oregon Water Resources Department
Dorothy.I.PEDERSEN@wrdd.state.or.us
503-986-0890



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

October 30, 2007

Basco Bros LLC
PO BOX 131
WINCHESTER OR 97495

SUBJECT: Application T-10387

Enclosed please find a draft of our Preliminary Determination regarding transfer application T-10387. The draft Preliminary Determination reflects the Department's conclusion that, based on the information currently available, the transfer will be approved. This draft is intended to provide you with an opportunity to comment on our findings and conclusions should you wish to do so. Please review the draft carefully to evaluate whether the document is consistent with your intent in seeking the transfer, and whether you agree with the proposed action.

The report of ownership and lien information submitted with the application is now more than three months old. At this time, you must either submit some documentation to show that the ownership has not changed, or a new report of ownership and lien information for the lands to which the water right(s) are appurtenant (the FROM lands) that has been prepared within the last three months by a title company. Based on the submitted report of lien information, it appears you need to send notification of the transfer to Perry L. Murray and submit a copy of that notification to the Oregon Water Resources Department. If there are additional lienholders identified in the report that have not previously been notified of the transfer, you must send notice of the transfer to them, and submit copies of each such notice to the Department to document that each lienholder has been informed of the transfer.

If we do not receive your response concerning the Draft Preliminary Determination and the ownership and lien documentation by November 30, 2007, a Preliminary Determination may be issued denying the application. You may provide your response in writing or via e-mail.

Please do not hesitate to contact me at 503-986-0890 or Dorothy.I.PEDERSEN@wrdd.state.or.us if you have questions.

Sincerely,

Dorothy Pedersen
Field Services Division

cc: David Williams, District 15 Water master

Enc

**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of Transfer Application
T-10387, Douglas County

) **D R A F T**
)
) PRELIMINARY DETERMINATION
) PROPOSING APPROVAL OF A
) CHANGE IN PLACE OF USE

Authority

ORS 540.505 to 540.580 establishes the process in which a water right holder may submit a request to transfer the point of diversion, place of use, or character of use authorized under an existing water right. OAR Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

Basco Bros LLC
PO BOX 131
WINCHESTER OR 97495

Findings of Fact

Background

1. On May 15, 2007, Basco Bros LLC filed an application to change the place of use under Certificate 80234. The Department assigned the application number T-10387.

2. The right to be transferred is as follows:

Certificate: 80234 in the name of Robert A. Dudley (perfected under Permit S-26192)

Use: IRRIGATION of 40.72 ACRES

Priority Date: MAY 15, 1959

Rate: 0.513 CUBIC FOOT PER SECOND

Limit/Duty: ONE-EIGHTIETH cfs per acre, not to exceed 2.50 acre-feet per acre per year

Source: NORTH UMPQUA RIVER, tributary to UMPQUA RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
26 S	6 W	WM	22	SE SE	NONE GIVEN

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
26 S	6 W	WM	22	SW SE	43	1.65
26 S	6 W	WM	22	SE SE	43	0.92
26 S	6 W	WM	22	SE SE		0.03

3. The original Final Proof Survey for Permit S-26192 appears to have relied on fence locations for the Sectional Subdivision Lines. Recent surveys and maps submitted with this transfer application (T-10387) indicate how the Public Land Survey subdivisions are currently understood to overlay the area for this right. Therefore, for the water right description to be consistent with current descriptions of property boundaries, the right should be re-described before the changes of Transfer T-10387.
4. The following table lists the place of use as described in existing Certificate 80234 and a proposed re-description based on the above findings:

Certificate	Original Description of Place of Use		Proposed Re-Description of Place of Use		
	$\frac{1}{4}$ - $\frac{1}{4}$	Acres	$\frac{1}{4}$ - $\frac{1}{4}$	Acres	DLC #
80234	SW SE	26.95	SW SE	29.17	DLC 43
			SE SW	0.05	DLC 43
	SE SE	9.49	SE SE	9.13	DLC 43
	SE SE	4.28	SE SE	0.69	
Township 26 South, Range 6 West, Section 22					

Certificate	Original Description of Place of Use		Proposed Re-Description of Place of Use		
	$\frac{1}{4}$ - $\frac{1}{4}$	Acres	$\frac{1}{4}$ - $\frac{1}{4}$	Acres	DLC #
80234			NE NW	0.01	DLC 43
			NW NE	1.67	DLC 43
Township 26 South, Range 6 West, Section 27					
Total: 40.72			Total: 40.72		

5. Application T-10387 also proposes to change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
26 S	6 W	WM	22	SW SE	43	0.63
26 S	6 W	WM	22	SE SE	43	0.17
26 S	6 W	WM	22	SE SE		1.80

6. Notice of the application for transfer was published on May 22, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
7. The Oregon Department of Fish and Wildlife (ODFW) determined that a fish screening and/or by-pass device is necessary at the point of diversion. However since no change in the point of diversion is being proposed for this transfer this condition cannot be imposed by the Department.

Transfer Review Criteria [OAR 690-380-4010(2)]

8. Water has been used within the last five years according to the terms and conditions of the right, and there is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
9. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Application T-10387.
10. The proposed change would not result in enlargement of the right.
11. The proposed change would not result in injury to other water rights.

Determination and Proposed Action

The changes in place of use proposed in application T-10387 appear to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000

If application T-10387 is approved, the final order will include the following:

1. *The changes in place of use proposed in application T-10387 are approved.*
2. *Water right certificate 80234 is cancelled.*
3. *The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 80234 and any related decree.*
4. *The former place of use of the transferred right shall no longer receive water under the right.*
5. *Prior to diverting water, the water user shall install an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department. The water user shall maintain and operate the measuring device as required by the Department.*
6. *The approved changes shall be completed and full beneficial use of the water shall be made on or before October 1, 2009. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.*
7. *When satisfactory proof of the completed changes is received, a new certificate confirming the right transferred will be issued.*

Dated at Salem, Oregon this _____ day of _____ 2007.

D R A F T

Phillip C. Ward, Director

This draft Preliminary Determination was prepared by a Reimbursement Authority contractor. If you have questions about the information in this document, you may reach Dorothy Pedersen at 503-986-0890 or Dorothy.I.Pedersen@wrд.state.or.us.



Oregon

Department of Fish and Wildlife

Umpqua Watershed District Office

4192 N Umpqua Hwy.

Roseburg, OR 97470

(541) 440-3353

FAX (541) 673-0372

June 18, 2007

Transfers Section
Susan Douthit
Water Resource Department
725 Summer St. NE, Suite A
Salem, Or. 97301-1271



Re: Transfer 10387

The Oregon Department of Fish and Wildlife has the proposed water right transfer and offers the following comments.

This application is for a change in place of use. ODFW feels that a change in place of use will have no impact on nearby streams and fish. I would like to conduct a screen inspection on the pump prior to this permit being approved.

Feel free to contact me if you have any questions.

Sincerely,

Sam Moyers
Umpqua Assistant District Fish Biologist

please return by 6-20-07

Oregon Department of Fish and Wildlife
Water Right and Diversion Transfer Comment Form
(ODFW provides to WRD so that WRD can make findings according to statutory requirements.)

Reference Transfer #: 10387

A. Please check box if you believe there is a potential for injury to an instream water right.

- ☐ The Oregon Department of Fish and Wildlife (ODFW) believes this proposed transfer may injure an instream water right(s) on

_____, tributary to _____, Because,
(Stream) _____

RECEIVED

JUN 21 2007

**WATER RESOURCES DEPT
SALEM OREGON**

(Please attach any available supporting information.)

Note: This will prompt WRD to further evaluate and make a determination whether the transfer will injure an instream water right. (WRD is the agency that makes the determination of injury to a water right, while ODFW's role is to raise concerns and to evaluate proposed mitigation and net benefit to the resource if WRD requests concurrence with injury to an instream water right.)

B. Please check one of the following four boxes related to requiring a fish screen and/or by-pass device pursuant to ORS 540.525 or 540.532:

- ☐ 1. The new Point of Diversion (POD) requires a fish screening and/or by-pass device and is currently equipped with an appropriate fish screening and/or by-pass device.

Note: This option will yield the following:

Finding of Fact: The Oregon Department of Fish and Wildlife has determined that a fish screening and/or by-pass device is necessary at the new point of diversion to prevent fish from entering the diversion and/or safely transport fish back to the body of water from which the fish were diverted and that the diversion is currently equipped with an appropriate fish screening and/or by-pass device.

Condition: The water user shall maintain and operate a fish screening and/or by-pass device, as appropriate, at the point of diversion consistent with the Oregon Department of Fish and Wildlife's operational and maintenance standards.

- ☒ 2. The new Point of Diversion (POD) requires a fish screening and/or by-pass device prior to water being diverted. The diversion may be eligible for cost share assistance under ODFW's cost share program.

Option 2 should generally be selected if listed fish species are present at the point of diversion and/or the originating water right diversion is currently screened. If Option 2 is

Please return all 4 pages to: Transfers Section, Water Resources Department,
725 Summer St. NE, Suite A, Salem, OR 97301-1271

The electronic version of this form is available at: <http://www1.wrd.state.or.us/msword/ODFWScreen.doc>.

selected, provide contact information on the "Fish Screening and Passage Information" sheet. The new diversion may be eligible for cost-share.

Note: This option will yield the following:

Finding of Fact: The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screening and/or by-pass device is necessary at the new point of diversion to prevent fish from entering the diversion and/or safely transport fish back to the body of water from which the fish were diverted and that the diversion is not currently equipped with an appropriate fish screening and/or by-pass device. This diversion may be eligible for screening cost share funds.

Condition: Prior to diverting water, the water user shall install a fish screening and/or by-pass device, as appropriate, at the new point of diversion consistent with the Oregon Department of Fish and Wildlife's (ODFW) design and construction standards. Prior to installation, the water user shall obtain written approval from ODFW that the required screen and/or by-pass device meets ODFW's criteria. Prior to submitting a Claim of Beneficial Use, the water user must obtain written approval from ODFW that the required screening and/or by-pass device was installed to the state's criteria. The water user shall maintain and operate the fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.

- ☐ 3. The new Point of Diversion (POD) requires a fish screening and/or by-pass device. However, the diversion may be used for up to two years pending a determination of whether cost share assistance under ODFW's cost share program is available.

If Option 3 is selected, provide contact information on the "Fish Screening and Passage Information" sheet. Except in extraordinary circumstances, Option 3 should **NOT** be checked if listed fish species are present at the point of diversion, the originating water right diversion is screened, cost-share funds are currently available, or the diversion is not eligible for ODFW's cost-share program. If extraordinary circumstances are present, please explain:

Note: This option will yield the following:

Finding of Fact: The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screening and/or by-pass device is necessary at the new point of diversion to prevent fish from entering the diversion and/or safely transport fish back to the body of water from which the fish were diverted and that the diversion is not currently equipped with an appropriate fish screening and/or by-pass device. Listed fish species are not present at the point of diversion, the originating water right diversion is not screened, cost-share funds are not currently available, and the proposed diversion may be eligible for ODFW's cost-share program. A grace period of two years is appropriate until such time as cost share funds become available to assist in the construction of a fish screening and/or by-pass device. If cost share funds do not become available, the water user must screen within the indicated time period regardless of the availability of cost share funding.

Condition: Within two years after the date of this order, the water user shall install a fish screening and/or by-pass device, as appropriate, at the new point of diversion consistent with the Oregon Department of Fish and Wildlife's (ODFW) design and construction standards. Prior to installation, the water user shall obtain written approval from ODFW that the required screen and/or by-pass device meets ODFW's criteria. The water user may withdraw water at the new point of diversion without screening or by-pass devices until two years after the date of this order. Prior to submitting a Claim of Beneficial Use, the water user must obtain written approval from ODFW that the required screening and/or by-pass device was installed to the state's criteria. The water user shall maintain and operate the fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.

Oregon Department of Fish and Wildlife
Additional Fish Screening and Passage Information for the Applicant
(To be completed by ODFW for WRD to provide to the applicant.)

Transfer # 10307

The applicant should be aware that fish screening and passage may be required for certain changes in point of diversion if the boxes below are checked.

- ☒ Fish screening and/or fish by-pass devices are required as a condition of this transfer. The fish screen and/or by-pass device must meet ODFW's design, construction, operational and maintenance standards. Fish screening prevents fish from entering the diversion, while a by-pass device safely transports fish back to the body of water from which the fish were diverted.

Pursuant to ORS 498.306, cost share funds may be available to assist in the installation of fish screening and by-pass devices at diversions.

The applicant should contact the ODFW staff below to obtain additional information on the design, construction, operational, and maintenance standards for the required fish screening and/or by-pass device and to obtain information about ODFW's cost sharing program for screening and by-pass devices. **Prior to installation, the water user must obtain written approval from ODFW that the required screening and/or by-pass device meets ODFW's criteria.**

ODFW staff name: Sam Meyers

Address: 4192 N. Umpqua Hwy

City/State/Zip: Roseburg, Or. 97470

Phone: (541) 440-3353 ext 248

- ☐ This transfer may trigger requirements for fish passage under ORS 509.585 because a new point of diversion will be constructed, an existing point of diversion's capacity will be increased, or an existing point of diversion will be abandoned. The applicant should contact the ODFW staff below for a determination of whether native migratory fish are or were present at the applicable location, which will determine whether fish passage must be addressed.

ODFW staff name: _____

Address: _____

City/State/Zip: _____

Phone: () _____

- ☐ 4. The new Point of Diversion (POD) does not currently require a fish screen and/or by-pass device, however, the permittee may be required in the future to install, maintain, and operate fish screening and/or by-pass devices.

Note: This option will yield the following:

Finding of Fact: *The Oregon Department of Fish and Wildlife has determined that a fish screening and/or by-pass device may be required in the future at the new point of diversion to prevent fish from entering the diversion and/or safely transport fish back to the body of water from which the fish were diverted and that the diversion is not currently equipped with an appropriate fish screening and/or by-pass device.*

Condition: *Within one year after receiving written notification from the Oregon Department of Fish and Wildlife (ODFW) that a fish screening and/or by-pass device is required, the water user shall install a screening and/or by-pass device, as appropriate, at the new point of diversion. The fish screening and/or by-pass device must meet ODFW's design and construction standards. Prior to installation, the water user shall obtain written approval from ODFW that the required screening and/or by-pass device meets ODFW's criteria. Once installed the water user shall maintain and operate the fish screening and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.*

Signature

Printed Name

Title

() _____

Phone



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1271
(503) 986-0900
www.wrd.state.or.us

**Watermaster Review Form:
Water Right Transfer**

Transfer Application: T-10387

Review Due Date: June 20, 2007

Applicant Name: Basco Bros. LLC

Proposed Changes: ☒ POU ☐ POD ☐ POA ☐ USE ☐ OTHER

Reviewer(s): David S. Williams

Date of Review: Jun. 8, 2007

1. Do you have information suggesting that the water rights may be subject to forfeiture?
☐ Yes ☒ No If "Yes", describe the information and indicate if you intend to file a cancellation affidavit or if you need additional time to determine if a cancellation affidavit should be filed: _____
2. Is there a history of regulation on the source that serves the right proposed for transfer that has involved the right and downstream water rights? ☐ Yes ☒ No Generally characterize the frequency of any regulation or explain why regulation has not occurred: _____
3. Check here if it appears that downstream water rights benefit from return flows resulting from the current use of the right? ☐ If you check the box, generally characterize the locations where the return flows likely occur and list the water rights that benefit most: _____
4. Are there upstream water rights that would be affected by the proposed change?
☐ Yes ☒ No If "Yes", describe how the rights would be affected and list the rights most affected: _____
5. For POD changes and instream transfers, check here if there are channel losses between the old and new PODs or within the proposed instream reach? ☐ If you check the box, describe and, if possible, estimate the losses: _____
6. Would distribution of water for the right after the proposed change result in regulation of other water rights that would not have occurred if use of the existing right was maximized?
☐ Yes ☒ No If "Yes", explain: _____
7. For POU changes, would the original place of use continue to receive water from the same source? ☐ Yes ☒ No ☐ N/A If "Yes", explain: _____
8. For POU or USE changes, would use of the existing right at "full face value," result in the diversion of more water than can be used beneficially and without waste? ☐ Yes ☒ No If "Yes", explain: _____

RECEIVED

JUN 12 2007

**WATER RESOURCES DEPT
SALEM, OREGON**

9. Are there other issues not identified through the above questions? ☒ Yes ☐ No If "Yes", explain: On Page 2 of the transfer the application number for the right is listed as 9102. It should be listed as 33099. On the "To" map the second column heading listed as NE/NW should be listed as NW/NE. On the "To" map there is a notation in the SESE quarter-quarter stating "part of 8.15 remaining water right area". The correct number of acres should be listed as 8.21. Our distribution maps as well as notations on the final proof survey map for Permit 26192 support the CWRE's redescription of the place of use for this water right.
10. What alternatives may be available for addressing any issues identified above: Make the necessary corrections to remedy the scrivener's errors and redescibe the place of use for the water right subject to transfer.
11. Have headgate notices been issued for the source that serves the right? ☐ Yes ☒ No
12. What water control and measurement conditions should be included in the transfer:

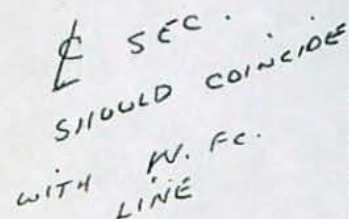
Measurement Devices	☐ Present and should be maintained.	☒ Should be required prior to diverting water.	☐ May be required in the future.
Headgates	☐ Present and should be maintained.	☐ Should be required prior to diverting water.	☐ May be required in the future.

RECEIVED

JUN 12 2007

WATER RESOURCES DEPT
SALEM, OREGON

T.26 S. R. 6 W. W. M.



FINAL PROOF SURVEY
UNDER

Application No. **33099** Permit No. **26192** 
34000 **26786** 
 IN NAME OF _____

ROBERT A. DUDLEY

Surveyed May 3, 1961, by *R. Jackson*

1961-2

1961 L

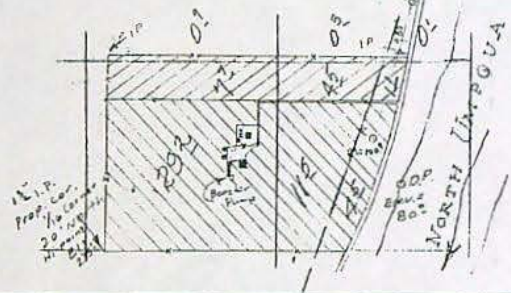
C.S. Brass Cap
NE Cor DCC 43

ROBERT A. DUDLEY

33099 - 26192

34000 - 26786

May 3 - 1961



1961 L

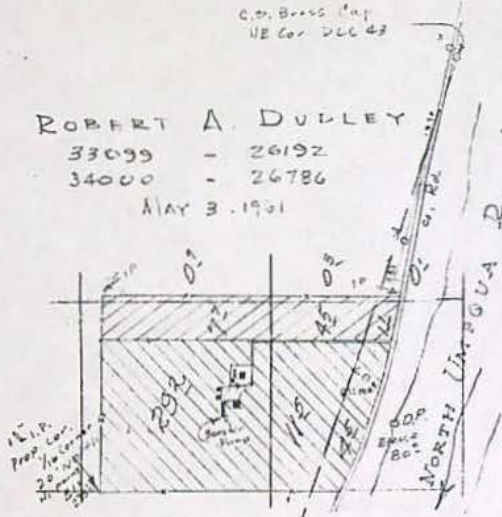
DARK LUMBER C.
R. 32094 R. 2112
32095 25309
MAY 16-1961

CLACKAMAS RIVER

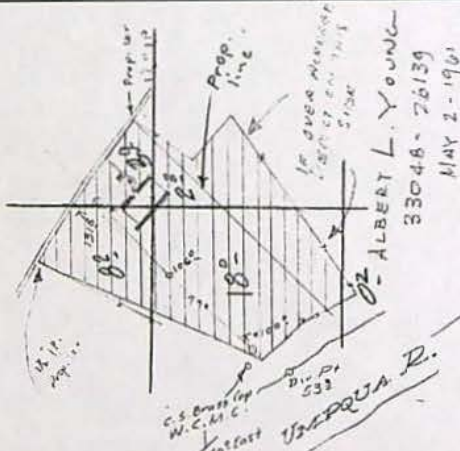
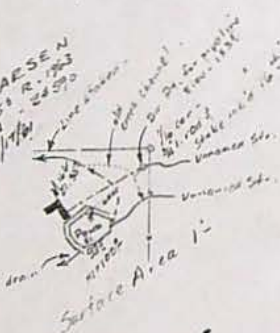


W. H. Can. PLC 33-Share divided 30%

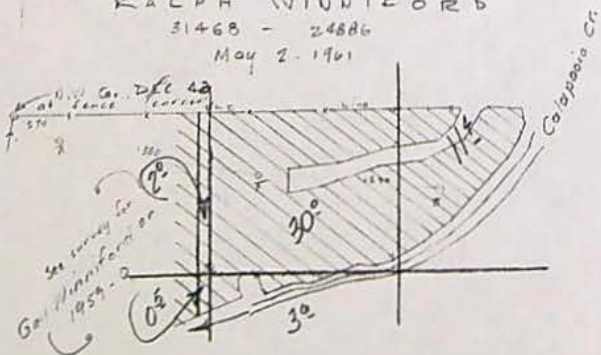
ROBERT A. DULLEY
33099 - 26192
34000 - 26786
MAY 3-1961



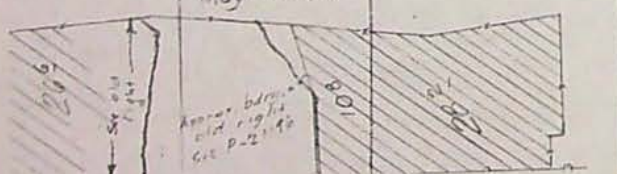
A. H. LARSEN
R. 33054 R. 24390
33055 24391
MAY 1/1961



RALPH WINNIFORD
31468 - 24886
MAY 2-1961



JOHN V. CAROTHERS
25525 - 32299
MAY 8-1961



STATE OF OREGON
COUNTY OF DOUGLAS
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ROBERT A. DUDLEY
ROUTE 2, BOX 1390
ROSEBURG, OREGON 97470

confirms the right to use the waters of the NORTH UMPQUA RIVER, a tributary of the UMPQUA RIVER, for IRRIGATION OF 40.72 ACRES.

This right was perfected under Permit 26192. The date of priority is MAY 15, 1959. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.513 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SE $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 22, T 26 S, R 6 W, W.M..

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is 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 $\frac{1}{2}$ acre-feet for each acre irrigated during the irrigation season of each year, provided further that the right to the use of water is limited to the period when the flow of water in the North Umpqua River is 525 c.f.s. or more at its mouth.

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

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

SW¼ SE¼ 26.95 ACRES
AS PROJECTED WITHIN EVANS DLC 43
SE¼ SE¼ 9.49 ACRES
AS PROJECTED WITHIN EVANS DLC 43
SE¼ SE¼ 4.28 ACRES
SECTION 22
TOWNSHIP 26 SOUTH, RANGE 6 WEST, W.M.

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.

This certificate describes that portion of the water right confirmed by Certificate 29960, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered MAY 28 2003, approving Transfer Application 9102.

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.

WITNESS the signature of the Water Resources
Director, affixed MAY 28 2003.


Paul R. Cleary, Director

Recorded in State Record of Water Right Certificates numbered 80234.

STATE OF OREGON
COUNTY OF DOUGLAS
CERTIFICATE OF WATER RIGHT

This Is to Certify, That ROBERT A. DUDLEY

of Route 2, Box 1390, 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 North Umpqua River
a tributary of Umpqua River for the purpose of
irrigation of 43.69 acres

under Permit No. 26192 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 May 15, 1959

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 0.55 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 SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 22, T. 26 S., R. 6 W., 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 2 $\frac{1}{2}$ acre feet per acre for each acre irrigated during the irrigation season of each year, provided further that the right to the use of water is limited to the period when the flow of water in the North Umpqua River is 525 c.f.s. or more at its mouth.

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:

27.69 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
as projected within Evans DIC 43
11.5 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
as projected within Evans DIC 43
4.5 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 22
T. 26 S., R. 6 W., W. M.

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

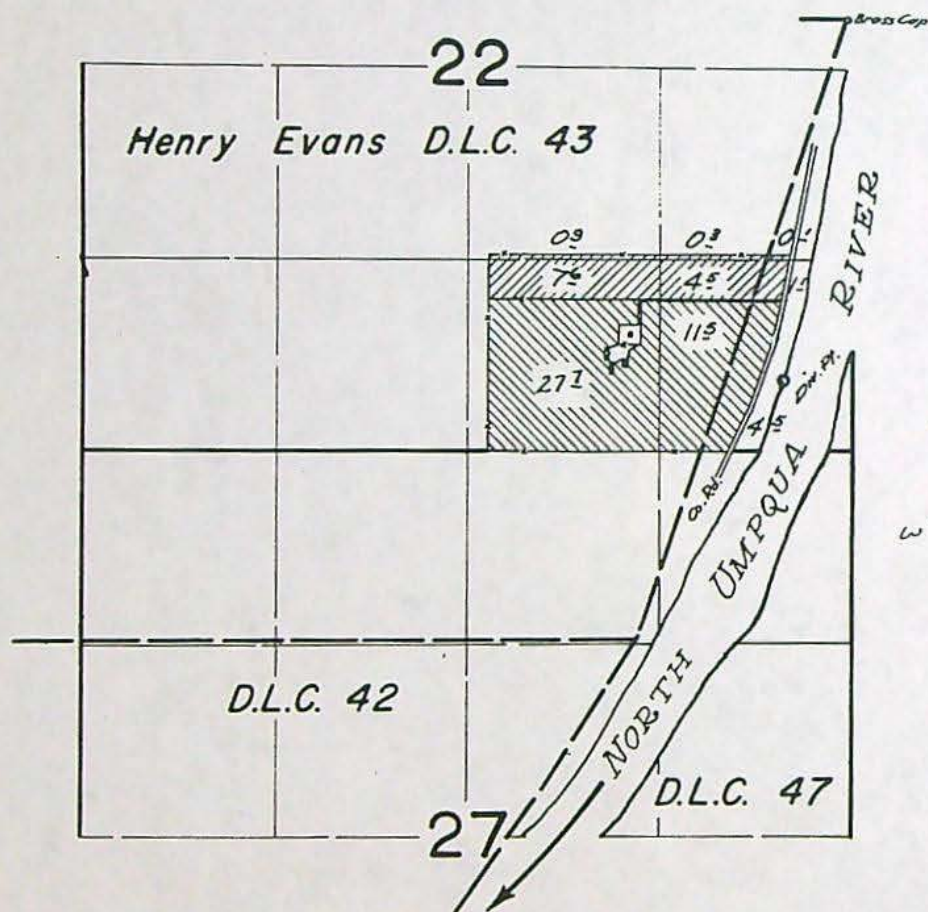
this date. AUGUST 24 1962

CHRIS L. WHEELER

State Engineer

Recorded in State Record of Water Right Certificates, Volume 22, page 29960

T.26S.R.6W.W.M.



FINAL PROOF SURVEY
UNDER

Application No. 33099 26192
34000 Permit No. 26786

IN NAME OF

ROBERT A. DUDLEY

Surveyed May 3, 1961, by *R. A. Dudley*

Permit No. 26192

Application No. 33099

County Douglas

Proof of Appropriation of Water

1. Name Robert A. Dudley 2. Address Route 2, Box 1390 Roseburg, Oregon
 3. Source of supply North Umpqua River
 Tributary of Umpqua River
 4. Amount of water 0.55 c.f.s. 5. Priority date May 15, 1959
 6. Use irrig. 1/80-2 1/2; period when the flow of water in the N. Umpqua River is 525 cfs or more at its mouth.
 7. Location of point of diversion SE 1/4 Sec. 22, Twp. 26 S., Range 6 W., W. M.
 8. The description of land given below corresponds to that found in your permit covering land to be irrigated, or, if for other purposes, the place of use.

Township	Range	Section	Legal Subdivision	No. Acres Actually Irrigated
26 S	6 W	22	SW 1/4 SE 1/4 as proj ^W in Evans DLC 43	27.69
			SE 1/4 SE 1/4 " " " " " "	22.00 29.2
			SE 1/4 SE 1/4	11.5
				4.5
				45.2
				43.69

I have read the above and foregoing proof of appropriation of water; I know the contents thereof, and that the facts therein stated are true.

IN WITNESS WHEREOF, I have hereunto set my hand this day of

19.....

Plane table Survey 1961-2
 May 3-1961
 R. J. J.

NOT TRUE
 27 Mar '61
 R. J. J.

Drafted
 2/9/62
 R. J.

REPORT OF PERSON MAKING INSPECTION

Description of works:

Direct diversion from North Umpqua R.

Pump: Pacific Mod. 2 1/2 AD LHU Cent. Dir. Dr. 2 1/2" x 3"

Motor: GE 20 hp @ 3540 RPM, 3 phase

When pumping to land west of house, uses booster pump

Pump: Pacific Mod. 2 BD LHU BF Cent Dir Dr. 2" x 2 1/2"

Motor: GE 7 1/2 hp @ 3480 RPM, single phase

Pipe: 1080° x 5" Al.

1410° x 4" Al.

1660° x 3" Al.

Heads: 40 Rain Bird #40, 3/16" x 3/32" @ 7.6

3 " " " #35, 3/16"

Crop: Pasture, small garden.

Irrigates lawn with domestic system.

Lift: max. (using both pumps) 155°

Info: Mr. Robert Dudley

^{C.S.}
Tied to brass cap - NE corner D.L.C. #3 and stone at 1/16 corner.

Prop. corners are all marked also.

I, _____, do hereby certify that I have made an inspection of the works described herein and in Permit No. _____, on the _____ day of _____, 19____, and found the foregoing statements and descriptions of works to be accurate. In my opinion the appropriation has been completed to the extent of _____ (Quantity of water in second-feet or acre-feet) and I recommend the issuance of water right certificate for this amount.

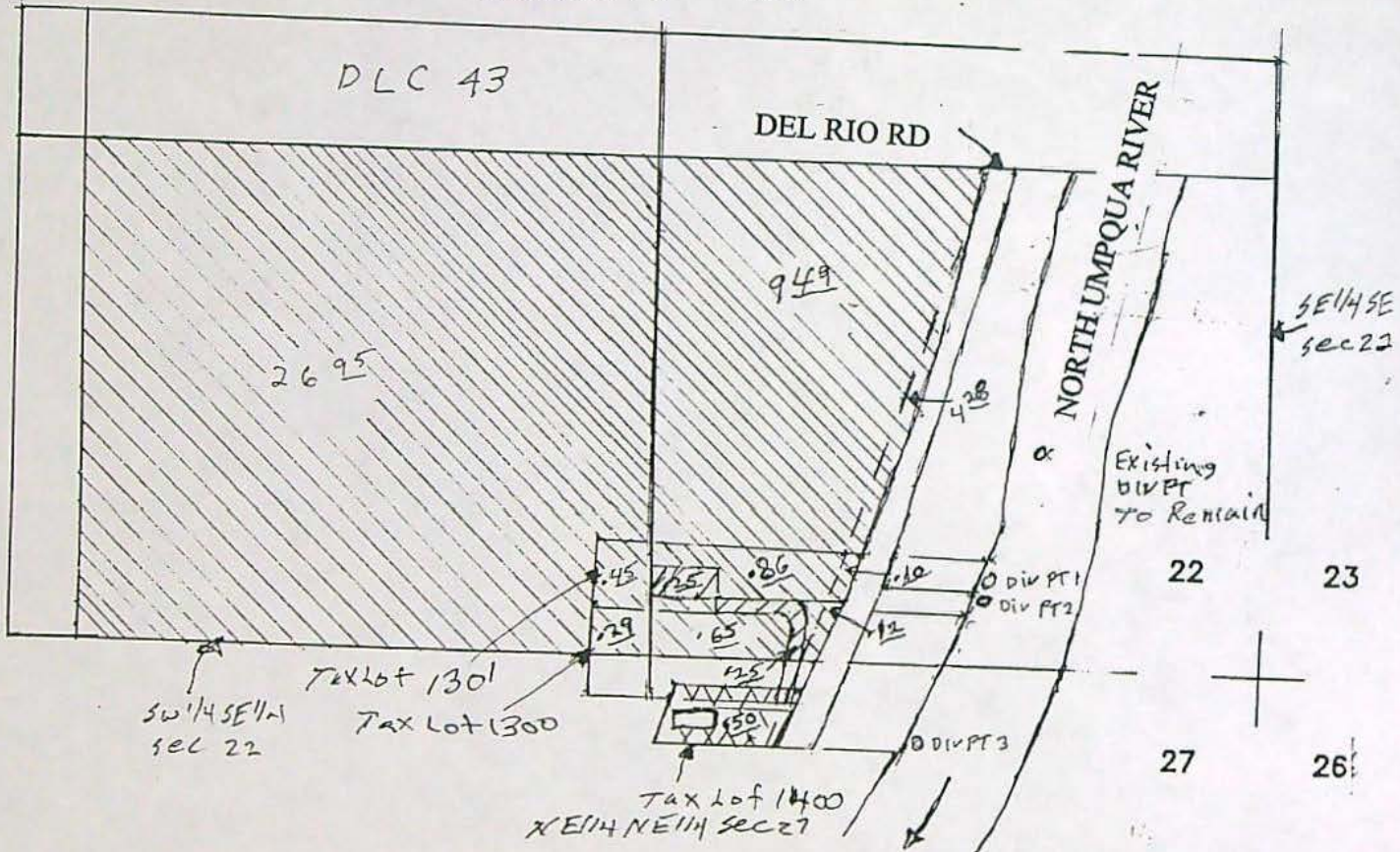
NOTICE TO INSPECTORS

If conditions do not justify the above report by you, please return this form without your signature, with a full report by letter.

(Name)

(Title)

TRANSFER
APPLICATION MAP
IN NAME OF
NATHANIEL EVANS
JULIA YARBROUGH
T26S R6W WM
SCALE : 1" = 400'



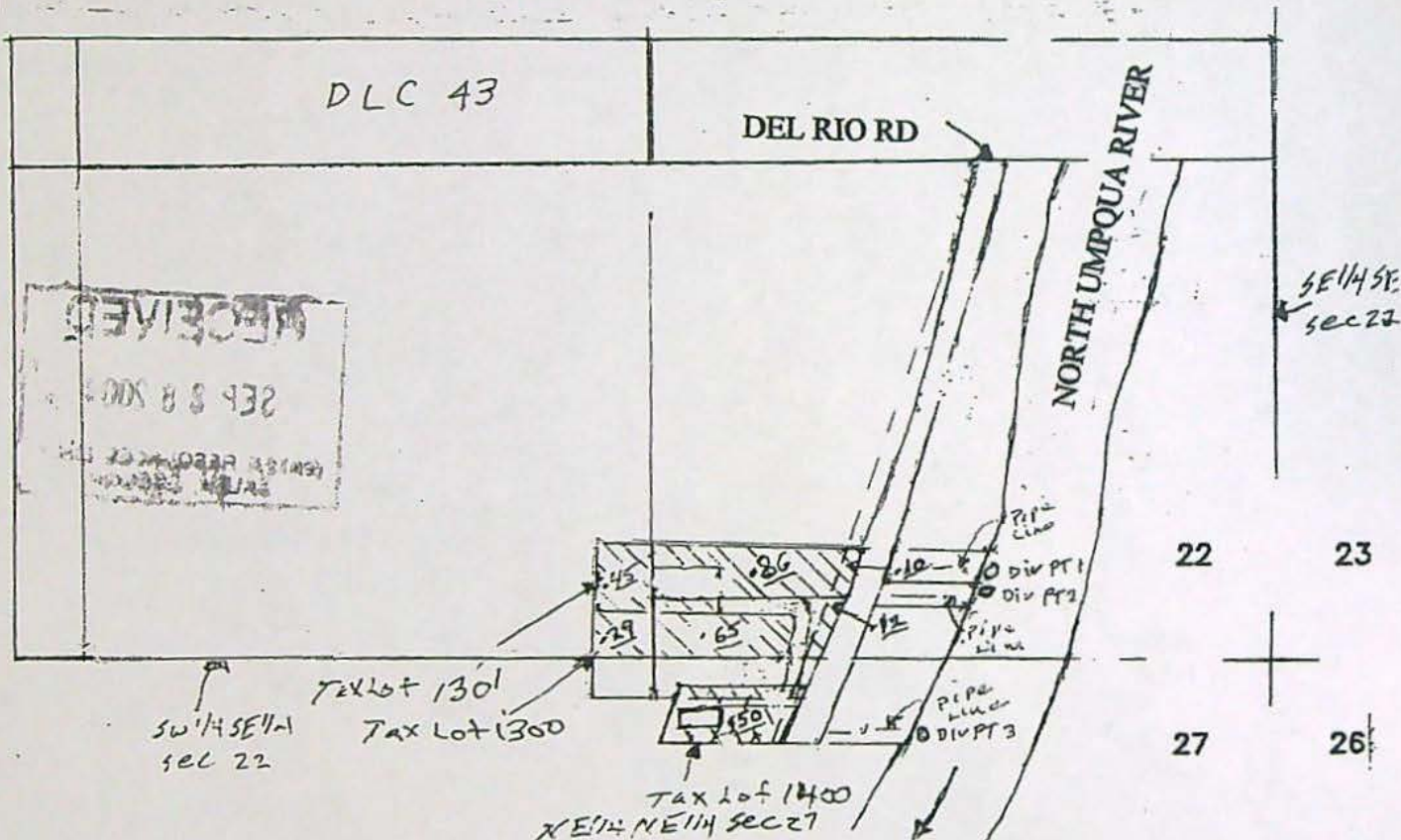
Lot 1301 DIV PT 1 IS 230'N & 590'W OF SE COR SEC 22 SE 1/4 SE 1/4 T26S R6W sec 22
 Lot 1300 DIV PT 2 IS 160'N & 610'W OF SE COR SEC 22 SE 1/4 SE 1/4 T26S R6W sec 22
 Lot 1400 DIV PT 3 IS 160'S & 730'W OF SE COR SEC 22 NE 1/4 NE 1/4 T26S R6W sec 27
 EXISTING DIV PT IS 460'N & 495'W OF SE COR SEC 22 SE 1/4 SE 1/4 T26S R6W sec 22

- ☒ .50 ACRES TO TAX LOT 1400
- ☒ .25 ACRES FROM TAX LOT 1300
- ☒ .25 ACRES FROM TAX LOT 1301

THE PURPOSE OF THIS MAP IS TO
IDENTIFY THE LOCATION OF THE
WATER RIGHT. IT IS NOT INTENDED
TO PROVIDE INFORMATION RELATIVE
TO THE LOCATION OF PROPERTY
OWNERSHIP BOUNDARY LINES.



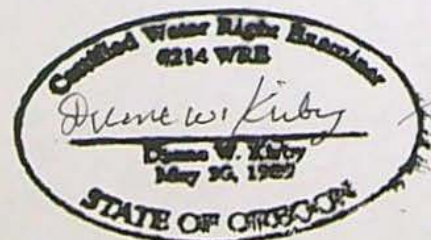
CLAIM OF BENEFICIAL USE
 FOR: NATHANIEL EVANS & JULIA YARBROUGH
 SURVEYED BY DUANE KIRBY
 SEPTEMBER 12, 2004
 T26S, R6W, W.M.
 SECTION 22 & 27
 DOUGLAS COUNTY
 TRANSFER NO. T-9102
 SCALE: 1" = 400'



Lot 1301 DIV PT 1 IS 230'N & 590'W OF SE COR SEC 22
 Lot 1300 DIV PT 2 IS 160'N & 610'W OF SE COR SEC 22
 Lot 1400 DIV PT 3 IS 160'S & 730'W OF SE COR SEC 22

SE 1/4 SE 1/4 T26S R6W SEC 22
 SE 1/4 - SE 1/4 T26S R6W SEC 22
 NE 1/4 NE 1/4 T26S R6W SEC 27

THE PURPOSE OF THIS MAP IS TO
 IDENTIFY THE LOCATION OF THE
 WATER RIGHT. IT IS NOT INTENDED
 TO PROVIDE INFORMATION RELATIVE
 TO THE LOCATION OF PROPERTY
 OWNERSHIP BOUNDARY LINES.



3. CURRENT WATER RIGHT INFORMATION

Name on Permit, Certificate, or Decree: Robert A. Dudley

Decree: _____

☐ Not applicable

Permit Number: 26192

☐ Not applicable

Certificate Number: _____

☐ Not applicable

Priority Date: May 15, 1959

Authorized Use: Irrigation

Source of Water: North Umpqua River

County: Douglas

Are there other sources listed on the water right? ☐ Yes ☒ No

Location of Authorized Point of Diversion or Point of Appropriation:

Coordinates (from recognized survey corner)	1/4 1/4 Section	Section	Township	Range
460' N & 495' W of SE corner of 22	SE 1/4 SE 1/4	22	26 S	6 W

Location of Authorized Place of Use:

Township	Range	Section	Government Lot or DIC	1/4 1/4 Section	Tax Lot Number	Acres (if appropriate)
26 S	6 W	22	DLC 43	SE 1/4 SE 1/4	1301	.25
26 S	6 W	22	DLC 43	SE 1/4 SE 1/4	1300	.25
26 S	6 W	22	DLC 43	SE 1/4 SE 1/4	1301	.86
26 S	6 W	22	None	SE 1/4 SE 1/4	1301	.10
26 S	6 W	22	DLC 43	SW 1/4 SE 1/4	1301	.45
26 S	6 W	22	DLC 43	SE 1/4 SE 1/4	1300	.65
26 S	6 W	22	DLC 43	SW 1/4 SE 1/4	1300	.29
26 S	6 W	22	None	SE 1/4 SE 1/4	1300	.12

Are there other lands described in the water right? ☐ Yes ☐ No

Are there other water rights or permits associated with this land? ☐ Yes ☐ No

If yes, include a copy of all rights or permits.

Description of general delivery system (ditch measurements, pump size, number of sprinklers, etc.):

System capacity (in cfs): _____

STATE OF OREGON

COUNTY OF DOUGLAS

ORDER APPROVING A CHANGE IN POINT OF DIVERSION
AND PLACE OF USE

Pursuant to ORS 540.510 to 540.530, after notice was given and no objections were filed, and finding that no injury to existing water rights would result, this order approves, as conditioned or limited herein, TRANSFER 9102 submitted by

NATHANIEL EVANS AND JULIA YARBROUGH
3405 DEL RIO ROAD
ROSEBURG, OREGON 97470.

The right to be modified, as evidenced by a portion of Certificate 29960, was perfected under Permit 26192 with a date of priority of MAY 15, 1959. The right allows the use of NORTH UMPQUA RIVER, a tributary of UMPQUA RIVER, for IRRIGATION OF 2.97 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.037 cubic foot per second, if available at the authorized point of diversion: SE¼ SE¼, SECTION 22, T 26 S, R 6 W, W.M., or its equivalent in case of rotation, measured at the point of diversion from the source.

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2).

Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005 you may either petition for judicial review or petition the Director for reconsideration of this order.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is 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 2½ acre-feet for each acre irrigated during the irrigation season of each year, provided further that the right to the use of water is limited to the period when the flow of water in the North Umpqua River is 525 c.f.s. or more at its mouth.

The use shall conform to any reasonable rotation system ordered by the proper state officer.

The authorized place of use is located as follows:

SW¼ SE¼ 0.74 ACRE
AS PROJECTED WITHIN EVANS DLC 43
SE¼ SE¼ 2.01 ACRES
AS PROJECTED WITHIN EVANS DLC 43
SE¼ SE¼ 0.22 ACRE
SECTION 22
TOWNSHIP 26 SOUTH, RANGE 6 WEST, W.M.

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

The applicant proposes to change the point of diversion for 1.06 acres (tax lot 1300) to:

SE¼ SE¼, SECTION 22, T 26 S, R 6 W, W.M.; 230 FEET NORTH AND 590 FEET WEST OF SE CORNER, SECTION 22.

The applicant proposes to change the point of diversion for 1.41 acres (tax lot 1301) to:

SE¼ SE¼, SECTION 22, T 26 S, R 6 W, W.M.; 160 FEET NORTH AND 610 FEET WEST OF SE CORNER, SECTION 22.

The applicant proposes to change the point of diversion for 0.5 acre (tax lot 1400) to:

NE¼ NE¼, SECTION 27, T 26 S, R 6 W, W.M.; 160 FEET SOUTH AND 730 FEET WEST OF SE CORNER, SECTION 22.

The applicant further proposes to change the place of use of 0.5 acre from SE¼ SE¼ to:

NE¼ NE¼ 0.5 ACRE
AS PROJECTED WITHIN EVANS DLC 43
SECTION 27
TOWNSHIP 26 SOUTH, RANGE 6 WEST, W.M.

THIS CHANGE TO AN EXISTING WATER RIGHT MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The proposed change shall be completed on or before October 1, 2004.
2. The quantity of water diverted at the new point of diversion shall not exceed the quantity of water lawfully available at the original point of diversion.
3. When required by the Department, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.
4. Water shall be acquired from the same surface water source as the original point of diversion.
5. The former place of use shall no longer be irrigated as a part of this water right.

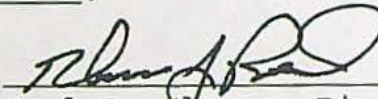
6. The water user shall install and maintain a fish screen or fish by-pass device. The type and plans of the screen or by-pass device must be approved by the Oregon Department of Fish and Wildlife prior to beginning of construction and shall be installed under the supervision of the Department of Fish and Wildlife.

The water user may participate in the Oregon Department of Fish and Wildlife's cost sharing program for installation of screening and by-pass devices in accordance with ORS 540.525.

Certificate 29960 is canceled. A new certificate will be issued to confirm that portion of the right NOT involved in this transfer. When satisfactory proof of the completed change is received, a new certificate confirming this water right will be issued.

WITNESS the signature of the Water Resources

Director, affixed MAY 28 2003.


for Paul R. Cleary, Director

Contacts for Application T-10387

Applicant:

Basco Bros LLC
PO BOX 131
WINCHESTER OR 97495
541-459-9318

CWRE:

Kenna Clay Jordan – CWRE #431
Jordan Engineering
460 Jordan Lane
Roseburg, Oregon 97470

District #15 Watermaster – David Williams

Local and Tribal Governments:

Commenters:

Irrigation Districts:

RECEIVED
AUG 10 2007
WATER RESOURCES DEPT
SALEM, OREGON

**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of Transfer Application
T-10387, Douglas County

)
)
)
)
)
)
)

D R A F T

PRELIMINARY DETERMINATION
PROPOSING APPROVAL OF A
CHANGE IN PLACE OF USE

Authority

ORS 540.505 to 540.580 establishes the process in which a water right holder may submit a request to transfer the point of diversion, place of use, or character of use authorized under an existing water right. OAR Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

Basco Bros LLC
PO BOX 131
WINCHESTER OR 97495

Findings of Fact

Background

1. On May 15, 2007, Basco Bros L filed an application to change the place of use under Certificate 80234. The Department assigned the application number T-10387.
2. The portion of the right to be transferred is as follows:

Certificate: 80234 in the name of Robert A. Dudley (perfected under Permit S-26192)

Use: IRRIGATION of 40.7200 ACRES

Priority Date: MAY 15, 1959

Rate: 0.513 CUBIC FEET PER SECOND

Limit/Duty: ONE-EIGHTIETH cfs per acre, not to exceed 2.50000 acre-feet per acre per year

Source: NORTH UMPQUA RIVER, tributary to UMPQUA RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Survey Coordinates
26 S	6 W	WM	22	SE SE			NONE GIVEN

RECEIVED

AUG 10 2007

Authorized Place of Use:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
26 S	6 W	WM	22	SW SE		43	1.65
26 S	6 W	WM	22	SE SE		43	0.92
26 S	6 W	WM	22	SE SE			0.03

3. Application T-10387 also proposes to change the place of use of the right to:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
26 S	6 W	WM	22	SW SE		43	0.63
26 S	6 W	WM	22	SE SE		43	0.17
26 S	6 W	WM	22	SE SE			1.80

4. Application T-10387 proposes no change the character of use.
5. Application T-10387 proposes no change to the authorized point of diversion.
6. Notice of the application for transfer was published on May 22, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
7. The Oregon Department of Fish and Wildlife (ODFW) determined that a fish screening and/or by-pass device is necessary at the point of diversion. However since no change in the point of diversion is being proposed for this transfer this condition cannot be imposed by the Department.

Transfer Review Criteria [OAR 690-380-4010(2)]

8. Water has been used within the last five years according to the terms and conditions of the rights, and there is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
9. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Application T-10387.
10. The proposed change would not result in enlargement of the right.
11. The proposed change would not result in injury to other water rights.

Determination and Proposed Action

The changes in place of use proposed in application T-10387 appear to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000

RECEIVED

AUG 10 2007

**WATER RESOURCES DEPT
SALEM, OREGON**

If application T-10387 is approved, the final order will include the following:

- 1. The changes in place of use proposed in application T-10387 are approved*
- 2. Water right certificate 80234 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer.*
- 3. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 80234 and any related decree.*
- 4. The former place of use of the transferred rights shall no longer receive water under the rights.*
- 5. Prior to diverting water, the water user shall install an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department. The water user shall maintain and operate the measuring device as required by the Department.*
- 6. The approved changes shall be completed and full beneficial use of the water shall be made on or before October 1, 2008. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.*
- 7. When satisfactory proof of the completed changes is received, new certificates confirming the rights transferred will be issued.*

Dated at Salem, Oregon this _____ day of _____ 2007.

D R A F T

Phillip C. Ward, Director

This draft Preliminary Determination was prepared by a Reimbursement Authority contractor. If you have questions about the information in this document, you may reach Dorothy Pedersen at 503-986-0890 or Dorothy.I.Pedersen@wrđ.state.or.us.

RECEIVED

AUG 10 2007

**WATER RESOURCES DEPT
SALEM, OREGON**

August 3, 2007

Basso Bros LLC
PO BOX 131
WINCHESTER OR 97495

SUBJECT: Application T-10387

Enclosed please find a draft of our Preliminary Determination regarding transfer application T-10387. The draft Preliminary Determination reflects the Department's conclusion that, based on the information currently available, the transfer will be approved. This draft is intended to provide you with an opportunity to comment on our findings and conclusions should you wish to do so. Please review the draft carefully to evaluate whether the document is consistent with your intent in seeking the transfer, and whether you agree with the proposed action.

If we do not receive your response concerning the Draft Preliminary Determination by September 30, a Preliminary Determination may be issued rejecting the application. You may provide your response in writing or via e-mail.

Please do not hesitate to contact me at 503-986-0890 or Dorothy.I.PEDERSEN@wrd.state.or.us if you have questions.

Sincerely,

Dorothy Pedersen
Field Services Division

cc: David Williams, District 15 Water master

Enc

RECEIVED

AUG 10 2007

WATER RESOURCES DEPT
SALEM, OREGON

**Notice of Preliminary Determination for
Water Right Transfer T-10387**

T-10387 filed by Basco Brothers LLC, P.O. Box 131, Winchester, Oregon, 97495 proposes a change in place of use under Certificate 80234. The right allows the use of 0.153 CFS (priority date may 15, 1959) from a diversion in Sec. 22, T26S, R6W, W.M. (Umpqua Basin) for irrigation in Sec. 22. The applicant proposes to change the place of use to areas within Sec. 22, T26S, R6W, and W.M..; The Water Resources Department has concluded that the proposed transfer appears to be consistent with the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, with the Department a protest or standing statement within 30 days after the date of final publication of notice in the Department's weekly notice. A protest form and additional information on filing protests may be obtained by calling (503) 986-0881. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

RECEIVED

AUG 10 2007

WATER RESOURCES DEPT
SALEM, OREGON

August 3, 2007

Basco Bros LLC
PO BOX 131
WINCHESTER OR 97495

SUBJECT: Transfer Application T-10387

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-10387. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

A public notice is being published in the Department's weekly publication simultaneously with issuance of the Preliminary Determination. The notice initiates a 30-day period in which any person may file either a protest opposing the decision proposed by the Department in the Preliminary Determination or a standing statement supporting the Department's decision.

If no protest is filed, the Department will issue a Final Order consistent with the Preliminary Determination. You should receive a copy of the Final Order about 30 days after the close of the protest period.

If a protest is filed, the application may be referred to a contested case proceeding. A contested case provides an opportunity for the proponents and opponents of the decision proposed in the Preliminary Determination to present information and arguments supporting their position in a quasi-judicial proceeding.

Sincerely,

Dorothy Pedersen
Field Services Division

cc: District 15 Watermaster
CWRE
Commenters

encs

RECEIVED

AUG 10 2007

WATER RESOURCES DEPT
SALEM, OREGON

STATE OF OREGON
COUNTY OF DOUGLAS
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ROBERT A. DUDLEY
ROUTE 2, BOX 1390
ROSEBURG, OREGON 97470

Confirms the right to use the waters of the NORTH UMPQUA RIVER, a tributary of UMPQUA RIVER, for IRRIGATION of 38.12 acres.

This right was perfected under Permit 26192. The date of priority is MAY, 15, 1959. The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed 0.4765 CUBIC FOOT FEET PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SE $\frac{1}{4}$, SE $\frac{1}{4}$ of SECTION 22, TOWNSHIP 26 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, 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 $\frac{1}{2}$ acre-feet per acre for each acre irrigated during the irrigation season of each year, provided further that the right to the use is limited to the period when flow of water in the North Umpqua River is 525 CFS or more at its mouth.

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

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

SECTION 22
TOWNSHIP 26 SOUTH, RANGE 6 WEST, W.M.
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 8.57 ACRES
AS PROJECTED WITHIN EVANS DLC 43

RECEIVED

AUG 10 2007

WATER RESOURCES DEPT
SALEM, OREGON

SW ¼ SE ¼ 25.3 ACRES
AS PROJECTED WITHIN EVANS DLC 43
SE ¼ SE ¼ 4.25 ACRES

This use may be regulated if analysis of data available discloses that the appropriation will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife in effect as of the priority date of this right or as those quantities may be subsequently reduced.

This certificate describes that portion of the water right confirmed by Certificate 80234 , State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered _____, approving Transfer Application T-10387.

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.

WITNESS the signature of the Water Resources Director,

Affixed _____.

Phillip C. Ward, Director

Recorded in State Record of Water Right Certificates numbered _____.

RECEIVED

AUG 10 2007

WATER RESOURCES DEPT
SALEM, OREGON

T-10387

Water Rights Platcard Report

Meridian: WILLAMETTE Township: 26 South Range: 6 West Section: 22 Records per Page: 10 Search

RECEIVED

AUG 10 2007

 WATER RESOURCES DEPT
 SALEM, OREGON

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40): Q(160):	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unkown QQ	
Select Cert:45888 OR *		4/13/1973	DOMESTIC		43															*					
<u>Additional Info:</u> WALTER L CROSIER App: S50297 Permit: S37976 Cert: 45888																									
Select App:P 82830 *		1/17/1997	FIRE PROTECTION					*																	
<u>Additional Info:</u> MICHAEL D SULLIVAN App: P82830																									
Select Inchoate: T 8606 CF (REG) *		6/11/1990	IRRIGATION		47														(0.1)						
<u>Additional Info:</u> JOHN H GATES App: S70407 Permit: S51027																									
Select Permit:S 50030 *		3/17/1987	IRRIGATION																			1.37			
<u>Additional Info:</u> JAMES K. FAGER App: S69030 Permit: S50030																									
Select Permit:S 50097 *		6/30/1987	IRRIGATION																			0.35			
<u>Additional Info:</u> RONALD BURGESS App: S69173 Permit: S50097																									
Select Permit:S 50954 *		11/30/1989	IRRIGATION																			2.5			
<u>Additional Info:</u> JAMES W DASKALOS App: S70134 Permit: S50954																									

Page 2 of 2

Additional Info:
COUNTY OF DOUGLAS; PUBLIC WORKS
App: S69102
Permit: S51632

Additional Info:
GEORGE MIDDLEKAUFF
App: S70537
Permit: S51724

Additional Info:
RICHARD L KIEHN
App: S71329
Permit: S51764

Additional Info:
LYLE G THOMPSON
App: S80619
Permit: S52794

[illegible]

1 2 3 4

~~12.25~~ Acreage is on a canceled right

(12.25) Acreage is part of a transfer and has not been proven up on yet (Inchoate)

[12.25] Acreage has been suspended

* Acreage is not specified

http://apps2.wrd.state.or.us/apps/wr/wrinfo/wr_platcard.aspx

RECEIVED
AUG 10 2007
WATER RESOURCES DEPT
SALEM, OREGON

8/7/2007

Water Rights Platcard Report

Meridian: WILLAMETTE Township: 26 South Range: 6 West Section: 22 Records per Page: 10 Search

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40): Q(160):	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unknown QQ
Select Cert:29960 OR CN Additional Info: ROBERT DUDLEY App: S33099 Permit: S26192 Cert: 29960	T9102	5/15/1959	IRRIGATION	CN	43																	27.69	46	
Select Cert:29961 OR * Additional Info: ROBERT A DUDLEY App: S34000 Permit: S26786 Cert: 29961		6/3/1960	IRRIGATION																				1.1	OK
Select Cert:29961 OR * Additional Info: ROBERT A DUDLEY App: S34000 Permit: S26786 Cert: 29961		6/3/1960	IRRIGATION		43														0.4	0.9		7.6	4.5	OK
Select Cert:32648 OR CN Additional Info: CURTIS TRENT App: S37877 Permit: S28229 Cert: 32648		7/31/1962	IRRIGATION	CN	47																		4.4	
Select Cert:34763 OR * Additional Info: JOHN ED MCCALL JR App: S42289 Permit: S31227 Cert: 34763		6/1/1966	IRRIGATION		43															2				
Select Cert:35960 OR *		3/14/1967	IRRIGATION		47																			

RECEIVED

AUG 10 2007

WATER RESOURCES DEPT
SALEM, OREGON

Water Right Platcard Report

[illegible]

RECEIVED

AUG 10 2007

WATER RESOURCES DEPT
SALEM, OREGON

Acreage Legend:	12.25 Regular acreage	12.25 Acreage is on a canceled right	(12.25) Acreage is part of a transfer and has not been proven up on yet (inchoate)	[12.25] Acreage has been suspended	* Acreage is not specified
-----------------	-----------------------	---	--	------------------------------------	----------------------------

Water Rights Platcard Report

RECEIVED

AUG 10 2007

WATER RESOURCES DEPT
SALEM, OREGON

Meridian: WILLAMETTE Township: 26 South Range: 6 West Section: 22 Records per Page: 10 Search

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40):	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Unknown QQ
Select Cert:53223 OR *		9/29/1978	IRRIGATION		43		Q(160):	NE	NE	NE	NE	NW	NW	NW	NW	SW	SW	SW	SW	SE	SE	SE	SE	
<u>Additional Info:</u> CHARLES D ZEITS App: S57961 Permit: S43595 Cert: 53223																			0.3					
Select Cert:58393 OR *		8/1/1977	IRRIGATION		43										2	0.1	0.8	5.9						
<u>Additional Info:</u> SANDRA L WEST App: S56316 Permit: S42388 Cert: 58393																								
Select Cert:62180 OR *		5/24/1982	IRRIGATION		47														0.2					
<u>Additional Info:</u> RODNEY C JENSEN App: S63559 Permit: S46836 Cert: 62180																								
Select Cert:64693 OR *		10/27/1980	IRRIGATION		47																	0.3	✓	
<u>Additional Info:</u> ROBERT E NEVIN App: S60944 Permit: S45404 Cert: 64693																								
Select Cert:67291 OR *		10/19/1988	IRRIGATION		43														1.9					
<u>Additional Info:</u> ALBERT FITCHELL App: S69740 Permit: S50925 Cert: 67291																								
Select Cert:79845 OR *		9/28/1990	IRRIGATION		47																			

Water Right Platcard Report

				0.24	
<u>Select</u>	Inchoate: T 9102 CF (REG) *	5/15/1959	IRRIGATION		(0.22)
<u>Additional Info:</u> GEORGIA STILES App: S70724 Permit: S51262 Cert: 79845					
<u>Select</u>	Inchoate: T 9102 CF (REG) *	5/15/1959	IRRIGATION	43	(0.74) (1.51)
<u>Additional Info:</u> NATHANIEL EVANS App: S33099 Permit: S26192					
<u>Select</u>	Cert:80234 RR *	T10387 5/15/1959	IRRIGATION		4.28
<u>Additional Info:</u> ROBERT DUDLEY App: S33099 Permit: S26192 Cert: 80234					
<u>Select</u>	Cert:80234 RR *	T10387 5/15/1959	IRRIGATION	43	26.95 9.49
<u>Additional Info:</u> ROBERT DUDLEY App: S33099 Permit: S26192 Cert: 80234					

1 2 3 4

RECEIVED

AUG 10 2007

WATER RESOURCES DEPT
SALEM, OREGON

OK

1 2 3 4

Acreage Legend:	12.25 Regular acreage	12.25 Acreage is on a canceled right	(12.25) Acreage is part of a transfer and has not been proven up on yet (inchoate)	[12.25] Acreage has been suspended	* Acreage is not specified
-----------------	-----------------------	---	--	------------------------------------	----------------------------

Water Rights Platcard Report

RECEIVED
 AUG 10 2007
 WATER RESOURCES DEPT
 SALEM, OREGON

Meridian: WILLAMETTE Township: 26 South Range: 6 West Section: 22 Records per Page: 10 Search

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40): Q(160):	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Unkown QQ
Select Permit:S 54353 *		5/18/2005	IRRIGATION																				0.45	
Additional Info: LYNNE MASON App: S86309 Permit: S54353																								
Select App:P 79936 *		1/3/1995	LIVESTOCK					*		*														
Additional Info: MIKE SULLIVAN App: P79936																								
Select App:P 82830 *		1/17/1997	LIVESTOCK					*																
Additional Info: MICHAEL D SULLIVAN App: P82830																								
Select Cert:58393 OR *		8/1/1977	LIVESTOCK		43							*		*										
Additional Info: SANDRA L WEST App: S56316 Permit: S42388 Cert: 58393																								
Select App:R 86861 *		5/14/2007	MULTIPLE PURPOSE																*	*				
Additional Info: BASCO BROS LLC App: R86861																								
Select App:S 86862 *		5/15/2007	POND MAINTENANCE																*	*				
Additional Info: BASCO BROS LLC App: S86862																								
Select Permit:S 43898 *		9/18/1978	QUASI- MUNICIPAL					*	*	*	*					*	*	*	*					

Water Right Platcard Report

Page 2 of 2

<u>Additional Info:</u> UMPQUA BASIN WATER ASSOCIATION INC. App: S57927 Permit: S43898	USES																		
<u>Select</u> Cert:75901 OR * <u>Additional Info:</u> UMPQUA BASIN WATER ASSOCIATION INC. App: S42167 Permit: S31555 Cert: 75901	5/3/1966 QUASI-MUNICIPAL USES	*	*	*	*									*	*	*	*		
<u>Select</u> Cert:75902 OR * <u>Additional Info:</u> UMPQUA BASIN WATER ASSOCIATION INC. App: S48168 Permit: S36186 Cert: 75902	4/27/1971 QUASI-MUNICIPAL USES	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	
<u>Select</u> Permit:S 51632 * <u>Additional Info:</u> COUNTY OF DOUGLAS; PUBLIC WORKS App: S69102 Permit: S51632	5/18/1987 SUPPLEMENTAL IRRIGATION (Suppl'mtl)		1.25																

1 2 3 4

1 2 3 4

Acreage Legend: 12.25 Regular acreage ~~12.25~~ Acreage is on a canceled right (12.25) Acreage is part of a transfer and has not been proven up on yet (Inchoate) [12.25] Acreage has been suspended * Acreage is not specified

RECEIVED
AUG 10 2007
 WATER RESOURCES DEPT
 SALEM, OREGON

Dorothy Pedersen

From: Dorothy Pedersen
Sent: Friday, June 22, 2007 2:30 PM
To: 'Samuel Moyers'
Subject: T-10387 ODFW review

Sam,

In looking at the review you submitted for T-10387 I noticed that this transfer proposes a change in place of use, but not a change in point of diversion. Your cover letter acknowledges that the change in place of use will not have an impact on nearby streams and fish, but that you would like to conduct a screen inspection on the pump prior to approval of the permit.

Since the transfer proposes only a specific change to an already perfected water right, as opposed to an application for a new water right permit, the Water Resources Department is statutorily quite limited in the kinds of additional conditions we can impose on the right.

Therefore, we cannot add conditions relating to the point of diversion, if no change in point of diversion is being proposed.

I'm sorry for the confusion and the time you may have spent on the form and letter to request the screen inspection. In the future, we will re-design our ODFW review form to more clearly communicate this limitation of the review in cases where there is no change in point of diversion proposed.

Sincerely,

Dorothy

Dorothy I. Pedersen
Field Services Division
Oregon Water Resources Department
Dorothy.I.PEDERSEN@wrd.state.or.us
503-986-0890



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

May 21, 2007

BASCO BROS LLC
PO BOX 131
WINCHESTER OR 97495

Reference: Transfer 10387

On May 15, 2007 we received your water right transfer application requesting place of use for use of water from NORTH UMPQUA RIVER, tributary to UMPQUA RIVER. The application was accompanied by \$350.00. Our receipt 87581 is enclosed.

By copy of this letter, we are asking the Watermaster for his report regarding the potential for injury to existing water rights which may be caused by the change.

Your application will be examined to determine if additional information is needed. You will be contacted following this examination.

Except as provided under ORS 540.510(3) for municipalities, you may not use water for the new use, in the new place of use or from the new point of diversion until the transfer application has been approved. In order to avoid any possible forfeiture of the water right, you should continue to use the water as described by your existing water right. If the land is sold before the transfer is approved, the buyer's consent to the transfer will be required unless a recorded deed or other legal document clearly established that the water right was not conveyed in the sale.

We will notify you if additional information or corrections to the application or map are required.

If you have any questions, please call the Transfer Section, (503)986-0883.

cc: Watermaster #15
Kenna Clay Jordan, CWRE #431
Sam Moyer, ODFW

enclosure



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

725 Summer Street NE, Suite A

Salem, OR 97301-1271

503-986-0900

FAX 503-986-0904

Notice of Application for Water Right Transfer, Temporary Transfer, or Permit Amendment 05/22/07

The Department seeks comment on the recently-filed application listed below. Any person may comment on the application. Comments must be received by the Department within 30 days of the date of this notice. The Director may presume that the transfer would be allowed by, and compatible with comprehensive plans unless an affected local government informs the Director otherwise within 30 days of this notice.

County: DOUGLAS
Transfer: 10387
Water Right: CERT 80234
Priority Date: 1959
Name: BASCO BROS LLC
Address: PO BOX 131; WINCHESTER OR 97495
Change: POU
Source: NORTH UMPQUA RIVER
Authorized POU: T26S R6W 22
Proposed POU: T26S R6W 22

The holder of a water right may apply to permanently change an existing water use subject to transfer. A transfer application may involve any of the following changes: Point of diversion or appropriation (POD; POA); Additional point of diversion or appropriation (APOD; APOA); Historic POD (HIST); Place of use (POU); Character of use (USE); Instream (ISWR); Substitution (SUB); or Exchange (EXCH).

The holder of a water right subject to transfer may request to temporarily change the place of use of the water for up to 5 years and, if necessary to convey the water, to temporarily change the point of diversion or appropriation.

The holder of a water right permit may apply to change a point of diversion (POD) or appropriation (POA) or to change the place of use (POU).

Any person who provides comments within the comment period will receive a copy of the Department's preliminary determination of whether the application should be approved or rejected after the Department has completed a review of the application and will be provided an opportunity to protest the application and preliminary determination at that time. Comments should be sent to the Transfers Section at the Department's Salem office.

SURVEY FOR DEED DESCRIPTION
 HENRY EVANS DLC N^o 43, SECTION 22, T 26 S, R 6 W, W.M.
 SURVEYED FOR: ROBERT DUDLEY APRIL, 1960
 SURVEYED BY: G. R. LECKLIDER-ENG'R. SCALE: 1" = 300'

RECEIVED

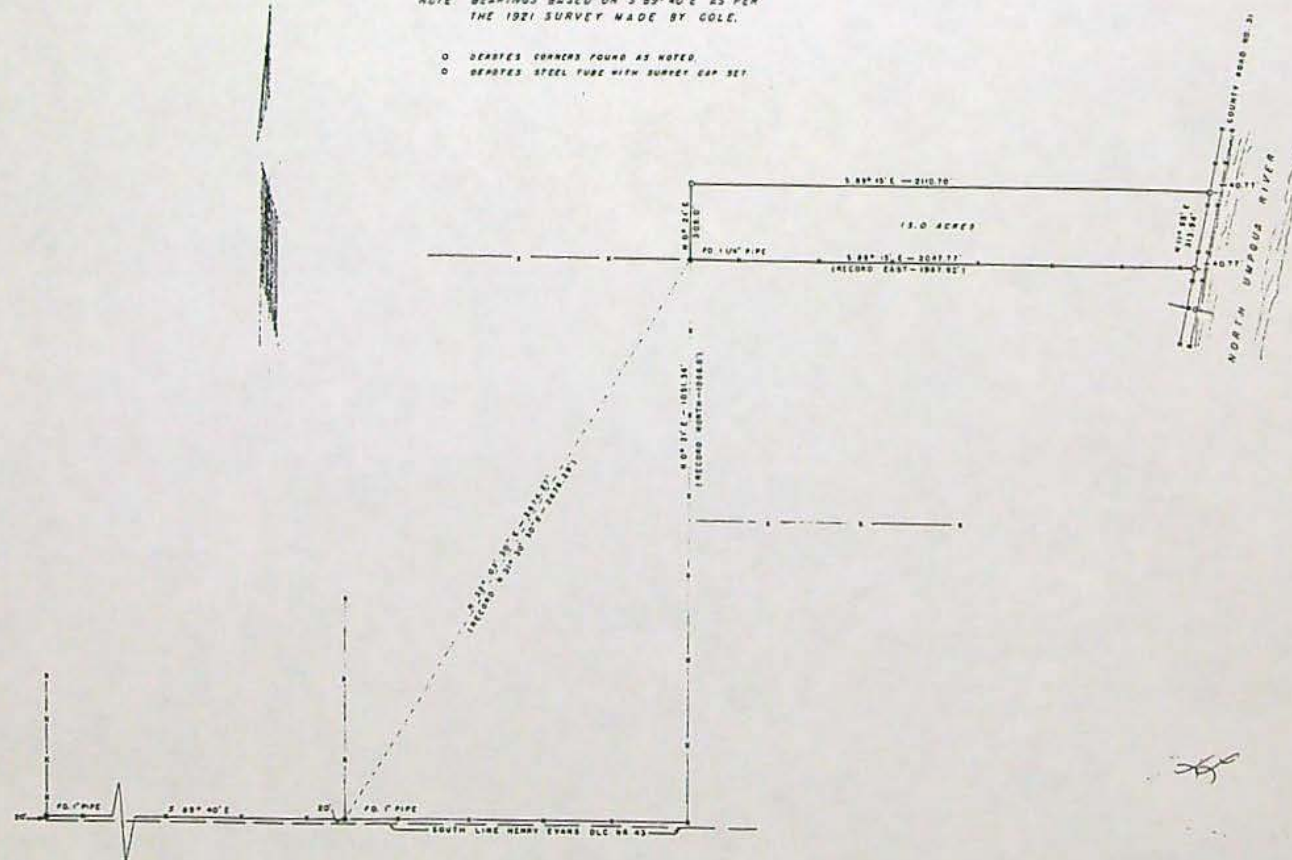
MAY 15 2007

WATER RESOURCES DEPT
SALEM, OREGON

MAY 15 2007

NOTE: BEARINGS BASED ON S 89° 40' E AS PER
 THE 1921 SURVEY MADE BY COLE.

- DELETED CORNERS FOUND AS NOTED.
- DELETED STEEL TUBE WITH SURVEY CAP SET.



16 X

1960 SURVEY MAP FILE M18-23

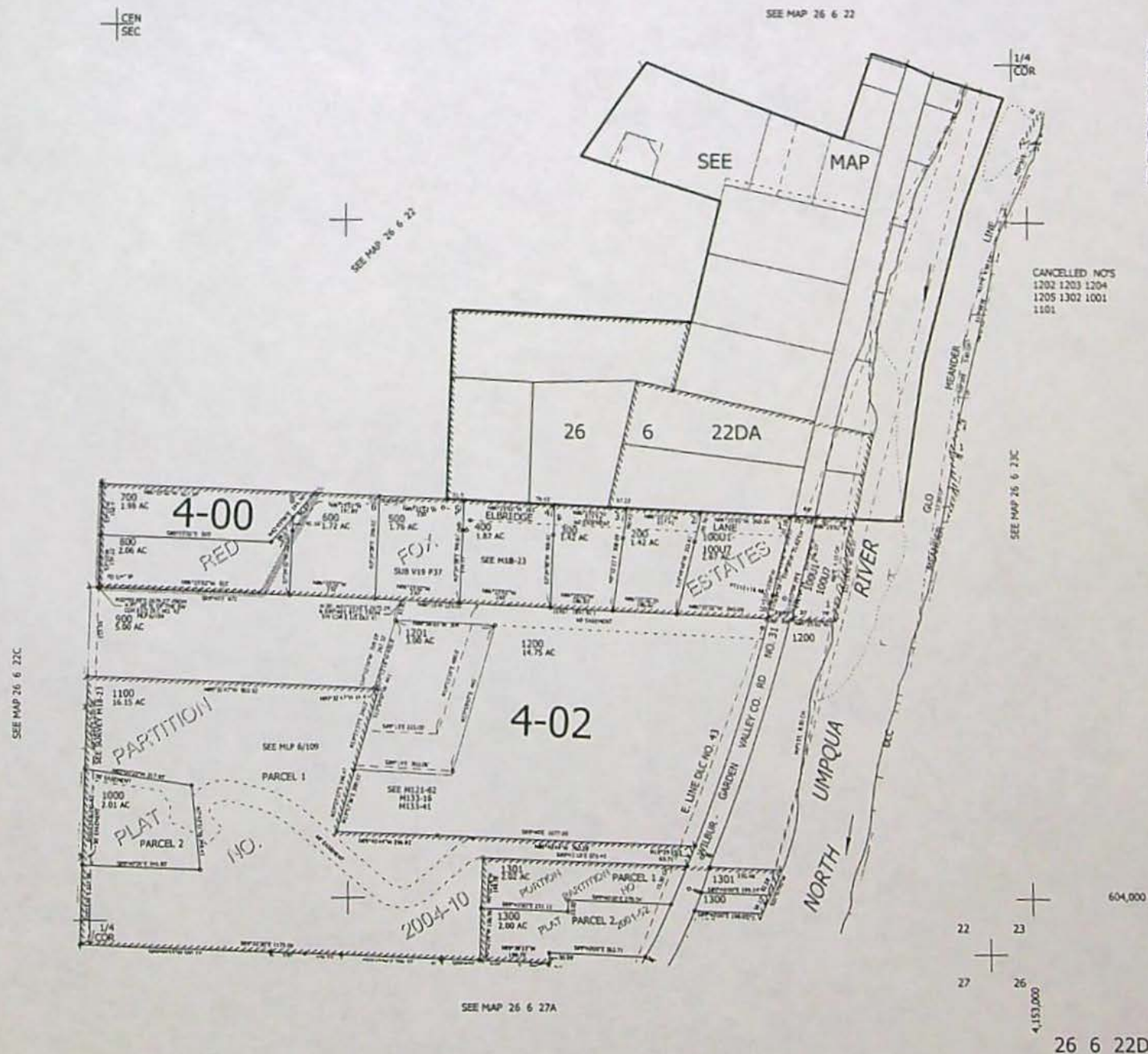
26 6 22D

P. 5

RECEIVED

MAY 15 2007

WATER RESOURCES DEPT
SALEM, OREGON



Jordan Engineering
Structural & Civil

460 Jordan Lane
Roseburg, OR 97470
541-673-1931

Water Resources Department
725 Summer St. NE, Suite A
Salem, OR 97301

Regarding: Transfer Application
Certificate 80234
Cancelled Certificate 29960
Concurrent Applications:
Basque Reservoir
Surface Water

May 11, 2007

Sir:

Inclosed is a Transfer application, Supplemental Form A, Supplemental Form B, Land Use Information Form, 4 water right maps (Historical View, Current View, From Map and a To Map), a Reimbursement Authority Estimate Application, 5 pages of supporting documentation and crop receipts.

Also inclosed with the three projects cover letter is a Operating Agreement between Basco Bros, LLC and Mr. Juan Yraguen (Applicant Signature) as letter of consent from Members, a title report with legal description, a check for \$350 for the Transfer application and a check for \$125 for the Reimbursement Application. The two checks are summed with the rest attached to a "summary of fees" cover letter.

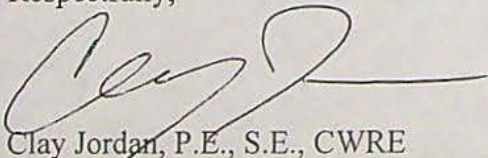
The transfer is to accommodate the footprint of the new subdivision. This includes a reservoir of concurrent application.

The first two maps, Historical View and Current View, are to translate the 1962 canceled certificate 29960's Final Proof map still being used it its current and remaining rights certificate 80234 of today's current survey information.

The supporting 5 pages of documentation include the first 4 pages of available information the 1962 CWRE had at his disposal. The last page is of current depiction of the County Tax Assessor's map.

The Reimbursement Authority application is to assist future transfers of home and driveway areas associated with future accumulated lot sales.

Respectfully,



Clay Jordan, P.E., S.E., CWRE

file: Basco Transfer-1.wpd
cc: Mr. Juan Yraguen

RECEIVED

MAY 15 2007

**WATER RESOURCES DEPT
SALEM, OREGON**

10387

2007

Jordan Engineering
Structural & Civil

460 Jordan Lane
Roseburg, OR 97470
541-673-1931

Water Resources Department
Mr. Douglas M. Parrow
725 Summer St. NE, Suite A
Salem, OR 97301

Certificate 80234
Cancelled Certificate 29960
Regarding application for:
Transfer, Reservoir and Surface Water

May 11, 2007

Mr. Parrow:

As an overview inclosed are three packets for three associated applications. Packet (1) is a Transfer application, a Reimbursement Authority Estimate application for the Transfer and a cover letter. Packet (2) is a Store Water in a Reservoir application with cover letter. Packet (3) is a Surface Water application for reservoir maintenance with a cover letter. Also inclosed for all three applications is a Operating Agreement between Basco Bros, LLC and Mr. Juan Yraguen (Applicant Signature) as letter of consent from Members, title report with legal description and one total check attached to a "summary of fees" cover letter.

Part of Certificate number 80234 involved with this project overlays three parcels owned by Basco Bros LLC. That is Tax Lot 900 at 5 acres, Tax Lot 1201 at 3 acres and Tax Lot 1200 at 14.75 acres. Not all of this noted acreage has water rights. The remaining certificated water right, covers areas of other Tax Lots not owned or involved with Basco Bros LLC.'s project. That is, except as a remaining right.

The main purpose of the Transfer is to accommodate a new subdivision and reservoir within the three Tax Lots. Future accumulated developed lots (homes, driveways, etc.) will generate subsequent transfers. Future excess transfer area will be considered for in stream leases.

A portion (2.60ac) of the water right overlaying the three Tax Lots owned by Basco Bros LLC is being transferred from under what will be the new subdivision's streets, reservoir and etc. That area is being transferred to areas within the three tax lots not having water rights as of now.

The reservoir, during irrigation season will also be a bulge in the system along with a year round

RECEIVED

MAY 15 2007

Page 1 of 3

**WATER RESOURCES DEPT
SALEM OREGON**

10387

multipurpose reservoir. The surface water application is for reservoir maintenance.

The uniqueness of the project is drafting a From map. A map today that professionally depicts which was certificated in the past. Assuming a water right location and size has never changed, where "it is" is the same then, now and tomorrow. Property lines, fence lines, section lines and DLC lines, to name a few, "assist" in locating where the water right has always been.

The water right's location, in earlier times of available assumed location of "locators" (noted lines above, etc.), may or may not have the same orientation with the water right today or for that matter, with subsequent outside adjacent surveys, tomorrow.

One needs to first assess whether the water right has or has not moved in location and/or size. One of the tools to do that is to research into what "locators" were available to the CWRE at the time of final proof. Then translate into today's best professional assumed location of said "locators" today.

In other words it is assumed its location and size is still and will always be the same as originally described in its certificate with its original "locators," just re-described to today's professional perceived new location of the "locators", not the water right.

Subsequent fly overs in the 70's, 80's, 90's and 2004 with period section line overlays have shown different orientations to visual property lines (tree lines and houses etc.) to as much as several 100 feet. This is in the east/west as well as the north/south direction. The DLC line also has had its concerns of orientation of field location over the decades. It is my professional opinion the fence description shown as X's on the original final proof map carries more weight than assumed section and/or DLC line perceived orientation in the field.

It has lately been brought to my attention by the County Surveyor, given recent court cases, with un-navigability of the North Umpqua River this DLC line is at the string (center line) of the river. With the terminology of the certificate and remaining rights, this CWRE will confirm with the project Surveyor's location of the DLC line unless otherwise directed.

The original certificated acreage includes 1.49 acres in the current remaining right, subjected to future investigation. My expenditures of commissioned research is to that right to transfer of enclosed application. Therefore to stay injury to the State and/or other water right holders of same certification, said 1.49 acres of original certificated right within the now remaining rights of this CWRE's limited commission is professionally temporarily allocated to the sw/se of section 22. This is until research outside this water right transfer project, such as another overlaying transfer, in the proposed remaining right is commissioned. It is understood the 1.49 acres is not real outside the original certificated footprint.

As I have been advised by the project surveyors, without integrating the interaction between section lines and legal descriptions of adjacent areas it is professionally assumed this pictorial description of section line orientation as presented, is considered more current than that rotated

RECEIVED

MAY 15 2007

Page 2 of 3

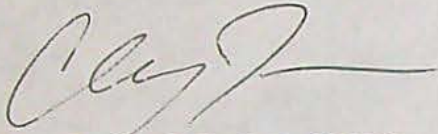
10327

Jordan Engineering
May 11, 2007

because of economic demands by the County to establish present Tax Assessor's presented depictions for the purpose of taxation.

In summary, the transfer and remaining rights within Basco Bros LLC's three tax lots is professionally correct with a remainder of the remaining rights professionally concluded with 1.49 acres to be defined by others of land ownership in the future. In all likely hood, this will happen with future water right activity in questioned remaining rights by land owners (others) of foot printed water right areas.

Respectfully,



Clay Jordan, P.E., S.E., CWRE

file: Basco wr cover-letter.wpd
cc: Mr. Juan Yraguen

RECEIVED

MAY 15 2007

WATER RESOURCES DEPT
SALEM, OREGON

Page 3 of 3

10387

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **87581**

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # _____

RECEIVED FROM: <u>Basco Logging Inc.</u>	APPLICATION
BY: _____	PERMIT
	TRANSFER <u>T-16387</u>

CASH: ☐ CHECK: # 15080 OTHER: (IDENTIFY) ☐ _____

TOTAL REC'D \$ 1655.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES PCA-47119 \$ _____
0408 OTHER: (IDENTIFY) Reimbursement Authority \$ 125.00

0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS PCA-46111

0407 COPY & TAPE FEES	\$ _____
0410 RESEARCH FEES	\$ _____
0408 MISC REVENUE: (IDENTIFY) _____	\$ _____
TC162 DEPOSIT LIAB. (IDENTIFY) _____	\$ _____
0240 EXTENSION OF TIME	\$ _____

WATER RIGHTS:	EXAM FEE	
0201 SURFACE WATER <u>2-86861=80.00</u>	\$ <u>580.00</u>	0202
0203 GROUND WATER <u>5-86862=50.00</u>	\$ _____	0204
0205 TRANSFER	\$ <u>350.00</u>	
WELL CONSTRUCTION	EXAM FEE	
0218 WELL DRILL CONSTRUCTOR	\$ _____	0219
LANDOWNER'S PERMIT		0220

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE	\$ _____	CARD # _____
0210 MONITORING WELLS	\$ _____	CARD # _____
OTHER (IDENTIFY) _____		

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FWWRD)	\$ _____
0231 HYDRO LICENSE FEE (FWWRD)	\$ _____
HYDRO APPLICATION	\$ _____

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ \$ _____

RECEIPT: **87581**

DATED: 5/15/07 BY: JG Sine

Application for Water Right Transfer

Please type or print legibly in dark ink. If your application is incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "N/A" to indicate "Not Applicable." As you complete this form, please refer to notes and guidance included on the application. A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/OWRD/PUBS/forms.shtml.

1. TYPE OF TRANSFER APPLICATION

Please check one

☒ Permanent Transfer ☐ Temporary Transfer • total number of years: _____ (begin year: _____) (end year: _____)	☐ Instream Transfer ☐ Permanent ☐ Time-Limited ☐ Drought Transfer ☐ Other
--	---

2. APPLICANT INFORMATION

Name: BASCO BROS LLC
First Last

Address: P.O. Box 131
WINCHESTER OR 97495
City State Zip

Phone: 541-459-9318
Home Work Other

Fax: N/A E-Mail address: N/A

3. AGENT INFORMATION

(The agent listed is authorized to represent the applicant in all matters relating to this transfer application.)

Name:
First Last

Address:

City State Zip

Phone:
Home Work Other

Fax: E-Mail address:

- If an agent is listed above, please check one of the following:
- ☐ Please send all correspondence to Agent. Send *copies* of correspondence to Applicant; or
- ☐ Please send all correspondence to Applicant. Send *copies* of correspondence to Agent.

10387
Last revised: 1/4/2007

Transfer Application/1

RECEIVED

MAY 15 2007 FS

WATER RESOURCES DEPT
SALEM, OREGON

4. PROPOSED CHANGE(S) TO WATER RIGHT(S)

- List **all** water rights to be affected by this transfer. Indicate the certificate, permit, decree or other identifying number(s) in the table below: *(Attach additional pages as necessary.)*

	Application / Decree	Permit / Previous Transfer	Certificate
1.	9102	26192	80234
2.			
3.			
4.			
5.			
6.			

- Attach a **separate Supplemental Form A** (Description of Proposed Change(s) to a Water Right) for **each** water right listed above.
- Check **all** proposed change(s) included in this transfer application:

☒ Place of Use

☐ Point of Diversion

☐ Additional Point of Diversion

☐ Character of Use

☐ Point of Appropriation

☐ Additional Point of Appropriation

☐ Instream Transfer

☐ Surface Water source to Ground Water source
- Reason(s) for change(s): NEW SUBDIVISION (RID TEG)
IRRIGATION NEEDS

5. WATER DELIVERY SYSTEM

- Describe the **current** water delivery system **or** the system that **was in place** at some time **within the last 5 years**. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use. If the **transfer** involves multiple rights that have independent systems, describe each system separately.

The description must be sufficient to demonstrate that the full quantity of water to be transferred can be conveyed from the authorized source and applied at the authorized location and that the applicant is ready, willing, and able to exercise the right.

A 25 HP AT POD-1 WITH 4" Ø PIPE AS MAIN
DISTRIBUTION SYSTEM TO 36 3/4" Ø IMPACT SPRINKLERS
WITH 7/32 NOZZLE AT 50 PSI, AS REPORTED

- System capacity: 0.79 cubic feet per second (cfs). If the transfer involves multiple rights that have independent systems, describe the capacity for each system separately.

Pump: 25 HP (6.61) ÷ (24' + 127') = 1.09 CFS

SPRINKLERS: (36)(9.9) ÷ 449 = 0.79 CFS

0.79 ÷ 0.0125 = 63 AC MAX

T 10381

RECEIVED

MAY 15 2007

FS

6. EVIDENCE OF BENEFICIAL WATER USE

- Attach one or more **Evidence of Use Affidavits** (Supplemental Form B) demonstrating that each of the right(s) involved in the transfer have been exercised in the last five years in accordance with the terms and conditions of the right or that a presumption of forfeiture for non-use could be rebutted. The Evidence of Use Affidavit(s) **must include supporting documentation** such as the following:
 - ▶ Copies of receipts from sales of irrigated crops or for expenditures relating to use of water;
 - ▶ Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers;
 - ▶ Dated aerial photographs of the lands or other photographs containing sufficient detail to establish location and date of the photograph; *or*
 - ▶ If the right has **not** been used during the past five years, documentation that the presumption of forfeiture would be rebutted under ORS 540.610(2).

7. AFFECTED DISTRICTS AND LOCAL GOVERNMENTS

- Are any of the water rights proposed for transfer located within or served by an irrigation or other water district? ☐ Yes ☒ No
- Will any of the water rights be located within or served by an irrigation or other water district after the proposed transfer? ☐ Yes ☒ No
- Is water for any of the rights supplied under a water service agreement or other contract for stored water with a federal agency or other entity? ☐ Yes ☒ No

If "Yes", for any of the above, list the name and mailing address of the district, agency and/or entity:

N/A

- List the name and mailing address of all affected local governments (e.g., county, city, municipal corporation, and tribal governments within whose jurisdiction the rights are located).

N/A

T 10387

RECEIVED

MAY 15 2007

8. LAND OWNERSHIP

- Does the applicant own the lands **FROM** which the right is being transferred? ☒ Yes ☐ No

If "No", provide the following information. For Temporary Transfers, also include a notarized statement granting consent to the transfer from each of the landowners:

Names of Current Landowner(s): N/A
First Last

Address: _____

City State Zip

- Does the applicant own the lands **TO** which the right is being transferred?

☒ Yes ☐ No ☐ N/A - NOT APPLICABLE TO INSTREAM TRANSFERS

If "No", provide the following information:

Names of Receiving Landowner(s): N/A
First Last

Address: _____

City State Zip

- Check one of the following:

☐ The receiving landowner will be responsible for completion of the proposed changes after the final order is issued. All notices and correspondence should be sent to this landowner.

☒ The applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to the applicant and applicant's agent.

☐ N/A. (Not applicable. Application is for an Instream Water Right Transfer.)

T 10387

RECEIVED

MAY 15 2007

9. ATTACHMENTS

Check each of the following attachments included with this application.
The application will be returned if all required attachments are not included.

Supplemental Form A –

Description of Proposed Change(s) to a Water Right

- ☒ A separate Supplemental Form A is enclosed for each water right to be affected by this transfer.

Supplemental Form B –

Evidence of Use Affidavit(s)

- ☒ At least one Evidence of Use Affidavit documenting that the right has been used during the last five years or that the right is not subject to forfeiture under ORS 540.610 is attached. The affidavit provided must be the original (not a copy), and
- ☒ The Evidence of Use Affidavit must be accompanied by supporting documentation.

Map

☒ Water Right Transfer

The map must be prepared by a Certified Water Right Examiner and meet the requirements of OAR 690-380-3100 unless a waiver has been granted. The map provided must be the original, not a copy.

☐ Temporary Transfer or Historical POD Change

A map meeting the requirements of OAR 690-380-3100 must be included but need not be prepared by a Certified Water Right Examiner.

Water Well Report(s)/Well Log(s):

- ☐ The application is for a change in point of appropriation or change from surface water to ground water and copies of all water well reports are attached.
- ☐ Water well reports are not available and a description of construction details including well depth, static water level, and information necessary to establish the ground water body developed or proposed to be developed is attached.
- ☐ N/A. The application does not involve a change in point of appropriation or a change from surface water to ground water, so water well reports are not required.)

Land Use Information Form:

- ☒ Enclosed; *or*
- ☐ Not Required if all of the following are met:
- ① In EFU zone or irrigation district,
 - ② Change in place of use only,
 - ③ No structural changes needed, including diversion works, delivery facilities, other structures, *and*
 - ④ Irrigation only.

Fees:

- ☐ Amount enclosed: \$ _____
See the Department's Fee Schedule at www.wrd.state.or.us or call (503) 986-0900.

Instream Water Right Transfers, also include:

Supplemental Form C –

Instream Water Right Transfer

- ☐ Complete this form to describe the desired nature and attributes for the proposed instream water right.

Temporary Transfers, also include:

Recorded Deed:

- ☐ The applicant must submit a copy of the current deed of record for the land **from** which the authorized place of use or point of diversion/appropriation is being moved.

Affidavit of Consent:

- ☐ If the applicant is **NOT** the owner of record for the land **from** which the authorized place of use or point of diversion/appropriation is being moved, a notarized statement from the actual owner of record consenting to the proposed transfer must be submitted.

RECEIVED

MAY 15 2007

Before submitting your application to the Department, be sure you have:

- Answered each question completely.
- Included all the required attachments.
- Provided original signatures for all named deed holders, or other parties, with an interest in the water right.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.

10. SIGNATURES

- Check one of the following, as appropriate, and sign the application in the signature box below:

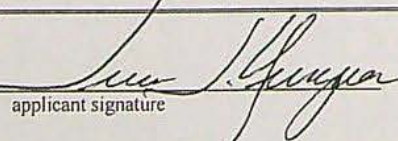
☒ In accordance with OAR 690-380-3000(13)(a), I (we) understand that prior to Department approval of a permanent transfer and upon my receipt of a draft Preliminary Determination for the proposed transfer, I (we) will be required [pursuant to OAR 690-380-4010(5)] to provide the following landownership information and evidence demonstrating that I (we) are authorized to pursue the transfer:

- (a) A report of ownership and lien information that has been prepared by a title company *within the last three months*;
- (b) A copy of written notification of the proposed transfer provided by the applicant to all lien holders on the subject lands unless the report of ownership and lien information shows that a water right conveyance agreement has been recorded for the subject lands. *If a water right conveyance agreement has been recorded for the subject lands, a copy of the agreement and identification of the owner of the lands at the time the agreement was recorded must be submitted; and*
- (c) If the landowner identified in the report of ownership and lien information is not the applicant, a **notarized statement consenting to the transfer** (*attached*) signed by the landowner identified in the report or an authorized representative of the entity to whom the interest in the water right has been conveyed as identified in a water right conveyance agreement or other documentation demonstrating that the applicant is authorized to pursue the transfer in the absence of the consent of the landowner.

☐ I (we) affirm that the applicant is a municipality, as defined in ORS 540.510(3)(b), and that the right is in the name of the municipality or a predecessor. Therefore, pursuant to OAR 690-380-3000(13)(b), the applicant is **NOT** required to provide the above described report of ownership and lien information.

☐ I (we) affirm that the applicant is an entity with the authority to condemn property and is acquiring the property to which the water right proposed for transfer is appurtenant by condemnation. Documentation is provided with this application supporting this statement. Therefore, pursuant to OAR 690-380-3000(13)(c), the applicant is **NOT** required to provide the above described report of ownership and lien information. (*NOTE: Such an entity may only apply for a transfer under this subsection if it has filed a condemnation action to acquire the property.*)

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

 applicant signature	JUAN J. YRACUEN name (print)	5/8/07 date
 applicant signature	 name (print)	 date

T 10387

RECEIVED

MAY 15 2007

Water Right Transfer Supplemental Form A **DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT**

List only one water right per page. A separate Supplemental Form A must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Attach additional copies of Supplemental Form A as needed to describe other certificates, permits, decrees or other rights involved in this transfer.

▪ Certificate Number or other identifying number: 80237

1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

Point of Diversion or Appropriation	Place of Use	Character of Use
☐ Change (The old point of diversion or appropriation will <u>not</u> be used for the portion of the water right affected by the transfer.) ☐ Additional (Both the old <u>and</u> new points of diversion or appropriation will be used for the portion of the water right affected by the transfer.) ☐ Historic Point of Diversion or Appropriation Change (Unauthorized point of diversion or appropriation used for more than 10 years.) ☐ Surface Water to Ground Water (A new point of appropriation will be used <u>instead</u> of the old point of diversion. The old point of diversion will <u>not</u> be used.) ☐ Point of Diversion Change due to Government Action (The old point of diversion or appropriation can no longer be used due to government action.) ☐ Exchange (Water from another source will be used in exchange for supplying an equal amount of replacement water to that source.)	☐ All of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.) ☒ Only a portion of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.)	Proposed new use: ☐ Irrigation ☐ Municipal ☐ Quasi-municipal ☐ Commercial ☐ Industrial ☐ Instream (complete and attach <i>Supplemental Form C</i>) ☐ Domestic (indicate number of households) _____ ☐ Other _____ ☐ Substitution (A supplemental ground water right will be substituted for a primary surface water right.) ☐ Supplemental Use to Primary Use (Primary water right shall be cancelled and the supplemental water right will change to primary use.)

RECEIVED

MAY 15 2007

**WATER RESOURCES DEPT
SALEM, OREGON**

2. CURRENT WATER RIGHT INFORMATION

Water Right Subject to Transfer (check and complete one of the following):

☒ Certificated Right	<u>80234</u> Certificate Number	<u>26192</u> Permit Number or Decree Name
☐ Adjudicated, Non-certificated Right	Name of Decree	Page Number
☐ Permit for which Proof has been Approved	Permit Number	Date Claim of Beneficial Use Submitted
☐ Transferred Right for which Proof has been Filed	Previous Transfer Number	Date Claim of Beneficial Use Submitted

- Name on Permit, Certificate, or Decree: ROBERT A. DUDLEY
- County: DOUGLAS
- Authorized Use(s) to be Affected by Transfer: IRRIGATION
- Priority Date(s): MAY 15, 1959

If there are multiple Priority Dates identified on the water right, any information provided on pages 3 through 6 of this form must identify which priority date is associated with each of the authorized and proposed points of diversion or appropriation and places of use.

- Source(s) of Water to be Affected by Transfer: NORTH UMPQUA RIVER

Tributary to: PACIFIC OCEAN

If there are multiple Sources listed on the water right, any information provided on pages 3 through 6 of this form must identify which source is associated with each of the authorized and proposed points of diversion or appropriation and places of use.

For applications proposing a Change in Place of Use or Character of Use:

- Are there **Other Water Rights**, Permits or Ground Water Registrations associated with this land?

☐ Yes ☒ No ☐ N/A – No Change in Place of Use or Character of Use

If "Yes", what are the Permit, Registration or Certificate Numbers? _____

Pursuant to ORS 540.510, any "layered" water use or a right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled, except as provided in OAR 690-380-2240(5).

RECEIVED

MAY 15 2007

WATER RESOURCES DEPT
SALEM, OREGON

10387

▪ Certificate Number or other identifying number: 80234

The following information **must be provided only** for those points of diversion or appropriation that are involved in the transfer (i.e., list only the portion of the water right you propose to transfer.) Attach additional pages as necessary.

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing water right.

Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:

(i.e., the allowed point(s) of diversion or appropriation listed on the water right that will be affected by the proposed transfer, the "FROM" point(s) of diversion or appropriation)

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-)	Source and Priority Date	Township	Range	Mer	Sec	1/4 1/4	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
		N/A						

▪ Does the water right being transferred involve a ground water source(s)?

☐ Yes ☒ No (Surface water source only.)

If "Yes", for each authorized point of appropriation (well) involved, you must either:

A. Supply a copy of the well log(s) for each point of appropriation that is **clearly labeled** and associated with the corresponding well in the table above and on the accompanying application map. (NOTE: You may search for well logs on the Department's web page at: <http://www.wrd.state.or.us>)

or

B. If a well log is **not** available, you must describe the construction of the authorized point of appropriation by completing the table below. Attach additional copies as necessary.

Construction of Existing Authorized Point(s) of Appropriation – (Only needed if no well log is available.)

Wells in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

OWRD Well No. as identified in table above	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
				N/A					

RECEIVED

MAY 15 2007

WATER RESOURCES DEPT
SALEM, OREGON

▪ Certificate Number or other identifying number: 80234

The following information must be provided only for those places of use that are involved in the transfer (i.e., list only the portion of the water right you propose to transfer.) Attach additional pages as necessary.

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing water right.

Location of Existing Authorized Place of Use to be Affected:

(i.e., the allowed lands listed on the water right that will be affected by the proposed transfer, the "FROM" lands)

[illegible]

RECEIVED

MAY 15 2007

WATER RESOURCES DEPT
SALEM, OREGON

10387

▪ Certificate Number or other identifying number: 80234

3. PROPOSED CHANGES TO THE WATER RIGHT

Describe proposed changes to the water right involving point(s) of diversion and/or appropriation. Survey coordinates described below should accurately correspond to the points shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Point(s) of Diversion or Appropriation:

(i.e., the "TO" point(s) of diversion or appropriation)

☐ N/A – Instream Water Right Transfer

(NOTE: Complete this table only if a Change in Point of Diversion or Appropriation is being proposed.)

Source	Township	Range	Mer	Sec	1/4 1/4 Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)

- If there are proposed point(s) of appropriation (wells) listed in the table above, are the well(s) already constructed? ☐ Yes ☐ No ☐ N/A - No proposed well(s) listed above.

If "Yes", attach and clearly label the corresponding well log(s) for each proposed well, or if well log(s) are not available, describe the construction of the well(s) using the table below. (NOTE: You may search for well logs on the Department's web page at: <http://www.wrd.state.or.us>)

If "No", describe the anticipated construction for the proposed well(s) in the following table:

Construction of Proposed Point(s) of Appropriation or Well(s)

Well numbers in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L-)	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth

RECEIVED

MAY 15 2007

WATER RESOURCES DEPT
SALEM, OREGON

▪ Certificate Number or other identifying number: 80234

Describe proposed changes to the water right involving place of use. Information described below should accurately correspond to the proposed place of use shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Place of Use: (i.e., the "TO" lands) ☐ N/A – Instream Water Right Transfer

(NOTE: Complete this table only if a Change in Place of Use is being proposed.)

[illegible]

Remarks: WATER RIGHT AREA IN PART BEING MOVED FROM
UNDER NEW TO BE "BULGE IN SYSTEM", PER SUBSEQUENT
APP. NEW MULTIPURPOSE RESERVOIR.

T 10387

RECEIVED

MAY 15 2007

WATER RESOURCES DEPT
SALEM, OREGON

TRANSFER

ORIGINAL COMPOSITE PER:
CANCELED CERTIFICATE 29960 (1962)
TRANSFER APPLICATION MAP T9102 (2002)
SUPERSEDING CERTIFICATE 80234 (2003)
ADDITIONAL SUPPORTING DOCUMENTATION
CURRENT UP TO 1962:

26-6-22 1950's TAX ASSESSOR MAP
1950's AERIAL PHOTO 26-6-22D
1960 SURVEY MAP FILE M18-23

HISTORICAL VIEW
OF
CANCELED CERTIFICATE 29960
BASED ON 1962 AVAILABLE INFORMATION
WITH OVERLAY OF
SUPERSEDING CERTIFICATE 80234
AND

TRANSFER T9102 (Confirming)

TOWNSHIP 26 SOUTH, RANGE 6 WEST, W.M. SECTION 22
DOUGLAS COUNTY, OREGON

SW TRANS. 9102 { 26.95 CERT. 80234
SE MAP. { 0.74
CERT. 29960 27.69

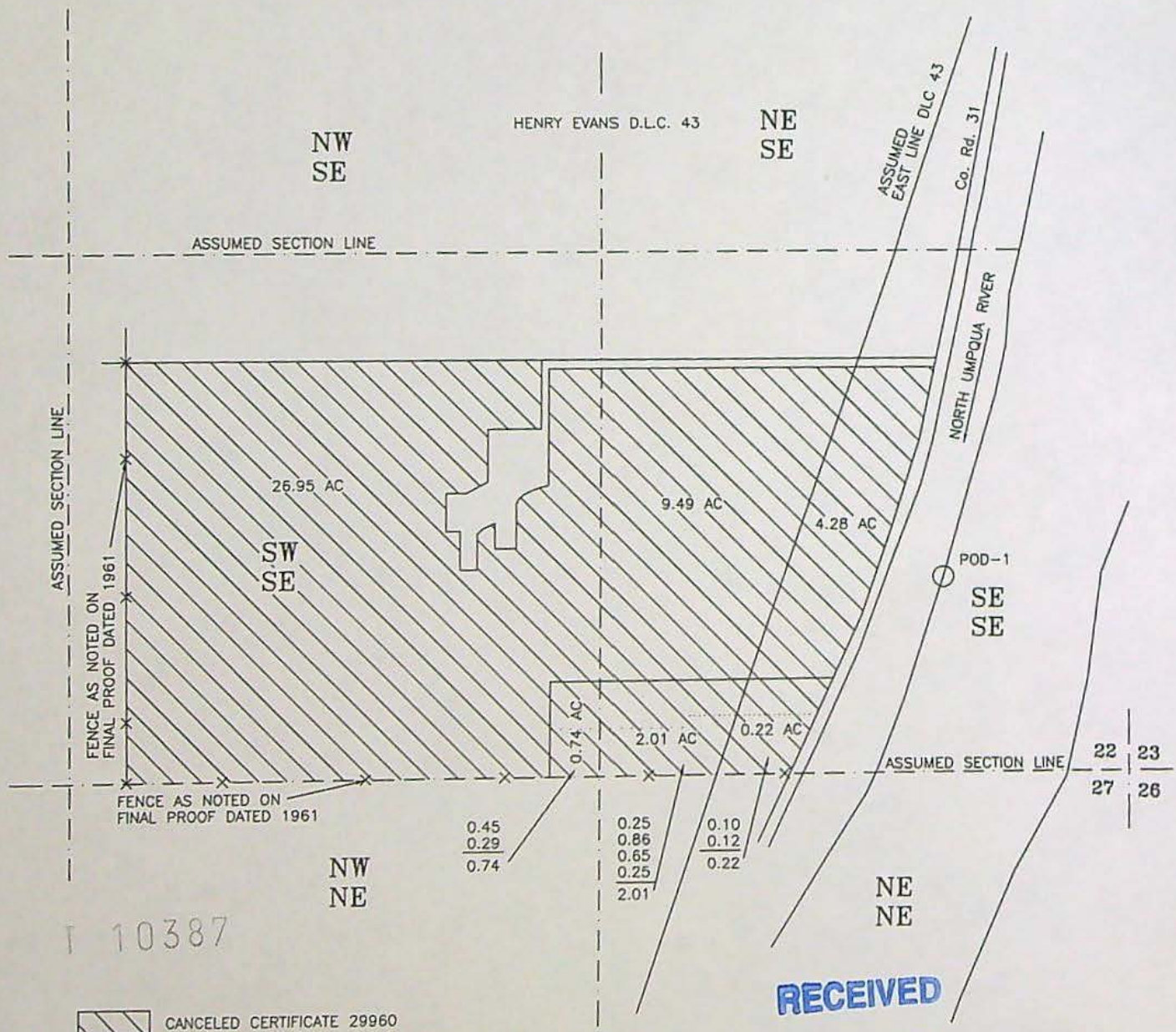
SE TRANS. 9102 { 9.49 CERT. 80234
SE MAP. { 2.01
CERT. 29960 11.5

SE TRANS. 9102 { 4.28 CERT. 80234
SE MAP. { 0.22
CERT. 29960 4.5



NORTH

APPROXIMATELY
1"=400'



10387

RECEIVED

MAY 15 2007

WATER RESOURCES DEPT
SALEM, OREGON

JORDAN ENGINEERING
460 JORDAN LANE
ROSEBURG, OR 97470
(541) 673-1931

THE PURPOSE OF THIS MAP IS TO IDENTIFY THE LOCATION OF THE WATER RIGHT.
IT IS NOT INTENDED TO PROVIDE INFORMATION RELATIVE TO THE LOCATION OF
PROPERTY OWNERSHIP BOUNDARY LINES.

TRANSFER

CURRENT COMPOSITE PER:
2007 ASSESSMENTS OF
SURVEYS, TAX ASSESSOR AND AERIAL
PHOTO MAPS.

CERT. 80234 { 26.95
 9.49
 4.28
 40.72 AC SEC. 22

CURRENT VIEW
OF
CANCELED CERTIFICATE No. 29960
REMAINING RIGHT CERT. 80234
AND ITS
TRANSFER T9102 (Confirming)

TOWNSHIP 26 SOUTH, RANGE 6 WEST, W.M. SECTION 22 AND 27
DOUGLAS COUNTY, OREGON

BASED ON 2007 AVAILABLE INFORMATION INCLUDING:
1. i.e. ENGINEERING, RIO TEGI SUBDIVISION SURVEY. (2006)
2. TAX ASSESSOR'S MAP REVISED 2006
3. 2004 AERIAL MAP

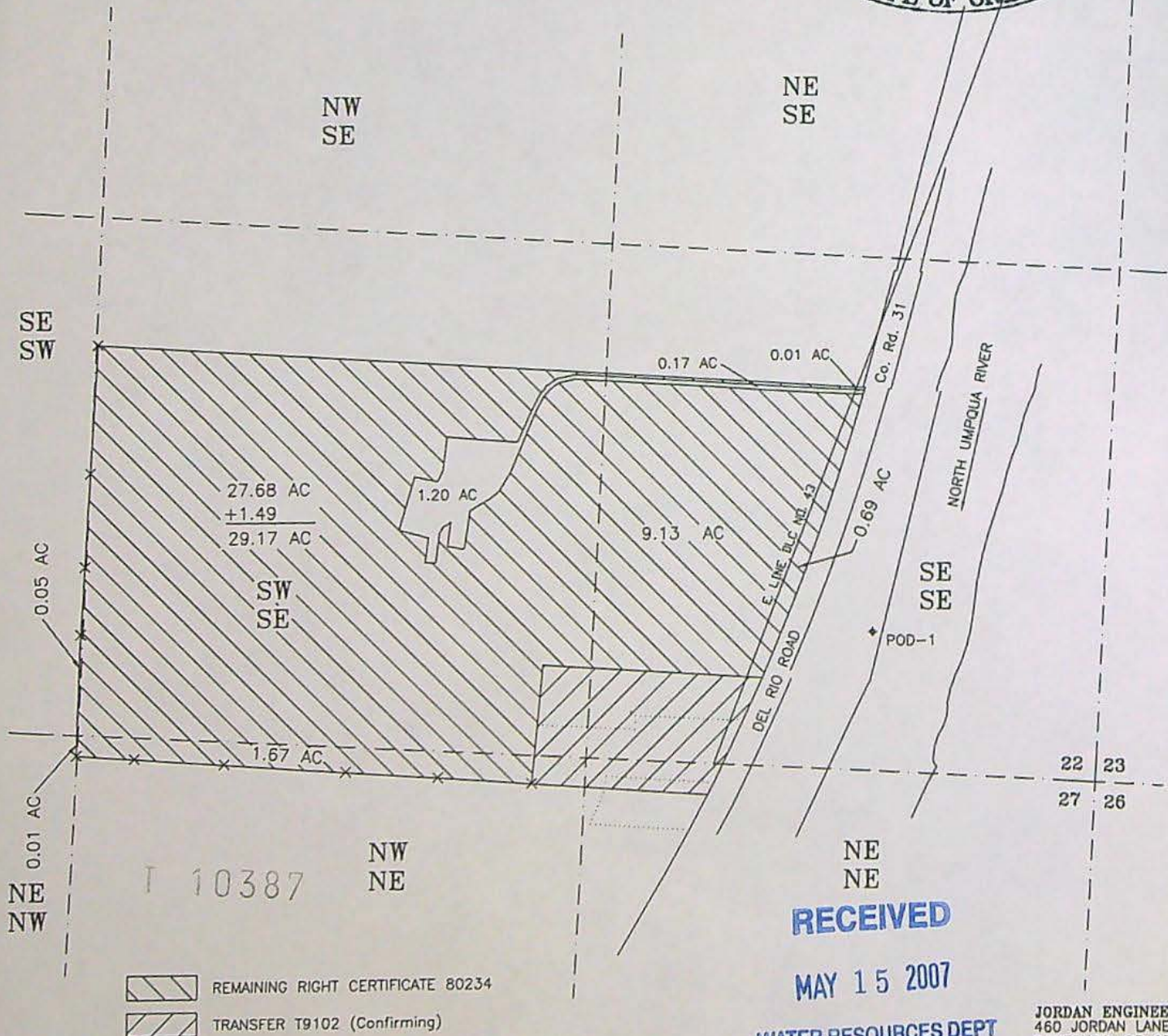
NORTH

1"=400'

CURRENT VIEW

27.68 SW/SE }
0.05 SE/SW } SEC. 22
9.13 SE/SE }
0.69 SE/SE }
0.01 NE/NW } SEC. 27 40.72
1.67 NW/NE } -39.23
39.23 AC 1.49

1.49 AC OF CERTIFICATED RIGHT OUTSIDE THIS
CWRE's CONTRACTED OWNERSHIP NOT
IDENTIFIED. ALLOCATED TO SW/SE
SECTION 22 UNTIL FUTURE SURVEY OF
REMAINING RIGHTS ARE IDENTIFIED.
THEREFORE 27.68 + 1.49 = 29.17 AC IN SW/SE SEC. 22



THE PURPOSE OF THIS MAP IS TO IDENTIFY THE LOCATION OF THE WATER RIGHT.
IT IS NOT INTENDED TO PROVIDE INFORMATION RELATIVE TO THE LOCATION OF
PROPERTY OWNERSHIP BOUNDARY LINES.

JORDAN ENGINEERING
460 JORDAN LANE
ROSEBURG, OR 97470
(541) 673-1931

041107 2 OF 4

TRANSFER

"FROM MAP" PER:
2007 ASSESSMENTS OF
SURVEYS, TAX ASSESSOR AND AERIAL
PHOTO MAPS.

FROM MAP
TRANSFER FOR BASCO BROS LLC
WITHIN RIO TEGI SUBDIVISION
CURRENT VIEW OF CERT. 80234
WITH
FROM AREA OVERLAY

TOWNSHIP 26 SOUTH, RANGE 6 WEST, W.M. SECTION 22
DOUGLAS COUNTY, OREGON

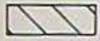
NORTH

1"=400'

HISTORICAL VIEW

CERT. 80234 { 26.95
9.49
4.28 } SEC. 22
40.72 AC

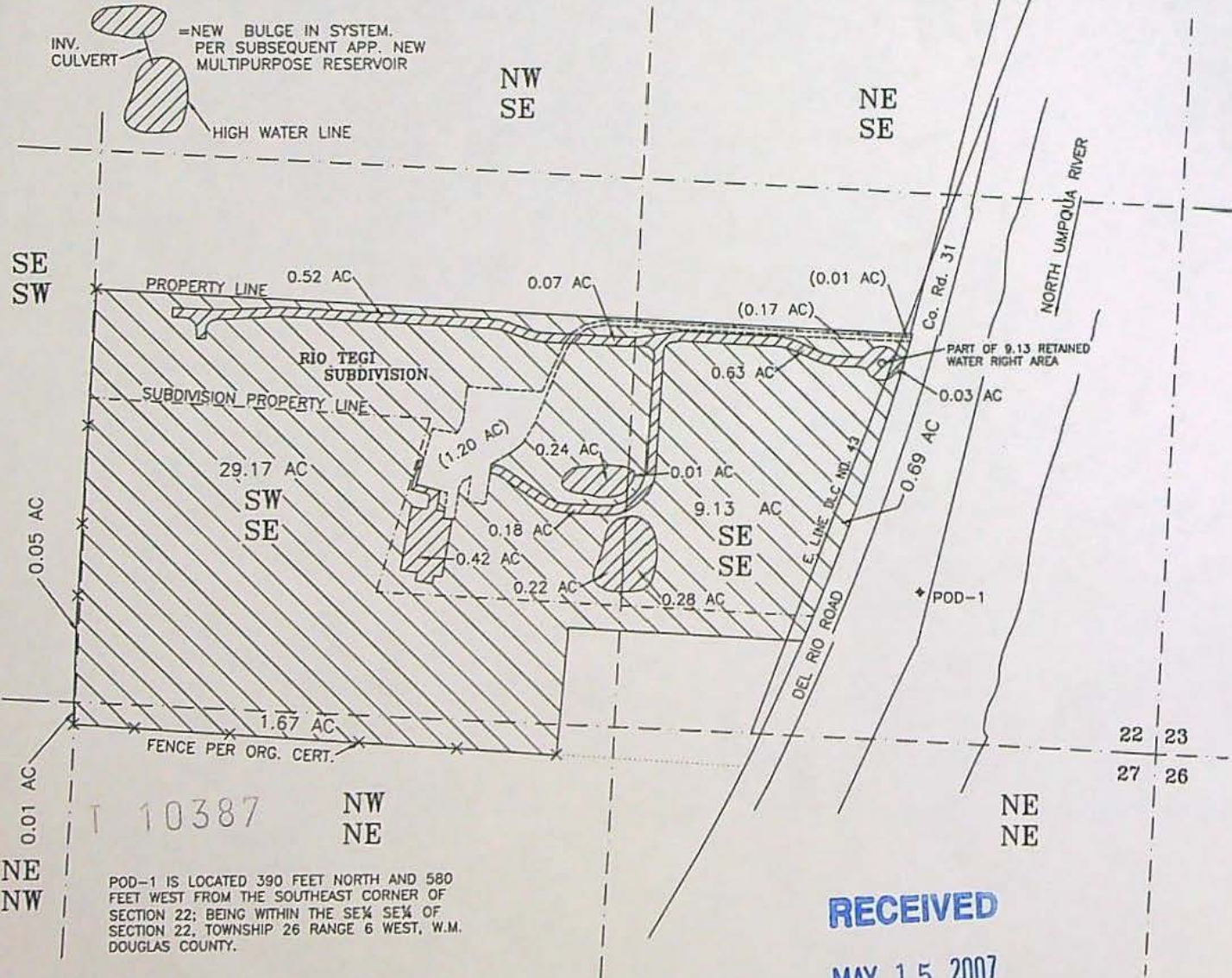
CURRENT VIEW

 = EXISTING CERTIFICATE 80234
29.17 SW/SE }
0.05 SE/SW } SEC. 22 (WITHIN DLC 43)
9.13 SE/SE }
0.69 SE/SE } (OUTSIDE DLC 43)
0.01 NE/NW } SEC. 27 (WITHIN DLC 43)
1.67 NW/NE }
40.72 AC. TOTAL

 = FROM AREA
1.65 AC SW/SE }
0.92 AC SE/SE } SEC. 22 (WITHIN DLC 43)
0.03 AC SE/SE } (OUTSIDE DLC 43)
2.60 AC TOTAL

(1.38 AC) = EXISTING NON-CERTIFICATED AREAS
(NO WATER RIGHTS)

 = NEW BULGE IN SYSTEM.
INV. CULVERT PER SUBSEQUENT APP. NEW
MULTIPURPOSE RESERVOIR
HIGH WATER LINE



POD-1 IS LOCATED 390 FEET NORTH AND 580
FEET WEST FROM THE SOUTHEAST CORNER OF
SECTION 22; BEING WITHIN THE SE 1/4 SE 1/4 OF
SECTION 22, TOWNSHIP 26 RANGE 6 WEST, W.M.
DOUGLAS COUNTY.

LOCATIONS PER X ARE DERIVED BY ASSUMED FIT
OF AERIAL PHOTO ORIENTATION TO GROUND SURVEYS
AND/OR TAX ASSESSOR MAPS.

THE PURPOSE OF THIS MAP IS TO IDENTIFY THE LOCATION OF THE WATER RIGHT.
IT IS NOT INTENDED TO PROVIDE INFORMATION RELATIVE TO THE LOCATION OF
PROPERTY OWNERSHIP BOUNDARY LINES.



RECEIVED

MAY 15 2007

WATER RESOURCES DEPT
SALEM, OREGON

JORDAN ENGINEERING
460 JORDAN LANE
ROSEBURG, OR 97470
(541) 673-1931

041107 3 OF 4

TO MAP
TRANSFER FOR BASCO BROS LLC
WITHIN RIO TEGI SUBDIVISION

"TO" AREA
WITH
REMAINING RIGHT

TOWNSHIP 26 SOUTH, RANGE 6 WEST, W.M. SECTION 22
DOUGLAS COUNTY, OREGON

NORTH

1"=400'

	INSIDE DLC 43					OUTSIDE DLC 43		
	SW/SE	SE/SW	NE/NW	NE/NW	SE/SE	SE/SE		TOTAL
REMAINING RIGHT	27.52	0.05	0.01	1.67	8.21	0.66	=	38.12 AC
"TO" AREA	0.63	0	0	0	0.17	1.80	=	2.60 AC
TOTAL	28.15	0.05	0.01	1.67	8.38	2.46	=	40.72 AC



INV. CULVERT
=NEW BULGE IN SYSTEM.
PER SUBSEQUENT APP. NEW
MULTIPURPOSE RESERVOIR

HIGH WATER LINE

NW
SE

NE
SE

SE
SW

PROPERTY LINE

0.04 AC

0.17 AC

0.01 AC

PART OF 8.15 REMAINING
WATER RIGHT AREA

10 ACCUMULATIVE
AREAS= 0.59 AC
SUBDIVISION PROPERTY LINE

RIO TEGI
SUBDIVISION

27.52 AC

8.21 AC

SE
SE

1.79 AC

SW
SE

0.66 AC

POD-1

1.67 AC
FENCE PER ORG. CERT.

22 23
27 26

NE
NW

NW
NE

NE
NE

POD-1 IS LOCATED 390 FEET NORTH AND 580
FEET WEST FROM THE SOUTHEAST CORNER OF
SECTION 22; BEING WITHIN THE SE¼ SE¼ OF
SECTION 22, TOWNSHIP 26 RANGE 6 WEST, W.M.
DOUGLAS COUNTY.

RECEIVED

MAY 15 2007

**WATER RESOURCES DEPT
SALEM, OREGON**

JORDAN ENGINEERING
460 JORDAN LANE
ROSEBURG, OR 97470
(541) 673-1931

041107 4 OF 4

LOCATIONS PER X ARE DERIVED BY ASSUMED FIT
OF AERIAL PHOTO ORIENTATION TO GROUND SURVEYS
AND/OR TAX ASSESSOR MAPS.

THE PURPOSE OF THIS MAP IS TO IDENTIFY THE LOCATION OF THE WATER RIGHT.
IT IS NOT INTENDED TO PROVIDE INFORMATION RELATIVE TO THE LOCATION OF
PROPERTY OWNERSHIP BOUNDARY LINES.

17

1950's
TAX
HSS

22

22

M., Ch. in C.
L.

100

1000

1.
I - 660

V. K. Illa, Chitral

Henry Evans and L. J. Adams

Yogh. 11a, Cl. 11a C

22

NO

UMPQUA

RIVER-

5007

10387

00052667-001

P.2

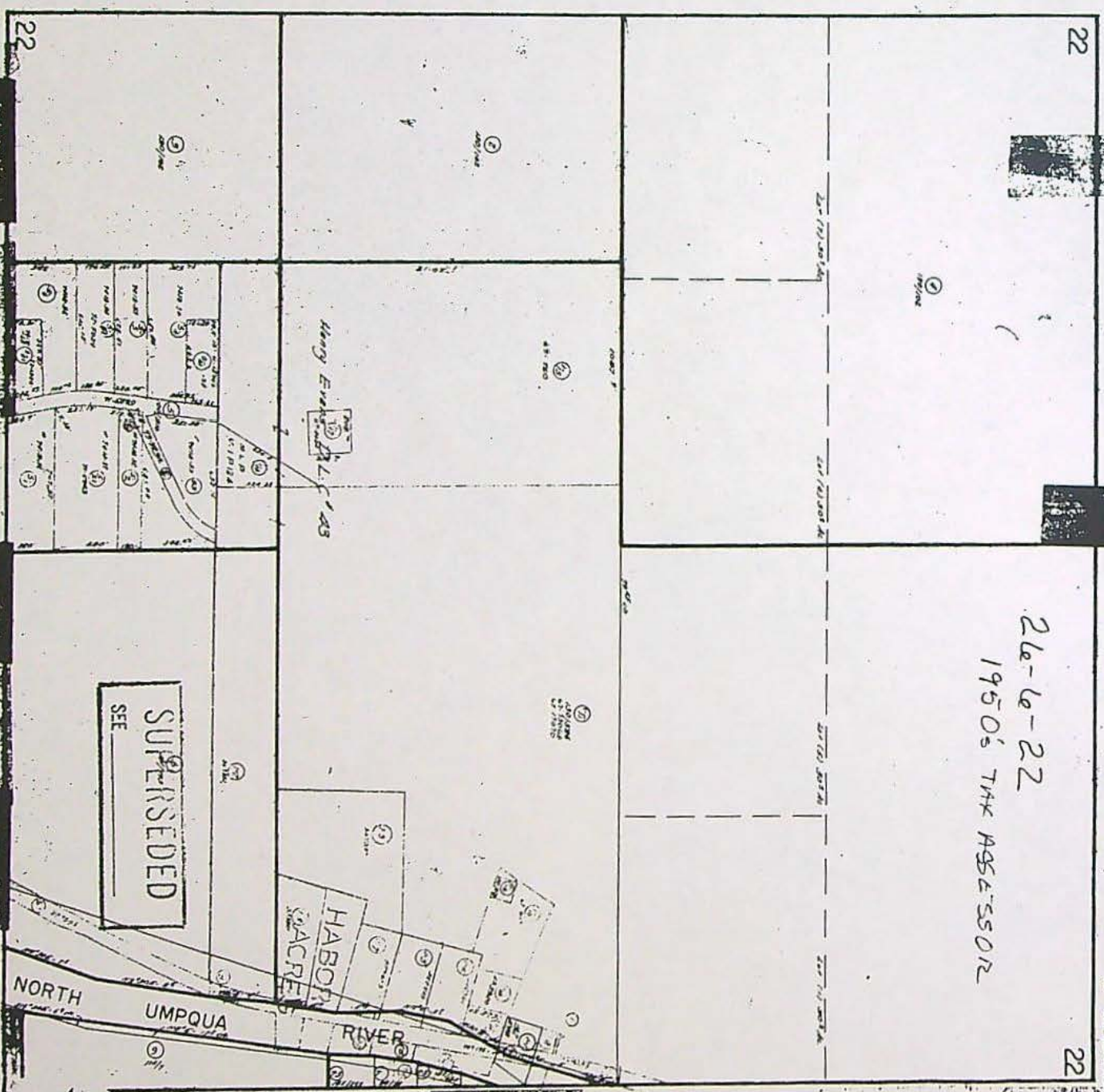
22

22

1200 NOW SLOTTED

26-6-22

1950's TAX ASSESSOR



RECEIVED

MAY 15 2007

WATER RESOURCES DEPT
SALEM, OREGON

T 10387

26-6-22 1950's AERIAL PHOTO



10387

RECEIVED

MAY 15 2007

WATER RESOURCES DEPT
SALEM, OREGON

27
28

RECEIVED

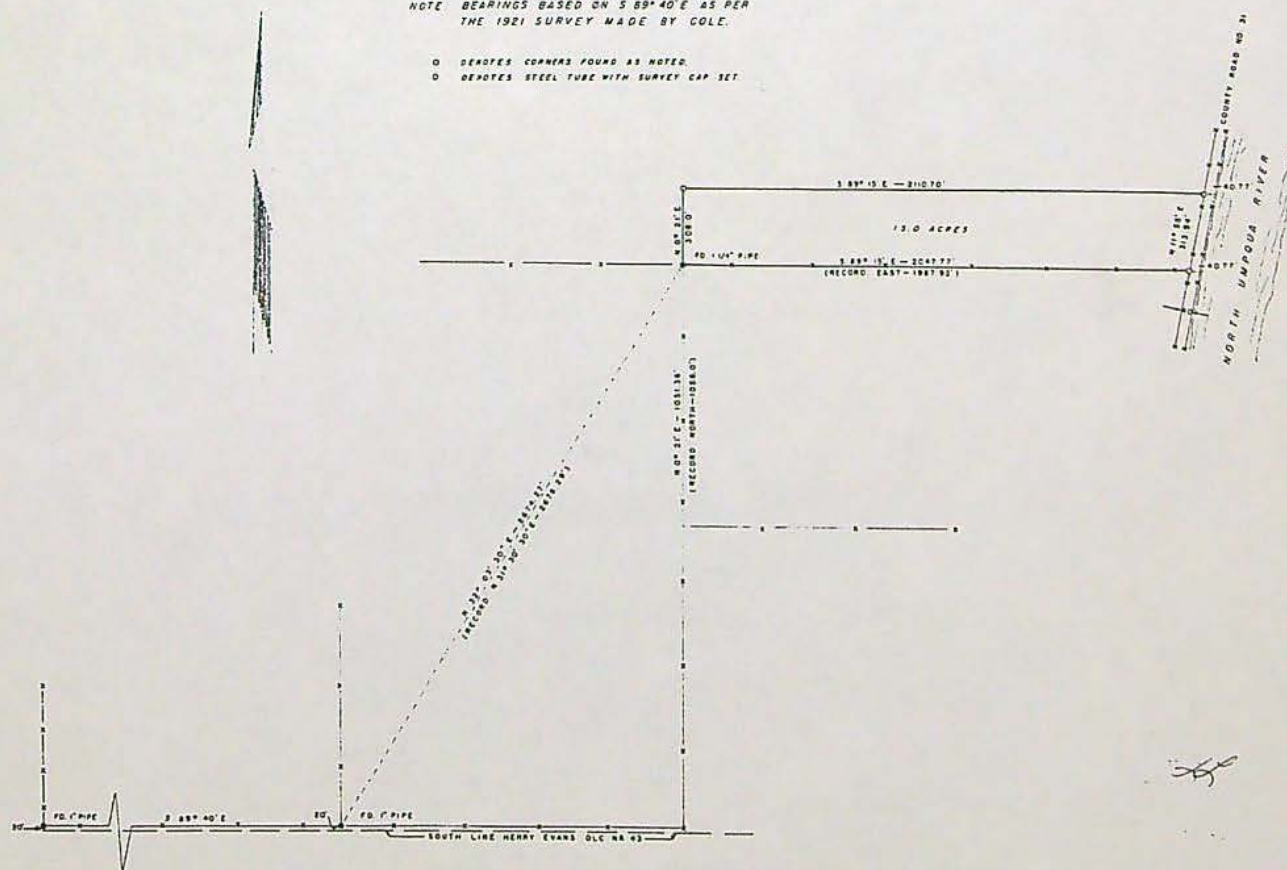
MAY 15 2007

WATER RESOURCES DEPT
SALEM, OREGON

Page 23

NOTE BEARINGS BASED ON S 89° 40' E AS PER
THE 1921 SURVEY MADE BY COLE.

- DENOTES CORNERS FOUND AS NOTED.
○ DENOTES STEEL TUBE WITH SURVEY CAP SET



J. Robert Gendler

10387

16 X

1960 SURVEY MAP FILE M18-23

26 6 22D

P. 51

RECEIVED

MAY 15 2007

WATER RESOURCES DEPT
SALEM, OREGON

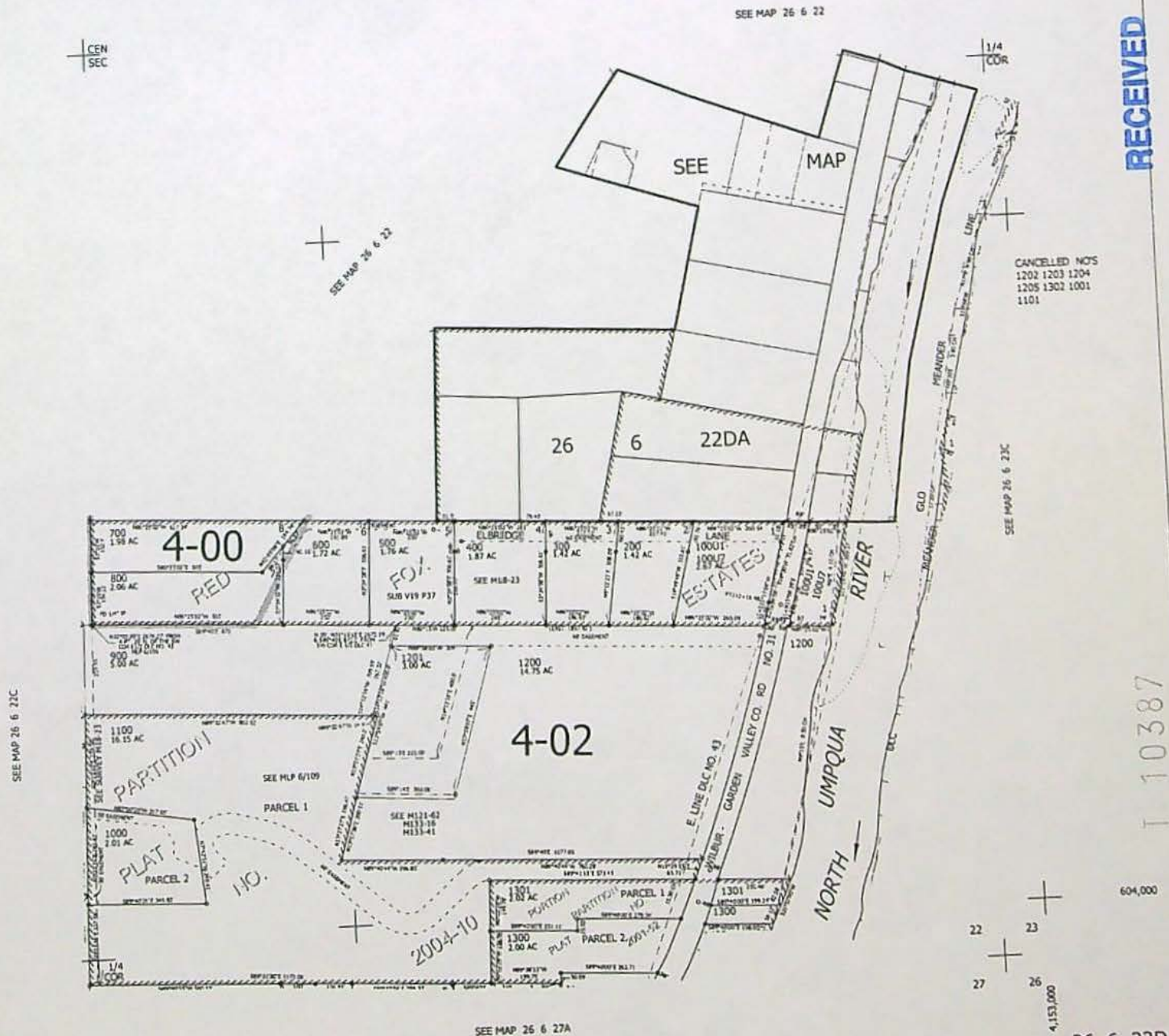
CANCELLED NOS
1202 1203 1204
1205 1302 1001
1101

DATE MAY 26 6 23C

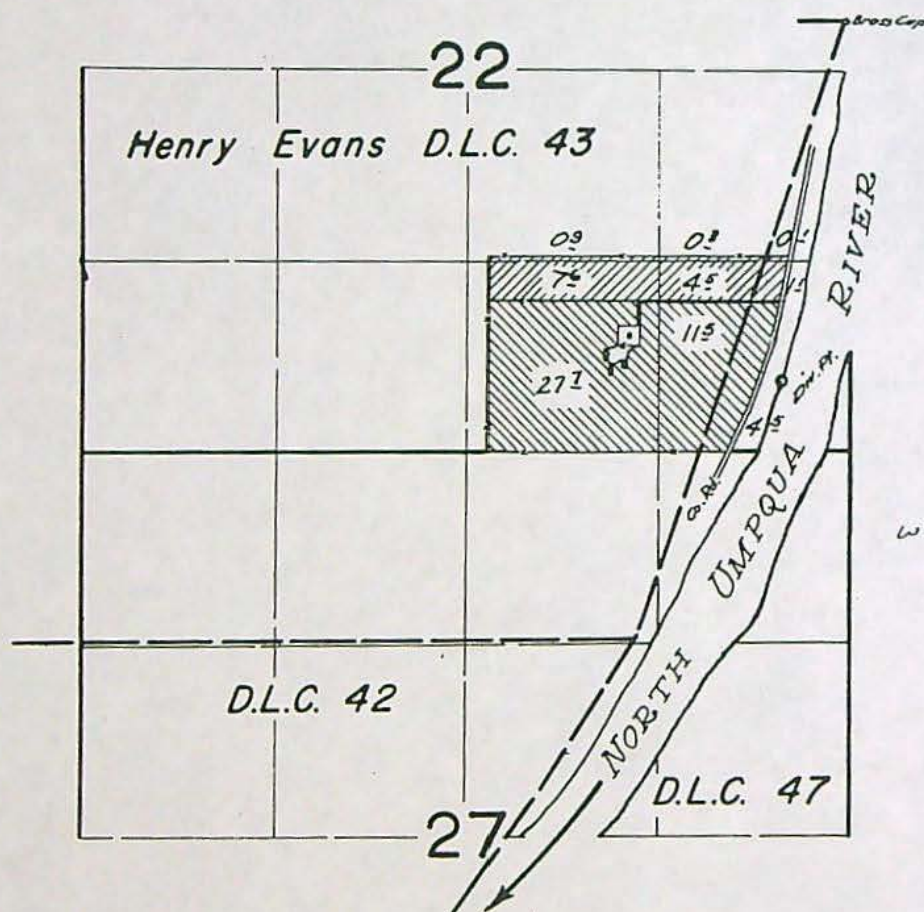
604,000

T 10387

26 6 22D



T.26S.R.6W.W.M.



FINAL PROOF SURVEY
UNDER

Application No. **33099** Permit No. **26192**
34000 **26786**
IN NAME OF

ROBERT A. DUDLEY

Surveyed May 3, 1961, by *R. Jackson*

T 10387

STATE OF OREGON
COUNTY OF DOUGLAS
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ROBERT A. DUDLEY
ROUTE 2, BOX 1390
ROSEBURG, OREGON 97470

confirms the right to use the waters of the NORTH UMPQUA RIVER, a tributary of the UMPQUA RIVER, for IRRIGATION OF 40.72 ACRES.

This right was perfected under Permit 26192. The date of priority is MAY 15, 1959. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.513 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SE¼ SE¼, SECTION 22, T 26 S, R 6 W, W.M..

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is 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 2½ acre-feet for each acre irrigated during the irrigation season of each year, provided further that the right to the use of water is limited to the period when the flow of water in the North Umpqua River is 525 c.f.s. or more at its mouth.

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

T 10387

T-10387

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

SW¼ SE¼ 26.95 ACRES
 AS PROJECTED WITHIN EVANS DLC 43
 SE¼ SE¼ 9.49 ACRES
 AS PROJECTED WITHIN EVANS DLC 43
 SE¼ SE¼ 4.28 ACRES
 SECTION 22
 TOWNSHIP 26 SOUTH, RANGE 6 WEST, W.M.

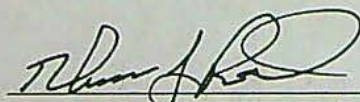
The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

This certificate describes that portion of the water right confirmed by Certificate 29960, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered MAY 2 8 2003, approving Transfer Application 9102.

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.

WITNESS the signature of the Water Resources

Director, affixed MAY 2 8 2003.


 Paul R. Cleary, Director

1 10387

Recorded in State Record of Water Right Certificates numbered 80234.



First American

First American Title Insurance Company of Oregon
1700 NW Garden Valley Blvd, Ste 204
Roseburg, OR 97470
Phn - (541)672-5555
Fax - (800)314-0395

Order No.: 7391-1072793
December 03, 2007

FOR QUESTIONS REGARDING YOUR CLOSING, PLEASE CONTACT:

SHARI ENGELS, Escrow Officer/Closer

Phone: (541)464-2765 - Fax: (800)433-1863- Email: sengels@firstam.com
First American Title Insurance Company of Oregon
1700 NW Garden Valley Blvd, Ste 204, Roseburg, OR 97470

FOR ALL QUESTIONS REGARDING THIS PRELIMINARY REPORT, PLEASE CONTACT:

Amber Hooper, Title Officer

Phone: (541)464-2760 - Fax: (800)314-0395- Email: amhooper@firstam.com

Amendment No. 1 Master Subdivision Report

ALTA Owners Standard Coverage	Liability \$	to follow	Premium \$	to follow
ALTA Owners Extended Coverage	Liability \$		Premium \$	
ALTA Lenders Standard Coverage	Liability \$		Premium \$	
ALTA Lenders Extended Coverage	Liability \$	to follow	Premium \$	to follow
Endorsement 9, 22 & 8.1			Premium \$	100.00
ALTA Elimination Fee			Cost \$	55.00
Govt Service Charge			Cost \$	0.00
Other			Cost \$	

We are prepared to issue Title Insurance Policy or Policies in the form and amount shown above, insuring title to the following described land:

The land referred to in this report is described in Exhibit A attached hereto.

and as of November 28, 2007 at 8:00 a.m., title vested in:

Basco Bros., LLC

Subject to the exceptions, exclusions, and stipulations which are ordinarily part of such Policy form and the following:

1. Regulations and Assessments of Riotegi Homeowner's Association, as set forth in Declaration recorded June 7, 2007.
2. Rights of the public and of governmental bodies in and to that portion of the premises herein described lying below the mean high water mark of The North Umpqua River and the ownership of the State of Oregon in that portion lying below the high water mark of The North Umpqua River.

This report is for the exclusive use of the parties herein shown and is preliminary to the issuance of a title insurance policy and shall become void unless a policy is issued, and the full premium paid.

RECEIVED

DEC 07 2007

**WATER RESOURCES DEPT
SALEM OREGON**

(Affects Tract A)

3. Any adverse claim based upon the assertion that some portion of said land has been removed from or brought within the boundaries thereof by an avulsive movement of the North Umpqua River or has been formed by the process of accretion or reliction or has been created by artificial means or has accreted to such portion so created.
(Affects Tract A)
4. The rights of the public in and to that portion of the premises herein described lying within the limits of streets, roads and highways.
5. Right of Way granted to The California Oregon Power Company in Book 169, as Recorder's No. 93883. (Blanket Easement)
6. Terms and Provisions of Easement:
Recording Information: Book 562, Recorder's No. 75-700
In Favor of: Umpqua Basin Water Association
For: Water system
7. Road use Agreement and the terms and conditions thereof:
Between: Owen W. Anderson, et ux
And: Fred D. Skeels
Recording Information: Book 669, Page 135, Recorder's No. 78-4765
8. Easement, including terms and provisions contained therein:
Recording Information: Book 735, Page 854, Recorder's No. 79-17509
In Favor of: Jack A. Rinn, et ux
For: Drain Field Easement and Water Line Easement (Affects Tracts A and B)
9. Easement, including terms and provisions contained therein:
Recording Information: Book 756, Page 171, Recorder's No. 80-7427
In Favor of: Pacific Power and Light Company (Blanket Easement)
10. Easement, including terms and provisions contained therein:
Recording Information: Book 785, Page 49, Recorder's No. 81-4174
In Favor of: Pacific Power and Light Company (Blanket Easement)
11. Protective Covenants and Easement Provisions, including terms and provisions thereof.
Recorded: Book 1642, Page 949, Recorder's No. 99-22649

12. Deed of Trust and the terms and conditions thereof.
Grantor/Trustor: Basco Bros., LLC
Grantee/Beneficiary: Perry L. Murray, Trustees of the Perry L. Murray Revocable Trust dated May 25, 2000
Trustee: First American Title Insurance Company
Amount: \$800,000.00
Dated: August 31, 2005
Recorded: September 02, 2005
Recording Information: 2005-22296
13. Umpqua Basin Water Association, Inc. Access and Maintenance Easement, including terms and provisions thereof.
Recorded: November 04, 2005 in Recorder's No. 2005-027867 (Affects Tract B)
14. The By-Laws, including the terms and provisions thereof of Riotegi Homeowner's Association.
Recorded: June 7, 2007 as Recorder's No. 2007-13003
15. Covenants, conditions, restrictions and/or easements; but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, family status, or national origin to the extent such covenants, conditions or restrictions violate Title 42, Section 3604(c), of the United States Codes:
Recording Information: Recorder's No. 2007-13004
16. The following as set forth on the plat of Riotegi Subdivision, Recorder's No. 2007-13005:
- Varying width access and utility easement known as Bonifacio Lane (Affects Lots 1, 6, 7, 8, 9, 10, 11 and Tract B)
 - 60' wide access and utility easement known as Julia Lane (Affects Lots 1, 2, 3, 4, 5, 6 and Tract B)
 - Notes regarding Tracts A, B and C (Affects All Lots)
 - Existing easements (Affects Tracts A and B)
17. Easement, including terms and provisions contained therein:
Recording Information: Recorder's No. 2007-13823
In Favor of: Pacificorp
For: Right of Way (Blanket Easement)
18. The interest of Riotegi Homeowners Association as disclosed by the Douglas County Tax Rolls.
(Affects Tracts A, B and C)
19. The following pertain to lender's Extended coverage only:
- a. Discrepancies, conflicts in boundary lines, shortage in area, encroachments or any other facts which a correct survey would disclose.
 - b. Parties in possession, or claiming to be in possession, other than the vestees shown herein.
 - c. Statutory liens for labor and/or materials, including liens for contributions due to the State of Oregon for employment compensation and for workman's compensation, or any rights thereto, where no notice of such liens or rights appears of record.

RECEIVED

DEC 07 2007

WATER RESOURCES DEPT
SALEM, OREGON

- END OF EXCEPTIONS -

For information only, the following is appurtenant to the herein described land:

A. Easements as reserved in Deed to Fred V. Skeels, including terms and provisions thereof.

Recorded: Book 669, Page 135, Recorder's No. 78-4765 (Benefits All Lots)

B. Easement and Agreement to Terminate Easement, including terms and provisions thereof.

For: Waterline

Recorded: Book 1754, Page 144, Recorder's No. 2001-8470 (Benefits All Lots)

NOTE: According to the public record, the following deed(s) affecting the property herein described have been recorded within 24 months of the effective date of this report: Warranty Deed recorded September 2, 2005 as Recorder's No. 2005-22295

NOTE: Taxes for the year 2007-2008 PAID IN FULL

Tax Amount: \$806.58
Map No.: 26-06W-22D-02400
Property ID: R131798
Tax Code No.: 00402

NOTE: The 2007-2008 tax amount includes \$328.09 in unzoned farm penalties.

NOTE: Taxes for the year 2007-2008 PAID IN FULL

Tax Amount: \$712.02
Map No.: 26-06W-22D-02500
Property ID: R131799
Tax Code No.: 00402

NOTE: The 2007-2008 tax amount includes \$233.53 in unzoned farm penalties.

NOTE: Taxes for the year 2007-2008 PAID IN FULL

Tax Amount: \$710.09
Map No.: 26-06W-22D-02100
Property ID: R131800
Tax Code No.: 00402

NOTE: The 2007-2008 tax amount includes \$231.60 in unzoned farm penalties.

NOTE: Taxes for the year 2007-2008 PAID IN FULL

Tax Amount: 663.77
Map No.: 26-06W-22D-02000
Property ID: R131801
Tax Code No.: 00402

NOTE: The 2007-2008 tax amount includes \$185.28 in unzoned farm penalties.

NOTE: Taxes for the year 2007-2008 PAID IN FULL

Tax Amount: 648.33
Map No.: 26-06W-22D-02200
Property ID: R131802
Tax Code No.: 00402

NOTE: The 2007-2008 tax amount includes \$169.84 in unzoned farm penalties.

NOTE: Taxes for the year 2007-2008 PAID IN FULL

Tax Amount: \$686.93
Map No.: 26-06W-22D-02300
Property ID: R131803
Tax Code No.: 00402

NOTE: The 2007-2008 tax amount includes \$208.44 in unzoned farm penalties.

NOTE: Taxes for the year 2007-2008 PAID IN FULL

Tax Amount: \$1,468.16
Map No.: 26-06W-22D-01800
Property ID: R131804
Tax Code No.: 00402

NOTE: The 2007-2008 tax amount includes \$90.71 in unzoned farm penalties.

NOTE: Taxes for the year 2007-2008 PAID IN FULL

Tax Amount: \$1,169.52
Map No.: 26-06W-22D-01700
Property ID: R131805
Tax Code No.: 00402

NOTE: The 2007-2008 tax amount includes \$691.03 in unzoned farm penalties.

NOTE: Taxes for the year 2007-2008 PAID IN FULL

Tax Amount: \$1,143.84
Map No.: 26-06W-22D-01600
Property ID: R131806
Tax Code No.: 00402

NOTE: The 2007-2008 tax amount includes \$665.35 in unzoned farm penalties.

NOTE: Taxes for the year 2007-2008 PAID IN FULL

Tax Amount: \$1,111.12
Map No.: 26-06W-22D-01500
Property ID: R131807
Tax Code No.: 00402

NOTE: The 2007-2008 tax amount includes \$632.63 in unzoned farm penalties.

NOTE: Taxes for the year 2007-2008 PAID IN FULL

Tax Amount: \$1,258.39
Map No.: 26-06W-22D-01400
Property ID: R131808
Tax Code No.: 00402

NOTE: The 2007-2008 tax amount includes \$779.90 in unzoned farm penalties.

NOTE: Taxes for the year 2007-2008 PAID IN FULL

Tax Amount: \$550.05
Map No.: 26-06W-22D-02700
Property ID: R131809

RECEIVED

DEC 07 2007

WATER RESOURCES DEPT
SALEM, OREGON

Tax Code No.: 00402

NOTE: The 2007-2008 tax amount includes \$550.05 in unzoned farm penalties. This account has a tax exemption due to the property being a common area.

NOTE: Taxes for the year 2007-2008 PAID IN FULL

Tax Amount: \$1,152.18

Map No.: 26-06W-22D-02600

Property ID: R131810

Tax Code No.: 00402

NOTE: The 2007-2008 tax amount includes \$1,152.18 in unzoned farm penalties. This account has a tax exemption due to the property being a common area.

NOTE: Taxes for the year 2007-2008 PAID IN FULL

Tax Amount: \$152.47

Map No.: 26-06W-22D-01900

Property ID: R131811

Tax Code No.: 00402

NOTE: The 2007-2008 tax amount includes \$152.47 in unzoned farm penalties. This account has a tax exemption due to the property being a common area.

Situs Address as disclosed on Douglas County Tax Roll:

190, 242, 294, 346, 398, 422 and 460 Bonifacio Lane and 120, 121, 152, 175, 194 and 226 Julia Lane,
Roseburg, OR 97470

THANK YOU FOR CHOOSING FIRST AMERICAN TITLE!
WE KNOW YOU HAVE A CHOICE!

cc: Basco Bros LLC

RECORDING INFORMATION

Filing Address: **Douglas County Clerk**
PO Box 10
Roseburg, OR 97470

Recording Fees: \$ **5.00** per page
\$ **5.00** per document (Public Land Corner Preservation Fund)
\$ **11.00** per document (OLIS Assessment & Taxation Fee)
\$ **5.00** for each additional title, per document
\$ **20.00** non-standard fee, per document

RECEIVED



First American Title Insurance Company of Oregon

SCHEDULE OF EXCLUSIONS FROM COVERAGE

ALTA LOAN POLICY (06/17/06)

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;
 or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law.
6. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
 - (a) a fraudulent conveyance or fraudulent transfer, or
 - (b) a preferential transfer for any reason not stated in Covered Risk 13(b) of this policy.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the Insured Mortgage in the Public Records. This Exclusion does not modify or limit the coverage provided under Covered Risk 11(b).

ALTA OWNER'S POLICY (06/17/06)

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;
 or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risks 9 and 10); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction vesting the Title as shown in Schedule A, is
 - (a) a fraudulent conveyance or fraudulent transfer; or
 - (b) a preferential transfer for any reason not stated in Covered Risk 9 of this policy.
5. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

SCHEDULE OF STANDARD EXCEPTIONS

1. The Lien of Real Estate Taxes or Assessments imposed on the title by a governmental authority that are not shown as existing liens in the records of any taxing authority that levies taxes or assessments on real property or in the public records.
2. Any Facts, Rights, Interests, or Claims that are not shown in the public records but that could be ascertained by an inspection of the land or by making inquiry of persons in possession of the land.
3. Easements, Claims of Easements or Encumbrances that are not shown in the public records.
4. Any Encroachment, Encumbrance, Violation, Variation, or Adverse Circumstance affecting the title including discrepancies, conflicts in boundary lines, shortage in area, or any other facts that would be disclosed by an accurate and complete land survey of the land, and that are not shown in the public records.
5. Unpatented Mining Claims; Reservations or Exceptions in Patents or in acts authorizing the issuance thereof; Water Rights, Claims or Title to Water.
6. Any Lien, or Right to a Lien, for Services, Labor or Material theretofore or hereafter furnished, imposed by law and not shown in the public records.

NOTE: A SPECIMEN COPY OF THE POLICY FORM (OR FORMS) WILL BE FURNISHED UPON REQUEST

TI 149 Rev. 6-17-06

RECEIVED

DEC 07 2007

**WATER RESOURCES DEPT
SALEM, OREGON**

Exhibit "A"

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

PARCEL 1

LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, AND TRACTS A, B AND C, RIOTEGI SUBDIVISION, DOUGLAS COUNTY, OREGON.

PARCEL 2

A VARYING WIDTH ACCESS AND UTILITY EASEMENT KNOWN AS BONIFACIO LANE AS SET FORTH ON THE PLAT OF RIOTEGI SUBDIVISION, DOUGLAS COUNTY, OREGON, RECORDER'S NO. 2007-13005.

PARCEL 3

A 60' WIDE ACCESS AND UTILITY EASEMENT KNOWN AS JULIA LANE AS SET FORTH ON THE PLAT OF RIOTEGI SUBDIVISION, DOUGLAS COUNTY, OREGON, RECORDER'S NO. 2007-13005.

Tax Parcel Number: R131798 and R131799 and R131800 and R131801 and R131802 and R131803 and R131804 and R131805 and R131806 and R131807 and R131808 and R131809 and R131810 and R131811

Basco Bros., LLC.
PO Box 131
Winchester, OR. 97495

November 20, 2007

Mr. Perry L. Murray
178 Hayes Eden Lane
Roseburg, OR. 97470

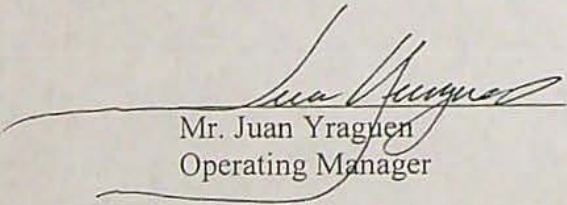
Mr. Perry L. Murray:

This is to notify you that we are making changes to the water rights located at Township 26 South, Range 6 West, W.M. Section 22 Douglas County, Tax Lots 900, 1201 and 1200 along County road No. 31, Del Rio Road, Roseburg.

The overall changes are to the water right Certificate 80234 which includes a transfer and a reservoir as a bulge in the delivery system.

If there are any questions please contact me.

Respectfully,



Mr. Juan Yraguen
Operating Manager

RECEIVED

DEC 07 2007

WATER RESOURCES DEPT
SALEM, OREGON

**First American**

First American Title Insurance Company of Oregon
1700 NW Garden Valley Blvd, Ste 204
Roseburg, OR 97470
Phn - (541)672-5555
Fax - (800)314-0395

SUBDIVISION GUARANTEE**For the Proposed Plat of:****Unnamed Plat**

GUARANTEE NO.:

7391-915096

FEE

\$

150.00

YOUR REF.:

Basco***First American Title Insurance Company of Oregon***

reports to

The Oregon Real Estate Commission, and any County or City within which said subdivision or proposed subdivision is located.

That, according to the public records which impart constructive notice or matters affecting title to the premises hereinafter referred to, we find:

That the last deed of record runs to:

Basco Bros., LLC

We also find the following apparent encumbrances, which includes "Blanket Encumbrances" as defined by ORS 92.305 (1), and also easements, restrictive covenants and rights of way prior to the effective date hereof:

1. Rights of the public and of governmental bodies in and to that portion of the premises herein described lying below the mean high water mark of The North Umpqua River and the ownership of the State of Oregon in that portion lying below the high water mark of The North Umpqua River .
2. Any adverse claim based upon the assertion that some portion of said land has been removed from or brought within the boundaries thereof by an avulsive movement of the North Umpqua River or has been formed by the process of accretion or reliction or has been created by artificial means or has accreted to such portion so created.
3. The rights of the public in and to that portion of the premises herein described lying within the limits of streets, roads and highways.
4. Right of Way granted to The California Oregon Power Company in Book 169, as Recorder's No. 93883.

RECEIVED**MAY 15 2007****WATER RESOURCES DEPT
SALEM, OREGON**

T 10387

First American Title

5. Easement, including terms and provisions contained therein:
Recording Information: Book 562, Recorder's No. 75-700
In Favor of: Umpqua Basin Water Association
For: Water system
6. Road use Agreement and the terms and conditions thereof:
Between: Owen W. Anderson, et ux
And: Fred D. Skeels
Recording Information: Book 669, Page 135, Recorder's No. 78-4765
7. Easement, including terms and provisions contained therein:
Recording Information: Book 735, Page 854, Recorder's No. 79-17509
In Favor of: Jack A. Rinn, et ux (Affects Parcel 1)
8. Easement, including terms and provisions contained therein:
Recording Information: Book 756, Page 171, Recorder's No. 80-7427
In Favor of: Pacific Power and Light Company
9. Easement, including terms and provisions contained therein:
Recording Information: Book 785, Page 49, Recorder's No. 81-4174
In Favor of: Pacific Power and Light Company
10. Protective Covenants and Easement Provisions, including terms and provisions thereof.
Recorded: Book 1642, Page 949, Recorder's No. 99-22649
11. Restrictive Covenant, including terms and provisions thereof.
Recorded: Book 1899, Page 551, Recorder's No. 2002-22583
12. Deed of Trust and the terms and conditions thereof.
Grantor/Trustor: Basco Bros., LLC
Grantee/Beneficiary: Perry L. Murray, Trustees of the Perry L. Murray Revocable Trust dated May 25, 2000
Trustee: First American Title Insurance Company of Oregon
Amount: \$800,000.00
Dated: August 31, 2005
Recorded: September 02, 2005
Recording Information: 2005-022296
13. Umpqua Basin Water Association, Inc. Access and Maintenance Easement, including terms and provisions thereof.
Recorded: November 04, 2005 in Recorder's No. 2005-027867
(Affects Tax Lot 1200)

NOTE: Taxes for the year 2006-2007 PAID IN FULL

Tax Amount: \$3,529.48

Map No.: 26-06W-22D-01201

First American Title

RECEIVED**MAY 15 2007****WATER RESOURCES DEPT
SALEM, OREGON**

T 10387

Property ID: R51519
Tax Code No.: 00402

NOTE: Taxes for the year 2006-2007 PAID IN FULL

Tax Amount: \$71.12
Map No.: 26-06W-22D-01200
Property ID: R51526
Tax Code No.: 00402

NOTE: Taxes for the year 2006-2007 PAID IN FULL

Tax Amount: \$15.31
Map No.: 26-06W-22D-00900
Property ID: R51603
Tax Code No.: 00402

NOTE: The 2007-2008 taxes for Tax Account R51526 will include \$3,306.05 and Tax Account R51603 will include \$2,765.05 due to Unzoned Farm Penalty These tax amounts have been prepaid.

For information only, the following is appurtenant to the herein described land:

A. Easements as reserved in Deed to Fred V. Skeels, including terms and provisions thereof.

Recorded: Book 669, Page 135, Recorder's No. 78-4765

B. Easement and Agreement to Terminate Easement, including terms and provisions thereof.

Recorded: Book 1754, Page 144, Recorder's No. 2001-8470

We have also searched our General Index for Judgments and State and Federal liens against the Grantee named above and find:

-NONE-

The premises are in Douglas County and are described as follows:

The land referred to in this report is described in Exhibit A attached hereto.

THIS IS NOT A TITLE GUARANTEE since no examination has been made of the title to the above described property. Our search for apparent encumbrances was limited to our Tract Indices and therefore above listings do not include additional matters which might have been disclosed by an examination of the record title. We assume no liability in connection with this Subdivision Report and will not be responsible for errors or omissions therein.

Dated: April 24, 2007

RECEIVED

MAY 15 2007

WATER RESOURCES DEPT
SALEM OREGON

T 10387

First American Title Insurance Company of Oregon,

By:

Amber Hooper

Amber Hooper, Authorized Signatory

AH/AH

RECEIVED

MAY 15 2007

**WATER RESOURCES DEPT
SALEM, OREGON**

T 10387

Exhibit "A"

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

PARCEL 1:

BEGINNING AT A POINT 21.21 CHAINS EAST AND 18.90 CHAINS NORTH OF THE SOUTHWEST CORNER OF THE EAST HALF OF THE HENRY EVANS DLC NO. 43 IN SECTIONS 22 AND 27, TOWNSHIP 26 SOUTH, RANGE 6 WEST OF THE W.M.; RUNNING THENCE NORTH 16 CHAINS; THENCE EAST 30.12 CHAINS TO THE MEANDER LINE OF THE NORTH UMPQUA RIVER; THENCE ALONG SAID RIVER SOUTHWESTERLY 16.95 CHAINS; THENCE WEST 24.50 CHAINS TO THE PLACE OF BEGINNING, DOUGLAS COUNTY, OREGON.

EXCEPTING THEREFROM: BEGINNING AT A 5/8" IRON ROD SET AT THE SOUTHWEST CORNER OF THAT TRACT OF LAND DESCRIBED IN RECORDER'S NO. 78-4765, DOUGLAS COUNTY RECORDS, FROM WHICH ROD THE SOUTHWEST CORNER OF THE EAST HALF OF DLC NO. 43, TOWNSHIP 26 SOUTH, RANGE 6 WEST, W.M., BEARS SOUTH 32° 03' 30" WEST 2674.27 FEET AND SOUTH 20.0 FEET; THENCE ALONG THE SOUTH LINE OF SAID TRACT SOUTH 89° 40' EAST 873.0 FEET TO A 5/8" IRON ROD; THENCE SOUTH 14° 12' 16" WEST 709.59 FEET TO A 5/8" IRON ROD; THENCE SOUTH 89° 40' EAST 1077.05 FEET TO A 5/8" IRON ROD SET IN THE WESTERLY LINE OF COUNTY ROAD NO. 31; THENCE ALONG SAID WESTERLY LINE, SOUTH 19° 22' WEST 63.47 FEET TO A 1/2" IRON ROD SET IN THE NORTH LINE OF THAT PARCEL OF LAND DESCRIBED IN RECORDER'S NO. 77-7825, DOUGLAS COUNTY RECORDS; THENCE ALONG THE NORTH AND WEST LINES OF SAID PARCEL, NORTH 89° 40' WEST 573.52 FEET TO THE NORTHWEST CORNER OF SAID LAND AT A 1/2" IRON ROD AND SOUTH 0° 00' 36" EAST 303.95 FEET TO A 1/2" IRON ROD SET IN THE SOUTH LINE OF LANDS DESCRIBED IN RECORDER'S NO. 69-5135; THENCE ALONG THE SOUTH AND WEST LINES OF SAID LANDS, NORTH 89° 40' 16" WEST 1173.57 FEET TO A 5/8" IRON ROD AND NORTH 0° 25' 35" WEST SHOWN AS NORTH 3° 00' 20" EAST ON THE SURVEY OF COUNTRY HILL, COUNTY SURVEYORS MAP FILE NO. RM 1-69, 1053.02 FEET TO THE PLACE OF BEGINNING. ALL IN SECTIONS 22 AND 27, TOWNSHIP 26 SOUTH, RANGE 6 WEST, W.M.

ALSO EXCEPTING THEREFROM THAT PORTION DESCRIBED IN DEED TO NATHANIEL EVANS, ET UX, RECORDED IN BOOK 633, PAGE 165, RECORDS OF DOUGLAS COUNTY, OREGON, RECORDER'S NO. 77-7825, DESCRIBED AS FOLLOWS: A PARCEL OF LAND LYING IN SECTIONS 22 AND 27, TOWNSHIP 26 SOUTH, RANGE 6 WEST, W.M., DOUGLAS COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF THE PROPERTY DESCRIBED IN VOLUME 104, PAGE 325 IN THE DEED RECORDS OF DOUGLAS COUNTY, OREGON, SAID POINT BEING ALSO THE SOUTHEAST CORNER OF THAT PROPERTY DESIGNATED AS PARCEL NO. 2 AND BEING DESCRIBED IN INSTRUMENT NO. 72-8392, IN THE DEED RECORDS OF DOUGLAS COUNTY, OREGON, WHICH POINT BEARS EAST 95.54 CHAINS AND NORTH 18.88 CHAINS AND SOUTH 89° 40' EAST 290.00 FEET FROM THE SOUTHWEST CORNER OF THE HENRY EVANS DLC NO. 43, OF THE ABOVE SAID TOWNSHIP AND RANGE, SAID POINT ALSO BEARS SOUTH 87° 46' 52" WEST 3395.50 FEET FROM THE ONE-QUARTER CORNER COMMON TO SECTIONS 23 AND 26 OF THE ABOVE SAID TOWNSHIP AND RANGE; THENCE ALONG THE NORTH LINE OF SAID PROPERTY DESCRIBED IN VOLUME 104, PAGE 325 IN THE DEED RECORDS OF DOUGLAS COUNTY, OREGON, SAID LINE BEING ALSO THE SOUTH LINE OF THE AFOREMENTIONED PROPERTY DESCRIBED IN INSTRUMENT NO. 72-8392, IN THE DEED RECORDS OF DOUGLAS COUNTY, OREGON, NORTH 89° 40' WEST 726.91 FEET TO A 1/2" IRON ROD; THENCE NORTH 304.00 FEET TO A 1/2" IRON ROD; THENCE SOUTH 89° 40' EAST 849 FEET, MORE OR LESS, PARALLEL TO THE ABOVE SAID NORTH LINE TO THE WESTERLY LOW WATER LINE OF THE NORTH UMPQUA RIVER; THENCE SOUTHWESTERLY (SOUTH 21° 57' WEST 327 FEET, MORE OR LESS) ALONG SAID LOW WATER LINE TO THE POINT OF BEGINNING, BEING SITUATED IN SECTIONS 22 AND 27, TOWNSHIP 26 SOUTH, RANGE 6 WEST, W.M., DOUGLAS COUNTY, OREGON.

ALSO EXCEPTING THEREFROM THAT PART LYING WITHIN COUNTY ROAD NO. 31.

First American Title

RECEIVED

MAY 15 2007

**WATER RESOURCES DEPT
SALEM, OREGON**

T 10387

ALSO EXCEPTING A PARCEL OF LAND LYING IN SECTION 22, TOWNSHIP 26 SOUTH, RANGE 6 WEST, WILLAMETTE MERIDIAN, DOUGLAS COUNTY, OREGON, BEING DESCRIBED AS FOLLOWS: BEGINNING AT A 5/8" IRON ROD SET IN THE NORTHEAST CORNER OF PARCEL 1, LAND PARTITION RECORDED IN BOOK 6, PAGE 109, PARTITION PLAT RECORDS, DOUGLAS COUNTY, OREGON, FROM WHICH POINT THE SOUTHWEST CORNER OF LOT 4, RED FOX ESTATES BEARS NORTH 13° 59' 07" EAST 1.68 FEET AND NORTH 89° 58' 03" EAST 195.28 FEET; THENCE SOUTH 13° 59' 07" WEST 60.14 FEET TO A 5/8" IRON ROD AND THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTH 13° 59' 07" WEST 441.00 FEET; THENCE SOUTH 89° 14' EAST 303.06 FEET; THENCE NORTH 13° 59' 07" EAST 445.00 FEET; THENCE NORTH 89° 58' 03" WEST 304.00 FEET TO THE TRUE POINT OF BEGINNING.

ALSO EXCEPTING A PARCEL OF LAND LYING IN SECTION 22, TOWNSHIP 26 SOUTH, RANGE 6 WEST, WILLAMETTE MERIDIAN, DOUGLAS COUNTY, OREGON, BEING DESCRIBED AS FOLLOWS: BEGINNING AT A 5/8" IRON ROD SET IN THE NORTHEAST CORNER OF PARCEL 1, LAND PARTITION RECORDED IN BOOK 6, PAGE 109, PARTITION PLAT RECORDS, DOUGLAS COUNTY, OREGON, FROM WHICH POINT THE SOUTHWEST CORNER OF LOT 4, RED FOX ESTATES BEARS NORTH 13° 59' 07" EAST 1.68 FEET AND NORTH 89° 58' 03" EAST 195.28 FEET; THENCE SOUTH 13° 59' 07" WEST 60.14 FEET TO A 5/8" IRON ROD; THENCE CONTINUING SOUTH 13° 59' 07" WEST 441.0 FEET TO A 5/8" IRON ROD; THENCE SOUTH 89° 14' EAST 17.14 FEET TO A 5/8" IRON ROD, AND THE TRUE POINT OF BEGINNING; THENCE SOUTH 89° 14' EAST 285.06 FEET TO A 5/8" IRON ROD; THENCE SOUTH 13° 59' 07" WEST 13.00 FEET TO A 5/8" IRON ROD; THENCE NORTH 89° 14' 14" WEST 285.77 FEET TO A 5/8" IRON ROD; THENCE NORTH 13° 20' EAST 13.00 FEET TO A POINT; THENCE SOUTH 89° 14' EAST 0.86 FEET TO THE TRUE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM THAT PORTION LYING WITHIN THE FOLLOWING DESCRIBED PROPERTY: BEGINNING AT A 5/8" IRON ROD SET AT THE NORTHWEST CORNER OF THAT TRACT OF LAND DESCRIBED IN RECORDER'S NO 79-17509, DOUGLAS COUNTY RECORDS, FROM WHICH ROD THE SOUTHWEST CORNER OF THE EAST HALF OF DLC NO. 43, TOWNSHIP 26 SOUTH, RANGE 6 WEST, WILLAMETTE MERIDIAN, BEARS S31 19'18"W 2675.29 FEET AND SOUTH 20.00 FEET; THENCE ALONG THE SOUTH LINE OF SAID TRACT S89 40'00"E 873.00 FEET TO A 5/8" IRON ROD; THENCE S14 12'16"W 267.32 FEET TO A 5/8" IRON ROD AT THE TRUE POINT OF BEGINNING; THENCE S14 12'16"W 442.27 FEET TO A 5/8" IRON ROD; THENCE S89 40'00"E 19.15 FEET TO A 5/8" IRON ROD SET IN AN EXISTING FENCE CORNER AND REFERENCED HEREIN A "POINT A"; THENCE S77 07'11"E 144.31 FEET TO A 5/8" IRON ROD; THENCE S57 28'03"E 86.49 FEET TO A 5/8" IRON ROD; THENCE S73 58'00"E 56.09 FEET TO A 5/8" IRON ROD; THENCE N17 28'44"E 96.92 FEET TO A 5/8" IRON ROD; THENCE N89 40'00"W 296.62 FEET TO A 5/8" IRON ROD PREVIOUSLY REFERENCED HEREIN AS "POINT A"; THENCE ALONG AN EXISTING FENCE LINE THE FOLLOWING: N 13 57'36"00"E 200.51 FEET TO A 5/8" IRON ROD AND N13 20'00" 240.20 FEET TO A 5/8" IRON ROD; THENCE N87 49'00"W 14.40 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL 2:

BEGINNING AT THE NORTHWEST CORNER OF THAT TRACT OF LAND DESCRIBED IN RECORDER'S NO. 79-17509, FROM WHICH CORNER THE SOUTHWEST CORNER OF THE EAST HALF OF DLC NO. 43, TOWNSHIP 26 SOUTH, RANGE 6 WEST, W.M., BEARS SOUTH 31° 19' 18" WEST 2675.29 FEET; (PREVIOUSLY RECORDED AS SOUTH 32° 03' 30" WEST 2674.27 FEET) AND SOUTH 20 FEET; THENCE ALONG THE NORTH LINE OF SAID TRACT, SOUTH 89° 40' EAST 873.00 FEET TO THE NORTHEAST CORNER THEREOF; THENCE ALONG THE EASTERLY LINE OF SAID TRACT, SOUTH 14° 12' 16" WEST 267.32 FEET TO A 5/8" IRON ROD; THENCE NORTH 89° 40' WEST 805.47 FEET TO A 5/8" IRON ROD SET IN THE WEST LINE OF SAID TRACT; THENCE ALONG SAID TRACT, NORTH 0° 25' 35" WEST 259.55 FEET TO THE PLACE OF BEGINNING.

PARCEL 3:

RECEIVED

MAY 15 2007

WATER RESOURCES DEPT
SALEM, OREGON

A PARCEL OF LAND LYING IN SECTION 22, TOWNSHIP 26 SOUTH, RANGE 6 WEST, WILLAMETTE MERIDIAN, DOUGLAS COUNTY, OREGON, BEING DESCRIBED AS FOLLOWS: BEGINNING AT A 5/8" IRON ROD SET IN THE NORTHEAST CORNER OF PARCEL 1, LAND PARTITION RECORDED IN BOOK 6, PAGE 109, PARTITION PLAT RECORDS, DOUGLAS COUNTY, OREGON, FROM WHICH POINT THE SOUTHWEST CORNER OF LOT 4, RED FOX ESTATES BEARS NORTH 13° 59' 07" EAST 1.68 FEET AND NORTH 89° 58' 03" EAST 195.28 FEET; THENCE SOUTH 13° 59' 07" WEST 60.14 FEET TO A 5/8" IRON ROD AND THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTH 13° 59' 07" WEST 441.00 FEET; THENCE SOUTH 89° 14' EAST 303.06 FEET; THENCE NORTH 13° 59' 07" EAST 445.00 FEET; THENCE NORTH 89° 58' 03" WEST 304.00 FEET TO THE TRUE POINT OF BEGINNING.

ALSO A PARCEL OF LAND LYING IN SECTION 22, TOWNSHIP 26 SOUTH RANGE 6 WEST, WILLAMETTE MERIDIAN, DOUGLAS COUNTY, OREGON, BEING DESCRIBED AS FOLLOWS: BEGINNING AT A 5/8" IRON ROD SET IN THE NORTHEAST CORNER OF PARCEL 1, LAND PARTITION RECORDED IN BOOK 6, PAGE 109, PARTITION PLAT RECORDS, DOUGLAS COUNTY, OREGON, FROM WHICH POINT THE SOUTHWEST CORNER OF LOT 4, RED FOX ESTATES BEARS NORTH 13° 59' 07" EAST 1.68 FEET AND NORTH 89° 58' 03" EAST 195.28 FEET; THENCE SOUTH 13° 59' 07" WEST 60.14 FEET TO A 5/8" IRON ROD; THENCE CONTINUING SOUTH 13° 59' 07" WEST 441.0 FEET TO A 5/8" IRON ROD; THENCE SOUTH 89° 14' EAST 17.14 FEET TO A 5/8" IRON ROD, AND THE TRUE POINT OF BEGINNING; THENCE SOUTH 89° 14' EAST 285.06 FEET TO A 5/8" IRON ROD; THENCE SOUTH 13° 59' 07" WEST 13.00 FEET TO A 5/8" IRON ROD; THENCE NORTH 89° 14' 14" WEST 285.77 FEET TO A 5/8" IRON ROD; THENCE NORTH 13° 20' EAST 13.00 FEET TO A POINT; THENCE SOUTH 89° 14' EAST 0.86 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPTING FROM THE ABOVE DESCRIBED PARCELS:

A PARCEL OF LAND LYING IN SECTION 22, TOWNSHIP 26 SOUTH RANGE 6 WEST, WILLAMETTE MERIDIAN, DOUGLAS COUNTY, OREGON. BEING DESCRIBED AS FOLLOWS: BEGINNING AT A 5/8" IRON ROD SET IN THE NORTHEAST CORNER OF PARCEL 1, LAND PARTITION RECORDED IN BOOK 6, PAGE 109, PARTITION PLAT RECORDS, DOUGLAS COUNTY, OREGON, FROM WHICH POINT THE SOUTHWEST CORNER OF LOT 4, RED FOX ESTATES BEARS NORTH 13° 59' 07" EAST 1.68 FEET AND NORTH 89° 58' 03" EAST 193.28 FEET; THENCE SOUTH 13° 59' 07" WEST 60.14 FEET TO A 5/8" IRON ROD; THENCE CONTINUING SOUTH 13° 59' 07" WEST 212.84 FEET TO A 5/8" IRON ROD AND THE TRUE POINT OF BEGINNING; THENCE SOUTH 87° 49' EAST 14.40 FEET IN A 5/8" IRON ROD; THENCE SOUTH 13° 20' WEST 227.20 FEET; THENCE NORTH 89° 14' WEST 17.14 FEET TO A 5/8" IRON ROD; THENCE NORTH 13° 59' 07" EAST 228.61 FEET TO THE TRUE POINT OF BEGINNING.

Tax Parcel Number: R51519, R51526 and R51603

RECEIVED

MAY 15 2007

WATER RESOURCES DEPT
SALEM, OREGON

T 10387

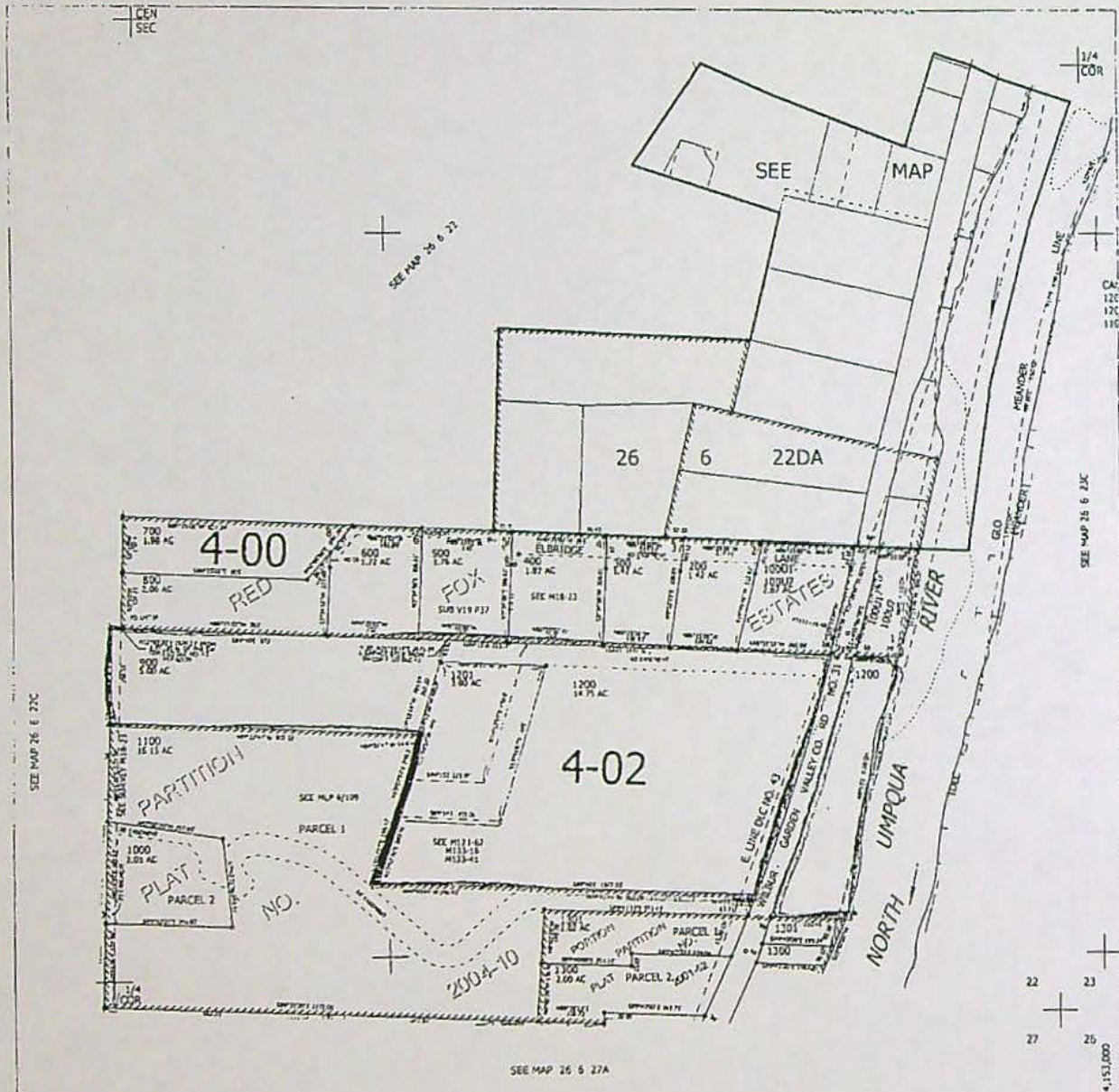


First American Title Insurance Company



North

This map is furnished for illustration and to assist in property location the company assumes no liability for any variation in dimensions by location ascertainable by actual survey.



T 10387

RECEIVED

MAY 15 2007

**WATER RESOURCES DEPT
SALEM, OREGON**

BASCO BROS, LLC

An Oregon Limited Liability Company

OPERATING AGREEMENT

THIS OPERATING AGREEMENT is made and entered into effective April 21, 2004, by and among JUAN JOSE YRAGUEN, NICOLAS BEN YRAGUEN, and JAIME BONIFACIO YRAGUEN (collectively referred to in this agreement as the "Members").

SECTION 1. THE LIMITED LIABILITY COMPANY

1.1 Fomation. Effective April 21, 2004, the Members form an Oregon limited liability company under the name BASCO BROS, LLC (the "Company"), on the terms and conditions in this Operating Agreement (the "Agreement") and pursuant to the Oregon Limited Liability Company Act (the "Act"). Effective April 21, 2004, the Members agree to cause to be filed with the Corporation Division of the Oregon Secretary of State's office Articles of Organization for the Company. The rights and obligations of the parties are as provided in the Act except as otherwise expressly provided in this Agreement.

- 1.2 Name.** The business of the Company will be conducted under the name BASCO BROS, LLC, or such other name as the Members unanimously may agree upon.
- 1.3 Purpose.** The Company may conduct or promote any lawful business or purpose that a partnership or corporation may conduct or promote. The primary purpose of the Company is to buy, sell, develop, and manage real property, and to engage in all activities reasonably necessary and incidental thereto.
- 1.4 Office.** The Company will maintain its principal business office within Oregon at 1039 Parkhill, Sutherlin, OR 97479.
- 1.5 Registered Agent.** Juan Yraguen is the Company's initial registered agent in Oregon and the registered office is 1039 Parkhill, Sutherlin, OR 97479, and having a mailing address of PO Box 131, Winchester, OR 97495.
- 1.6 Term.** The term of the Company commences on April 21, 2004, and is perpetual unless terminated as provided in this Agreement.
- 1.7 Names and Addresses of Members.**

The Members' names and addresses are as follows:

RECEIVED

MAY 15 2007

WATER RESOURCES DEPT
SALEM, OREGON

PLEASE SEE PAGE 4
"POWER AND DUTIES OF
MANAGERS"

Juan J. Yraguen
PO Box 131
Winchester, OR 97495

Nicolas B. Yraguen
PO Box 174
Winchester, OR 97495

Jaime B. Yraguen
PO Box 801
Winchester, OR 97495

- 1.8 **Admission of Additional Members.** Except as otherwise expressly provided in this Agreement, no additional members may be admitted to the Company through issuance by the company of a new interest in the Company without the prior unanimous written consent of the Members.

SECTION 2. CAPITAL CONTRIBUTIONS

- 2.1 **Initial Capital Contributions.** The members shall not make an initial capital contribution to the Company.
- 2.2 **Ownership Interest.** Each Member's percentage interest in the Company (the "Ownership Interest") is:

JUAN YRAGUEN	33 1/3%
NICOLAS YRAGUEN	33 1/3%
JAIME YRAGUEN	33 1/3%

- 2.3 **Additional Capital Contributions.** The Members intend that to the maximum extent possible, Company obligations are to be paid from operating cash flows and from Company borrowings, whether short term or longer term. To the extent cash flow from operations and borrowings are not sufficient to meet the obligations of the Company as they become due, then on the prior consent of Members holding a majority of the Ownership Interests (such majority of Ownership Interests hereinafter referred to as a "Majority of the Members") the Members will contribute to the Company proportionately to their Ownership Interests the funds necessary to meet such obligations.

- 2.3.1 The Operating Manager (defined in Section 4.1.1) may initiate a required capital contribution by giving the other Members written notice (the "Notice") of the total amount of capital required and by stating the reasons the additional capital contribution is needed. If approved by a Majority of the Members, each Member must contribute its proportionate share

RECEIVED

MAY 15 2007

WATER RESOURCES DEPT

(determined by reference to Ownership Interests) of the amount stated in the Notice. All contributions of capital must be made by each Member within 30 days of the date the Notice is received by the other Members. Failure to make a required capital contribution is a breach of this Agreement, unless, pursuant to Section 2.4, the other Member(s) advance funds, which decision is in the sole discretion of the other Members.

- 2.4 Failure to Make Additional Capital Contribution.** Should any Member for any reason fail to make an additional capital contribution required under Section 2.3 (a "Defaulting Member"), then the other Members may advance funds proportionate to their Ownership Interests or as they otherwise may agree for the account of the Defaulting Member (a "Default Advance"). A Member who makes a Default Advance is an "Advancing Member." A Default Advance is a debt of the Defaulting Member due to the Advancing Member(s) that bears interest from the date made at a rate equal to 9% per annum. The Defaulting Member's share of Company cash in the chronological order of, and proportionately to, the Default Advances then to be repaid until that debt, including interest and costs of collection, are repaid in full. A default Advance is the personal obligation of the Defaulting Member to the Advancing Member(s), and if not repaid within two years of the date made, the Advancing Member(s) may pursue any remedy at law or in equity for its repayment.
- 2.5 No Interest on Capital Contributions.** Members are not entitled to interest or other compensation for or on account of their capital contributions to the Company except to the extent, if any, expressly provided in this Agreement.

SECTION 3. ALLOCATION OF PROFITS AND LOSSES; DISTRIBUTIONS

- 3.1 Income and Loss Determination.** The Company's taxable income or loss for each fiscal year will be determined as of the end of the fiscal year by the Company's accountants in accordance with federal income tax accounting principles, consistently applied, using that method of accounting employed in the federal income tax informational return filed by the Company for that fiscal year.
- 3.2 Allocations of Income and Loss.** All items of income, gain, loss, deduction, and credit will be allocated among the Members pro rata in proportion to their respective Ownership Interests.
- 3.3 Distributions.** Except as provided in Section 8, distributions will be made to the members pro rata in proportion to their respective Ownership Interests at times and in amounts as the Operating Manager may deem appropriate or advisable; provided, however, that if any Default Advances then remain unpaid and outstanding, distributions otherwise payable to the Defaulting Member instead will be paid to the Advancing Members in chronological order of the Default

RECEIVED

MAY 15 2007

WATER RESOURCES DEPT
SALEM, OREGON

Advances until all Default Advances made on behalf of the Defaulting Member and all accrued and unpaid interest and costs of collection are repaid in full.

- 3.3.1 Notwithstanding Section 3.3, no distribution may be made to any Member if, after giving effect to the distribution, in the judgment of the Operating Manager, determined as permitted in the Act, either (1) the Company would not be able to pay its debts as they become due in the ordinary course of business, or (2) the fair value of the total assets of the Company would not at least equal its total liabilities.
- 3.4 **Transfer of Interest by Member During Fiscal Year.** If any Member transfers all or a portion of an interest in the Company during any fiscal year of the Company consistent with the provisions of Section 7, by sale, exchange, transfer, assignment, gift, death, operation of law, or in any other manner, the income or deduction of the Company allocable to the membership interest so transferred will be prorated between the transferor and the transferee in accordance with the number of days during the fiscal year each owned the interest, but, unless otherwise agreed between the Member and the transferee, gains or losses recognized from the sale or conveyance of Company assets will be allocated based on a closing of the books to the Member owning the interest at the time of the sale or conveyance.
- 3.5 **No Right to Demand Return of Capital.** No Member has any right to any return of capital or other distribution except as expressly provided in this Agreement. No Member has any drawing account in the Company.

SECTION 4. POWERS AND DUTIES OF MANAGERS

- 4.1 **Management of Company.** The management and control of the Company and its business and affairs is exclusively in the Members. The Members, or any of them, have all the powers that may be possessed by a member in a limited liability company without managers pursuant to the Act.
- 4.1.1 Notwithstanding Section 4.1, the Members agree among themselves that, except as otherwise provided in Section 4.2, in connection with Major Decisions (defined in Section 4.2), the right to manage the day-to-day operations of the Company rests exclusively in JUAN YRAGUEN (the "Operating Manager"). Consistent with and subject to the foregoing, the Operating Manager has all the rights and powers that may be possessed by a manager in a limited liability company with managers pursuant to the Act and such rights and powers as are otherwise conferred by law or are necessary, advisable, or convenient to the discharge of the Operating Managers's duties under this Agreement and to the management of the business and affairs of the Company. Without limiting the generality of

RECEIVED

MAY 15 2007

WATER RESOURCES DEPT
SALEM, OREGON

the foregoing, subject to the restrictions set forth in Section 4.2, the Operating Manager has the following rights and powers (which he or she may exercise at the cost, expense, and risk of the Company):

- (1) To expend the funds of the Company in furtherance of the Company's business;
- (2) To perform all acts necessary to fulfill the purposes of the Company, including engaging persons the Operating Manager deems advisable to fulfill those purposes;
- (3) To execute, deliver, and perform on behalf of and in the name of the Company, without any other signature, agreements and documents deemed necessary or desirable by the Operating Manager to carry out the business of the Company, including but not limited to any lease of real or personal property; and
- (4) To borrow or raise money on behalf of the Company in the Company's name or in the name of the Operating Manager for the benefit of the Company and, from time to time, to draw, make, accept, endorse, execute, and issue promissory notes, drafts, checks, and other negotiable or nonnegotiable instruments and evidences of indebtedness, and to secure their payment by mortgage, security agreement, pledge, conveyance, or assignment in trust of the whole or any part of the assets of the Company, including contract rights.
- (5) To acquire or sell any land or other real property or interest in land or other real property.

4.2 Restriction on Authority of Operating Manager. Notwithstanding any other provision of this Agreement, without the prior written approval or consent of a Majority of the Members, the Operating Manager does not have any authority to do any of the following (the "Major Decisions"):

1. Amend the Company's Articles of Organization or this Agreement;
2. Finance or refinance any assets of the Company, or demolish, renovate, or lease the existing improvements on the Company's existing real property in Douglas County, Oregon (the "Property");

T 10387

RECEIVED

MAY 15 2007

**WATER RESOURCES DEPT
SALEM, OREGON**

3. Construct any improvements or make any capital improvements, repairs, alterations, or changes in or to the Property involving in any instance an expenditure in excess of \$10,000, except for matters expressly delegated to the Operating Manager by the Members.

- 4.3 **Member's Exercise of Authority.** Notwithstanding any other provision of this Agreement, should any Member not an Operating Manager exercise any right or power vested in the Member as a manager of the Company (other than voting or consenting to Major Decisions as provided in Section 4.2), on the approval of Members owning a majority of the Ownership Interests held by Members other than the breaching Member, the Company or such remaining Members have the option, but not the obligation, to purchase and acquire the interest of that Member in the Company for an amount equal to 60% of the amount that Member otherwise would receive if the Company's assets were then sold and the proceeds distributed in liquidation to all Members in accordance with this Agreement. Payment for that Member's interest in the Company will be unsecured and will not be less than 20% of the purchase price at closing, and 20% of the purchase price on each anniversary of the closing until paid.
- 4.4 **Tax Matters Member.** JUAN YRAGUEN is hereby designated and approved as Tax Matters Member for the Company; in such capacity, JUAN YRAGUEN is authorized to participate in any audit of the Company's federal income tax return, and in connection therewith, to negotiate, settle, and make agreements and adjustments with respect to the Company's federal income tax return that will be binding on all the Members; provided, however, that he first consult with and obtain the approval of the other Members concerning any audit adjustments proposed to be made to the Company's federal income tax return. JUAN YRAGUEN, as Tax Matters Member, must notify all Members of any final Company audit adjustments.
- 4.5 **Duties of the Operating Manager.** The Operating Manager must take all actions that may be necessary or appropriate for the continuation of the Company's valid existence as a limited liability company under the laws of Oregon and of each jurisdiction in which such existence is necessary for the Company to conduct the business in which it is engaged and for the accomplishment of the Company's purposes, including the preservation and operation of Company assets in accordance with the provisions of this Agreement and applicable laws and regulations. Notwithstanding the foregoing, the Operating Manager is not required to devote his or her full time to the business and affairs of the Company, but must devote such time as reasonable is necessary to perform his or her duties under this Agreement and prudently to manage or operate the Company's assets and conduct its business.

T 10387

RECEIVED

MAY 15 2007

**WATER RESOURCES DEPT
SALEM, OREGON**

- 4.6 **Limitation on Liability of Operating Manager.** The Operating Manager has no liability to the Company or to any other Member for any loss suffered by the Company or any Member that arises out of any action or inaction of the Operating Manager if the Operating Manager, in good faith, determined that such course of conduct was in the best interest of the Company and such course of conduct did not constitute gross negligence or intentionally wrongful misconduct.
- 4.7 **Indemnification of Operating Manager.** The Operating Manager is not personally liable for any debt, obligation, or liability of the Company merely by reason of being the Operating Manager or a Member. To the fullest extent provided or allowed by the laws of Oregon, the Company will indemnify the Operating Manager, in his or her capacity as Operating Manager, from and against all costs, losses, liabilities, damages, claims, and expenses (including, without limitation, action taken or omitted by the Operating Manager consistent with this Agreement and in furtherance of the business or affairs of the Company. The satisfaction of any indemnification of the Operating Manager under this Agreement will be from, and limited to, Company assets, and the Members will not have any personal liability on account thereof.
- 4.8 **Other Business.** Each Member is entitled to enter into transactions that may be considered to be competitive with, or a business opportunity that may be beneficial to, the Company, it being expressly understood that the Members may enter into transactions that are similar to the transactions into which the Company may enter, and the Company and each Member hereby waive any right or claim to participate in them. Notwithstanding the foregoing, Members must account to the Company and hold, as trustee for it, any property, profit, or benefit derived by the Member, without the consent of all of the Members, in the formation, conduct, and winding up of the Company business or from a use or appropriation by the Member of Company property, including information developed exclusively for the Company and opportunities expressly offered to the Company.
- 4.9 **Decisions by Members.** Whenever in this Agreement reference is made to the decision, consent, approval, judgement, or action of the Members, unless otherwise expressly provided in this Agreement, such decision, consent, approval, judgement, or action shall mean a Majority of the Members.
- 4.10 **Withdrawal by a Member.** A Member has no power to withdraw from the Company.

SECTION 5. SALARIES, REIMBURSEMENT, AND PAYMENT OF EXPENSES

- 5.1 **Organization Expenses.** All expenses incurred in connection with organization of the Company will be paid by the Company.
- 5.2 **Reimbursements.** The Operating Manager is entitled to reimbursement from the

RECEIVED

MAY 15 2007

Company for actual out-of-pocket expenses of the Company reasonably incurred in connection with the Company's business.

- 5.3 **Salary.** No salary will be paid to a Member for the performance of his or her duties under this Agreement unless the salary has been approved in writing by a Majority of the Members.
- 5.4 **Insurance.** At all times, the Operating Manager must obtain and keep in full force and effect a comprehensive public liability policy and a property damage policy in amounts, with companies, and on terms acceptable to a Majority of the Members. Each policy of insurance covering any Company property or any portion of any Company property must provide that the policy may not be canceled without at least 10 days' written notice to the Members.
- 5.5 **Legal and Accounting Services.** The operating Manager is authorized to obtain legal and accounting services to the extent reasonably necessary for the conduct of the Company's business.

SECTION 6. BOOKS OF ACCOUNT, ACCOUNTING REPORTS, TAX RETURNS, FISCAL YEAR, BANKING

- 6.1 **Books of Account.** At the expense of the Company, the Operating Manager must maintain records and accounts of all operations and expenditures of the Company at the principal office of the Company. At a minimum, the Company records must include (1) a current list of the full name and last-known business, residence, or mailing address of each Member, both past and present; (2) a copy of the Articles of Organization and all amendments; (3) a copy of the Company's currently effective written Operating Agreement and all amendments; and (4) copies of the Company's federal, state, and local income tax returns and access to these at all reasonable times. The Operating manager must keep and maintain books and records of the operations of the Company that are appropriate and adequate for the Company's business and for carrying out this Agreement. The Operating Manager must prepare the books and records on the basis of generally accepted accounting principles.
- 6.2 **Accounting Reports.** Within 120 days after the end of each fiscal year of the Company, the Operating Manager must furnish each Member with copies of internally prepared financial statements of the Company.
- 6.3 **Audit.** At any time, on the written request of a Member, an audit of the accounting books of the Company will occur at the expense of the Company. All Members must cooperate fully with the accountant conducting the audit.
- 6.4 **Tax Returns.** The Operating Manager must cause to be prepared and, on the

review and approval of them by a Majority of the Members, must timely file with the appropriate authorities as necessary all federal and state income tax returns for the Company. Within 90 days after the end of each taxable year, or such lesser time if prescribed by the Internal Revenue Service, each Member will be furnished with a statement that may be used by the Member in the preparation of the Member's income tax returns, showing the amounts of any distributions, gains, profits, losses, deductions, or credits allocated to him or her during the fiscal year.

- 6.5 **Method of Accounting.** The Company will use the method of accounting previously determined by the Members for financial reporting and tax purposes.
- 6.6 **Fiscal Year; Taxable Year.** The fiscal year and the taxable year of the Company is the calendar year.
- 6.7 **Capital Accounts.** The Company will maintain a Capital Account for each Member on a cumulative basis in accordance with federal income tax accounting principles in Treasure Regulation §1.704-1 (b) (2) (iv).
- 6.8 **Banking.** All funds of the Company will be deposited in a separate bank account or in an account or accounts of a savings and loan association in the name of the Company as determined by a Majority of the Members. Company funds will be invested or deposited with an institution, the accounts or deposits of which are insured or guaranteed by an agency of the United States government. Company funds may be withdrawn from Company accounts on the signature of the Operating Manager.
- 6.9 **Management of Funds.** The Operating Manager must hold and disburse all funds of the Company in accordance with the terms of this Agreement and must account for all funds as a fiduciary. All funds of the Company held by a Member must be held in trust for the benefit of the Company, not be commingled with other funds of a Member, not be the personal property of a Member, and, to the maximum extent permitted by law, not be vulnerable to inclusion in the bankruptcy estate of a Member.

SECTION 7. TRANSFER OF MEMBERSHIP INTEREST

- 7.1 **Sale or Encumbrance Prohibited.** Except as otherwise permitted in this Agreement, no Member may voluntarily or involuntarily transfer, sell, convey, encumber, pledge, assign, or otherwise dispose of (collectively, "Transfer") an interest in the Company without the prior written consent of a majority of the other nontransferring Members determined on a per capita basis.
- 7.2 **Right of First Offer.** Notwithstanding Section 7.1, a Member may transfer all or

RECEIVED

MAY 15 2007

WATER RESOURCES DEPT
SALEM, OREGON

any part of Member's interest in the Company (the "Interest") as follows:

- 7.2.1 The Member desiring to transfer his or her Interest first must provide written notice (the "Notice") to the other Members, specifying the price and terms on which the Member is prepared to sell the Interest (the "Offer").
- 7.2.2 For a period of 30 days after receipt of the Notice, the Members have the right, but not the obligation, to acquire all, but not less than all, of the Interest at the price and under the terms specified in the Offer. If the other Members desiring to acquire the Interest cannot agree among themselves on the allocation of the Interest among them, the allocation will be proportional to the Ownership Interest of those Members desiring to acquire the Interest.
- 7.2.3 Closing of the sale of the Interest will occur as stated in the Offer; provided, however, that the closing will not be less than 45 days after expiration of the 30-day notice period.
- 7.2.4 If the other Members fail or refuse to notify the transferring Member of their desire to acquire all of the Interest proposed to be transferred within the 30-day period following receipt of the Notice, then the Members will be deemed to have waived their right to acquire the Interest on the terms described in the Offer, and the transferring Member may sell and convey the Interest consistent with the Offer to any other person or entity; provided, however, that notwithstanding anything in Section 7.2 to the contrary, should the sale to a third person be at a price or on terms that are more favorable to the purchaser than stated in the Offer, then the transferring Member must reoffer the sale of the Interest to the remaining Members at that other price or other terms; provided, further, that if the sale to a third person is not closed within six months after the expiration of the 30-day period describe above, then the provisions of Section 7.2 will again apply to the Interest proposed to be sold or conveyed.
- 7.2.5 Notwithstanding the foregoing provisions of Section 7.2, should the sole remaining Member be entitled to and elect to acquire all the Interests of the other Members of the Company in accordance with the provisions of Section 7.2, the acquiring Member may assign the right to acquire the Interests to a spouse, lineal descendent, or an affiliated entity if the assignment is reasonably believed to be necessary to continue the existence of the Company as a limited liability company.
- 7.3 **Involuntary Transfer.** In the event that all or part of a Member's interest in the Company is ordered transferred to another party pursuant to a decree of divorce or other order of a court of competent jurisdiction, the recipient of the interest shall be subject to the restrictions set forth in Section 7.5, and the rights of the remaining members to purchase the transferred interest on the terms set forth in Section 7.3.

RECEIVED

MAY 15 2007

WATER RESOURCES DEPT
SALEM OREGON

7.3.1 The recipient shall, within 30 days after the effective date of any order or decree transferring the Interest, deliver to the company written notice of the transfer, together with a copy of the order or decree by which the transfer became effective.

7.3.2 For a period of 30 days after receipt of the Notice, the remaining Members have the right, but not the obligation, to acquire all, but not less than all, of the Interest. The value of the Interest shall be determined pursuant to Section 7.6.1, and shall be measured as of the last determination of value prior to the effective date of the order or decree by which the transfer became effective. If the other Members desiring to acquire the Interest cannot agree among themselves on the allocation of the Interest among them, the allocation will be proportional to the Ownership Interests of those Members desiring to acquire the Interest.

7.3.3 Payment of the purchase price shall be made at closing, on the terms and conditions set forth in Section 7.6.4.

7.3.4 At the closing, the Recipient must assign to the Company all of the Recipient's Interest in the Company free and clear of all liens, claims, and encumbrances, and, at the request of the Company, the Recipient must execute all other instruments as may reasonably be necessary to vest in the Company all of the Recipient's right, title, and interest in the Company and its assets. If either the Company or the Recipient fails or refuses to execute any instrument required by this Agreement, the other party is hereby granted the irrevocable power of attorney which, it is agreed, is coupled with an interest, to execute and deliver on behalf of the failing or refusing party all instruments required to be executed and delivered by the failing or refusing party.

7.4 **Substituted Parties.** Any transfer in which the Transferee becomes a fully substituted Member is not permitted unless and until:

- (1) The transferor and assignee execute and deliver to the Company the documents and instruments of conveyance necessary or appropriate in the opinion of counsel to the Company to effect the transfer and to confirm the agreement of the permitted assignee to be bound by the provisions of this Agreement; and
- (2) The transferor furnishes to the Company an opinion of counsel, satisfactory to the Company, that the transfer will not cause the Company to terminate for federal income tax purposes or that any termination is not adverse to the Company or the other Members.

7.5 **Death, Incompetency, or Bankruptcy of Member.** On the death, adjudicated incompetence, or bankruptcy of a Member, the successor in interest to the Member (whether an estate, bankruptcy trustee, or otherwise) will receive only the economic right to receive distributions whenever made by the Company and the Member's allocable share of taxable

RECEIVED

MAY 15 2007

**WATER RESOURCES DEPT
SALEM, OREGON**

income, gain, loss, deduction, and credit (the "Economic Rights") unless and until a majority of the other Members determined on a per capita basis admit the transferee as a fully substituted Member in accordance with the provisions of Section 7.4.

7.5.1 Any transfer of Economic Rights pursuant to Section 7.5 will not include any right to participate in management of the Company, including any right to vote, consent to, or approve any actions of the Operating Manager, and will not include any right to information on the Company or its operations of financial condition. Following any transfer of only the Economic Rights of a Member's power and right to vote or consent to any matter submitted to the Members will be eliminated, and the Ownership Interests of the remaining Members, for purposes only of such votes, consents, and participation in management, will be proportionately increased until such time, if any, as the transferee of the Economic Rights become a fully substituted Member.

7.6 Death Buyout. Notwithstanding the foregoing provision of Section 7, the Members covenant and agree that on the death of any Member, the Company, at its option, by providing written notice to the estate of the deceased Member within 180 days of the death of the Member, may purchase, acquire, and redeem the Interest of the deceased Member in the Company pursuant to the provision of Section 7.6.

7.6.1 The value of each Member's Interest in the Company will be determined on the date this Agreement is signed, and the value will be endorsed on Exhibit A attached and made a part of this Agreement. The value of each Member's Interest will be redetermined unanimously by the Members annually, unless the Members unanimously decide to redetermine those values more frequently. The Members will use their best efforts to endorse those values on Exhibit A. The purchase price for a decedent Member's interest conclusively is the value last determined before the death of such Member; provided, however, that if the latest valuation is more than two years before the death of the deceased Member, the provisions of Section 7.6.2 will apply in determining the value of the Member's Interest in the Company.

7.6.2 If the Members have failed to value the deceased Member's Interest within the prior two-year period, the value of each Member's Interest in the Company on the date of death, in the first instance, will be determined by mutual agreement of the surviving Members and the personal representative of the estate of the deceased Member. If the parties cannot reach an agreement on the value within 30 days after the appointment of the personal representative of the deceased Member, then the surviving Members and the personal representative each must select a qualified appraiser within the next succeeding 30 days. No person may be designated as an appraiser unless he or she is a member of the American Institute of Real Estate Appraisers. The appraisers so selected must

RECEIVED

MAY 15 2007

WATER RESOURCES DEPT
SALES OFFICE

attempt to determine the value of the Company Interest owned by the decedent at the time of death based solely on their appraisal of the total value of the Company's assets and the amount the decedent would have received had the assets of the Company been sold at that time for an amount equal to their fair market value and the proceeds (after payment of all Company obligations) were distributed in the manner contemplated in Section 8. The appraisal may not consider and discount for the sale of a minority Interest in the Company. In the event the appraisers cannot agree on the value within 30 days after being selected, the two appraisers must, within 30 days, select a third appraiser. The value of the Interest of the decedent in the Company and the purchase price of it will be the average of the two appraisals nearest in amount to one another. That amount will be final and binding on all parties and their respective successors, assigns, and representatives. The costs and expenses of the third appraiser and any costs and expenses of the appraiser retained but not paid for by the estate of the deceased Member will be offset against the purchase price paid for the deceased Member's Interest in the Company.

7.6.3 Closing of the sale of the deceased Member's Interest in the Company will be held at the office of the Company on a date designated by the Company, not be later than 90 days after agreement with the personal representative of the deceased Member's estate on the fair market value of the deceased Member's Interest in the Company; provided, however, that if the purchase price are determined by appraisals as set forth in Section 7.5.2, the closing will be 30 days after the final appraisal and purchase price are determined. If no personal representative has been appointed within 60 days after the deceased Member's death, the surviving Members have the right to apply for and have a personal representative appointed.

7.6.4 At closing, the Company will pay the purchase price for the deceased Member's Interest in the Company.

- (1) The Company may, at its sole discretion, pay all or part of the purchase price by transfer to the deceased Member's Personal Representative or estate of real property owned by the Company. The value of any such property shall be measured at the date of closing, and upon delivery of title to any such property, the amount due to the Personal Representative or Successor shall be reduced by an amount equal to the such value.
- (2) At closing, not less than 25% of the purchase price shall be paid in cash or by way of distribution of real property pursuant to Section 7.6.4 (1).

RECEIVED

MAY 15 2007

**WATER RESOURCES DEPT
SALEM, OREGON**

- (3) The balance of the purchase price shall be paid by the Company executing and delivering its promissory note for the balance, with interest at the prime interest rate stated by SOUTH UMPQUA BANK at the time of the deceased Member's death. Interest will be payable monthly, with the principal sum being due and payable in three equal annual installments. The promissory note will be unsecured and will contain provisions that the principal sum may be paid in whole or in part at any time, without penalty.

7.6.5 At the closing, the deceased Member's estate or personal representative must assign to the Company all of the deceased Member's Interest in the Company free and clear of all liens, claims, and encumbrances, and, at the request of the Company, the estate or personal representative must execute all other instruments as may reasonably be necessary to vest in the Company all of the deceased Member's right, title, and interest in the Company and its assets. If either the Company or the deceased Member's estate or personal representative fails or refuses to execute any instrument required by this Agreement, the other party is hereby granted the irrevocable power of attorney which, it is agreed, is coupled with an interest, to execute and deliver on behalf of the failing or refusing party all instruments required to be executed and delivered by the failing or refusing party.

7.6.6 On completion of the purchase of the deceased Member's Interest in the Company, the Ownership Interests of the remaining Members will increase proportionately to their then-existing Ownership Interests.

SECTION 8. DISSOLUTION AND WINDING UP OF THE COMPANY

8.1 **Dissolution.** The Company will be dissolved on the happening of any of the following events:

8.1.1 Sale, transfer, or other disposition of all or substantially all of the property of the Company:

8.1.2 The agreement of all of the Members:

8.1.3 By operation of law; or

8.1.4 The death, incompetence, expulsion, or bankruptcy of a Member, or the occurrence of any event that terminates the continued membership of a Member in the Company, unless there are then remaining at least the minimum number of Members required by law and all of the remaining Members, within 120 days after the date of the event, elect to continue the

RECEIVED

MAY 15 2007

WATER RESOURCES DEPT
SALEM, OREGON

business of the Company.

8.2 **Winding Up.** On the dissolution of the Company (if the Company is not continued as provided in Section 8.1.5), the Members must take full account of the Company's assets and liabilities, and the assets will be liquidated as promptly as is consistent with obtaining their fair value, and the proceeds, to the extent sufficient to pay the Company's obligations with respect to the liquidation, will be applied and distributed, after any gain or loss realized in connection with the liquidation has been allocated in accordance with Section 3 of this Agreement, and the Members' Capital Accounts have been adjusted to reflect the allocation and all other transactions through the date of the distribution, in the following order:

- 8.2.1 To payment and discharge of the expenses of liquidation and of all the Company's debts and liabilities to persons or organizations other than Members, provided that, upon the agreement of all Members, a Member may assume any debt which is secured by real property which will be distributed to said Member;
- 8.2.2 To the payment and discharge of any Company debts and liabilities owed to Members, which debt may be paid, in whole or in part, by the distribution of real property to a Member to whom a debt or liability is owed; and
- 8.2.3 To Members in the amount of their respective adjusted Capital Account balances on the date of distribution; provided, however, that any then-outstanding Default Advances (with interest and costs of collection) first must be repaid from distributions otherwise allocable to the Defaulting Member pursuant to Section 8.2.3. The Company may distribute amounts due to any Member, in whole or in part, by the transfer of an interest in real or personal property owned by the Company at the time of distribution, provided however, that the value of any parcel of property so distributed shall be reduced by the value of any encumbrance on the property which would otherwise be the obligation of the Company.

SECTION 9. GENERAL PROVISIONS

- 9.1 **Amendments.** Amendments to this Agreement may be proposed by any Member. A proposed amendment will be adopted and become effective as an amendment only on the written approval of all of the Members.
- 9.2 **Governing Law.** This Agreement and the rights and obligations of the parties under it are governed by and interpreted in accordance with the laws of the state of Oregon (without regard to principles of conflicts of law).

RECEIVED

MAY 15 2007

WATER RESOURCES DEPT
SALEM, OREGON

- 9.3 **Waiver of Action for Partition.** Each of the Members irrevocably waives, during the existence of the Company and during the period of its winding up and liquidation following any even of dissolution, any right that the Member may have to maintain any action for partition with respect to any of the assets of the Company.
- 9.4 **Counterparts.** This Agreement may be executed in any number of counterparts with the same effect as if all parties had signed the same counterpart. All counterparts will be construed together and will constitute one and the same Agreement. A single counterpart may be introduced as evidence of this Agreement.
- 9.5 **Parties in Interest.** Subject to the limitations on transfers of membership interests set forth in Section 7 of this Agreement, each and every covenant, term, provision, and agreement is binding on and inure to the benefit of the parties and their heirs, successors, assigns, and legal representatives.
- 9.6 **Entire Agreement; Modification.** This Agreement constitutes the entire understanding and agreement between the Members with respect to the subject matter of this Agreement. There are no agreements, understandings, restrictions, representations, or warranties between the Members other than those in this Agreement or referred to or provided for in this Agreement. No modification or amendment of any provision of this Agreement will be binding on any Member unless in writing and signed by all the Members.
- 9.7 **Attorney Fees.** In the event of any suit or action to enforce or interpret any provision of this Agreement (or that is based on this Agreement), the prevailing party is entitled to recover, in addition to other costs, reasonable attorney fees in connection with the suit, action, or arbitration, and in any appeals. The determination of who is the prevailing party and the amount of reasonable attorney fees to be paid to the prevailing party will be decided by the court or courts, including any appellate courts, in which the matter is tried, heard, or decided.
- 9.8 **Further Effect.** The parties agree to execute other documents reasonably necessary to further effect and evidence the terms of this Agreement, as long as the terms and provisions of the other documents are fully consistent with the terms of this Agreement.
- 9.9 **Severability.** If any term or provision of this Agreement is held to be void or unenforceable, that term or provision will be severed from this Agreement, the balance of the Agreement will survive, and the balance of this Agreement will be reasonably construed to carry out the intent of the parties as evidenced by the terms of this Agreement.

T 10387

RECEIVED

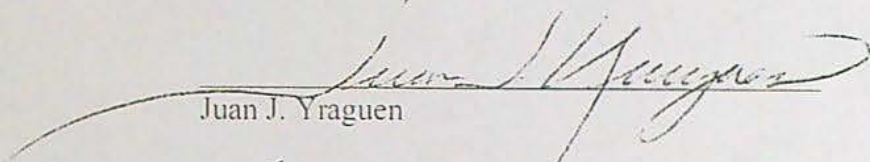
MAY 15 2007

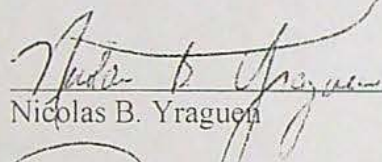
**WATER RESOURCES DEPT
SALEM, OREGON**

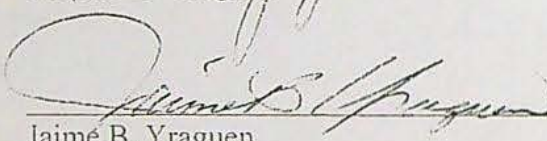
9.10 **Captions.** The captions used in this Agreement are for the convenience of the parties only and will not be interpreted to enlarge, contract, or alter the terms and provisions of this Agreement.

9.11 **Notices.** All notices required to be given by this Agreement will be in writing and will be effective when actually delivered or, if mailed, when deposited as certified mail, postage prepaid, directed to the addresses first shown above for each Member or to such other address as a Member may specify by notice given in conformance with these provisions to the other Members.

IN WITNESS WHEREOF, the parties to this Agreement execute this Operating Agreement as of the date and year first above written.


Juan J. Yraguen


Nicolas B. Yraguen


Jaime B. Yraguen

T 10387

RECEIVED

MAY 15 2007

**WATER RESOURCES DEPT
SALEM, OREGON**

Water Right Transfer Supplemental Form B **AFFIDAVIT ATTESTING TO THE USE OF WATER**

State of Oregon)
) ss
 County of DOUGLAS)

I, JUAN YRAGUEN, in my capacity as BASED BROS LLC,
 mailing address P.O. Box 131, WINCHESTER, OR 97495
 telephone number (541) 459-9318, being first duly sworn depose and say:

1. I attest that:

- ☒ Water was used during the previous five years on the entire authorized place of use of the water right proposed for transfer as described on the accompanying transfer application; or
- ☐ The water right was leased instream at some time within the last five years. The instream lease number is as follows: _____; or
- ☐ The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.

2. My knowledge of the exercise or status of the water right is based on (check one):

- ☒ Personal observation ☐ Professional expertise

3. My knowledge is specific to the use of water at the following locations:

Township		Range		Mer	Sec	¼ ¼ Section	Gov't Lot or DLC	Acres (if applicable)
26	S	6	W	W	22	SW/SE	43	0.63
26	S	6	W	W	22	SE/SE	43	0.17
26	S	6	W	W	22	SE/SE	N/4	1.80

(continues on reverse side)

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more space. Supporting documentation must be attached.

RECEIVED

MAY 15 2007

**WATER RESOURCES DEPT
SALEM, OREGON**

4. The water right was exercised for the authorized purpose described below (e.g., crops grown):

IRRIGATION OF TO BE HAY

5. The water delivery system used to apply water as authorized by the right is described below:

A 25HP PUMP AT POD-1 WITH 4"Ø PIPE AS MAIN
DISTRIBUTION SYSTEM TO 36 3/4"Ø IMPACT SPRINKLERS
WITH 7/32 NOZZLE AT 50 PSI, AS REPORTED.

6. One or more of the following documentation supporting the above statements is attached:

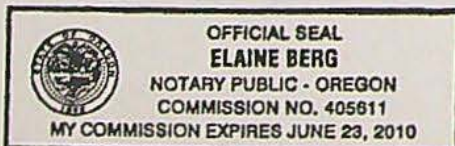
- ☐ Copy of a water right certificate that was issued within the last five years (not a remaining right certificate),
- ☒ Copies of receipts from sales of irrigated crops or for expenditures relating to the use of water,
- ☐ Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers,
- ☐ Dated aerial photographs of the lands or other photographs containing sufficient detail to establish the location and date of the photograph,
- ☐ Dedicated power usage records or receipts,
- ☐ Instream lease number _____,
- ☐ Other: _____

Signature of Affiant

Date

5/11/07

Signed and sworn to (or affirmed) before me this 11th day of MAY, 2007.



Elaine Berg
Notary Public for Oregon

My Commission Expires: June 23, 2010

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more space. Supporting documentation must be attached.

RECEIVED

Supplemental Form B

- 2 -

MAY 15 2007

Affidavit Attesting to the Use of Water

**WATER RESOURCES DEPT
SALEM, OREGON**

10387



Oregon Water Resources Department
Land Use Information Form

W/507-0178
20.00 RECEIPT
P403

THIS FORM IS NOT REQUIRED IF: 1) water is to be diverted, conveyed, and/or used only on federal lands; or 2) the application is for a water-right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and all of the following apply: a) only the place of use is proposed for change, b) there are no structural changes, c) the use of water is for irrigation, and d) the use is located in an irrigation district or exclusive farm-use zone.

Applicant Name: BASCO BROS, LLC
Mailing Address: P.O. Box 131
City: WINCHESTER State: OR Zip: 97195 Day Phone: 541-459-9318

This application is related to a Measure 37 claim. ☐ Yes ☒ No

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), or used. 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	1/4 1/4	Tax Lot #	Plan Designation (e.g. Rural Residential/RR-5)	Water to be:	Proposed Land Use:
26S	6W	22	SWSE	900	RR 2	☐ Diverted ☐ Conveyed ☒ Used	
26S	6W	22	SWSE	1201	RR 2	☐ Diverted ☐ Conveyed ☒ Used	
26S	6W	22	SWSE	1200	RR 2	☐ Diverted ☐ Conveyed ☒ Used	
26S	6W	22	SESE	1200	RR 2	☐ Diverted ☐ Conveyed ☒ Used	

IRrigation
RESERVOIR
SURFACE WATER

List all counties and cities where water is proposed to be diverted, conveyed, or used. DOUGLAS

B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- ☒ Permit to Use or Store Water ☒ Water-Right Transfer ☐ Exchange of Water
☐ Allocation of Conserved Water ☐ Limited Water Use License
☐ Permit Amendment or Ground Water Registration Modification

Source of water: ☐ Reservoir/Pond ☐ Ground Water ☒ Surface Water (name) NORTH UMPQUA RIVER

Estimated quantity of water needed: _____ ☐ 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 MULTIPURPOSE

Briefly describe: 1. LAWN SCATING & HAY IRRIGATION 2. RESERVOIR STORAGE 3. RESERVOIR MAINTENANCE

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt below and include it with the application filed with the Water Resources Department.

Receipt for Request for Land Use Information

State of Oregon
Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1266

RECEIVED

MAY 15 2007

WATER RESOURCES DEPT
SALEM, OREGON

10387

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 proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): _____

Land uses to be served by 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".

[illegible]

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.

DOUGLAS COURT
ROOM 100
DOUGLAS CO
ROSEBUD

Name: KRISTI GILBERT Title: PLANNING TECH
Signature: Kristi Gilbert Phone: 511-440-4289 Date: 05-09-07
Government Entity: DOUGLAS COUNTY PLANNING

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: _____

RECEIVED

MAY 15 2007

WATER RESOURCES DEPT
SALEM, OREGON

T 10387

Jordan Engineering
Structural & Civil

460 Jordan Lane
Roseburg, OR 97470
541-673-1931

Water Resources Department
725 Summer St. NE, Suite A
Salem, OR 97301

Regarding: Transfer Application
Certificate 80234

Cancelled Certificate 29960

Concurrent Applications:

Basque Reservoir

Surface Water

May 11, 2007

Sir:

Inclosed is a Transfer application, Supplemental Form A, Supplemental Form B, Land Use Information Form, 4 water right maps (Historical View, Current View, From Map and a To Map), a Reimbursement Authority Estimate Application, 5 pages of supporting documentation and crop receipts.

Also inclosed with the three projects cover letter is a Operating Agreement between Basco Bros, LLC and Mr. Juan Yraguen (Applicant Signature) as letter of consent from Members, a title report with legal description, a check for \$350 for the Transfer application and a check for \$125 for the Reimbursement Application. The two checks are summed with the rest attached to a "summary of fees" cover letter.

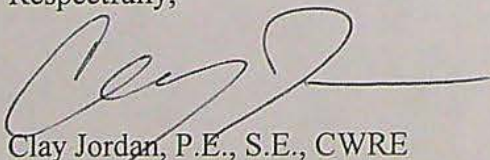
The transfer is to accommodate the footprint of the new subdivision. This includes a reservoir of concurrent application.

The first two maps, Historical View and Current View, are to translate the 1962 canceled certificate 29960's Final Proof map still being used it its current and remaining rights certificate 80234 of today's current survey information.

The supporting 5 pages of documentation include the first 4 pages of available information the 1962 CWRE had at his disposal. The last page is of current depiction of the County Tax Assessor's map.

The Reimbursement Authority application is to assist future transfers of home and driveway areas associated with future accumulated lot sales.

Respectfully,



Clay Jordan, P.E., S.E., CWRE

file: Basco Transfer-1.wpd
cc: Mr. Juan Yraguen

RECEIVED

MAY 15 2007

**WATER RESOURCES DEPT
SALEM, OREGON**

10387

10000

Jordan Engineering
Structural & Civil

460 Jordan Lane
Roseburg, OR 97470
541-673-1931

Water Resources Department
Mr. Douglas M. Parrow
725 Summer St. NE, Suite A
Salem, OR 97301

Certificate 80234 Cancelled Certificate 29960 Regarding application for: Transfer, Reservoir and Surface Water

May 11, 2007

Mr. Parrow:

As an overview inclosed are three packets for three associated applications. Packet (1) is a Transfer application, a Reimbursement Authority Estimate application for the Transfer and a cover letter. Packet (2) is a Store Water in a Reservoir application with cover letter. Packet (3) is a Surface Water application for reservoir maintenance with a cover letter. Also inclosed for all three applications is a Operating Agreement between Basco Bros, LLC and Mr. Juan Yraguen (Applicant Signature) as letter of consent from Members, title report with legal description and one total check attached to a "summary of fees" cover letter.

Part of Certificate number 80234 involved with this project overlays three parcels owned by Basco Bros LLC. That is Tax Lot 900 at 5 acres, Tax Lot 1201 at 3 acres and Tax Lot 1200 at 14.75 acres. Not all of this noted acreage has water rights. The remaining certificated water right, covers areas of other Tax Lots not owned or involved with Basco Bros LLC.'s project. That is, except as a remaining right.

The main purpose of the Transfer is to accommodate a new subdivision and reservoir within the three Tax Lots. Future accumulated developed lots (homes, driveways, etc.) will generate subsequent transfers. Future excess transfer area will be considered for in stream leases.

A portion (2.60ac) of the water right overlaying the three Tax Lots owned by Basco Bros LLC is being transferred from under what will be the new subdivision's streets, reservoir and etc. That area is being transferred to areas within the three tax lots not having water rights as of now.

The reservoir, during irrigation season will also be a bulge in the system along with a year round

RECEIVED

MAY 15 2007

**WATER RESOURCES DEPT
SALEM OREGON**

Page 1 of 3

T 10387

multipurpose reservoir. The surface water application is for reservoir maintenance.

The uniqueness of the project is drafting a From map. A map today that professionally depicts which was certificated in the past. Assuming a water right location and size has never changed, where "it is" is the same then, now and tomorrow. Property lines, fence lines, section lines and DLC lines, to name a few, "assist" in locating where the water right has always been.

The water right's location, in earlier times of available assumed location of "locators" (noted lines above, etc.), may or may not have the same orientation with the water right today or for that matter, with subsequent outside adjacent surveys, tomorrow.

One needs to first assess whether the water right has or has not moved in location and/or size. One of the tools to do that is to research into what "locators" were available to the CWRE at the time of final proof. Then translate into today's best professional assumed location of said "locators" today.

In other words it is assumed its location and size is still and will always be the same as originally described in its certificate with its original "locators," just re-described to today's professional perceived new location of the "locators", not the water right.

Subsequent fly overs in the 70's, 80's, 90's and 2004 with period section line overlays have shown different orientations to visual property lines (tree lines and houses etc.) to as much as several 100 feet. This is in the east/west as well as the north/south direction. The DLC line also has had its concerns of orientation of field location over the decades. It is my professional opinion the fence description shown as X's on the original final proof map carries more weight than assumed section and/or DLC line perceived orientation in the field.

It has lately been brought to my attention by the County Surveyor, given recent court cases, with un-navigability of the North Umpqua River this DLC line is at the string (center line) of the river. With the terminology of the certificate and remaining rights, this CWRE will confirm with the project Surveyor's location of the DLC line unless otherwise directed.

The original certificated acreage includes 1.49 acres in the current remaining right, subjected to future investigation. My expenditures of commissioned research is to that right to transfer of enclosed application. Therefore to stay injury to the State and/or other water right holders of same certification, said 1.49 acres of original certificated right within the now remaining rights of this CWRE's limited commission is professionally temporarily allocated to the sw/se of section 22. This is until research outside this water right transfer project, such as another overlaying transfer, in the proposed remaining right is commissioned. It is understood the 1.49 acres is not real outside the original certificated footprint.

As I have been advised by the project surveyors, without integrating the interaction between section lines and legal descriptions of adjacent areas it is professionally assumed this pictorial description of section line orientation as presented, is considered more current than that rotated

RECEIVED

MAY 15 2007

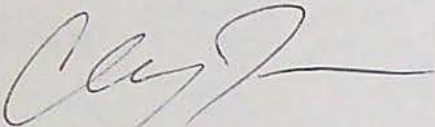
Page 2 of 3

Jordan Engineering
May 11, 2007

because of economic demands by the County to establish present Tax Assessor's presented depictions for the purpose of taxation.

In summary, the transfer and remaining rights within Basco Bros LLC's three tax lots is professionally correct with a remainder of the remaining rights professionally concluded with 1.49 acres to be defined by others of land ownership in the future. In all likely hood, this will happen with future water right activity in questioned remaining rights by land owners (others) of foot printed water right areas.

Respectfully,



Clay Jordan, P.E., S.E., CWRE

file: Basco wr cover-letter.wpd

cc: Mr. Juan Yraguen

RECEIVED

MAY 15 2007

**WATER RESOURCES DEPT
SALEM, OREGON**

Page 3 of 3

T 10387

Indicate in this column whether or not the item is satisfied.

Permanent Transfer Application – OAR 690-380 3000 & 3100

Completeness Checklist

Applicant's Name: Basco Bros LLC (Form last revised: March 13, 2007)

Section A – Status of Right

Is this a Water Right that can be transferred?

[OAR 690-380-0100(14)]

NOTE: The Department can accept a Transfer application for any right that is:

- OK
- ☐ 1) an adjudication with a court decree; *or*
 - ☐ 2) a certificate that is not cancelled; *or*
 - ☐ 3) a transfer that's been approved & A COBU has been received by the Department

If the subject right does not fall into any of the above categories, **RETURN** the application & fee to the applicant.

Section B – Type of Change

Is the proposed change(s) allowed under the Transfer process?

[ORS 540.510]

NOTE: Only POD, POA or POU or USE changes are allowed on Transfers.

OK
If the application proposes a change other than those listed above, **RETURN** the application & fee to the applicant.

Section C - Fees

Have the appropriate fees been paid?

Total Required Fees: 350.00

Fee Schedule – ORS 536.050(1)(h)

- \$350 - Base fee (1st change and 1st CFS of water)
- + \$350 - Each additional type of change requested
- + \$175 - For each CFS, or fraction thereof, requested beyond 1st CFS
(for POU, Type of Use, or Exchange)

Total Fees Paid: _____

Fees Due (if any): _____

Refund Due (if any): _____

If the applicant has **NOT** submitted the total fees required, **RETURN** the application & deficient fee to the applicant.

Section D – Completeness

Indicate in this column whether an item is incomplete, and if so, identify the deficiency.

Is the Transfer application complete?

All required elements necessary for a complete transfer application are listed below.

Indicate whether or not the applicant has answered and/or supplied attachments to adequately address each of the following items. If any one of the items is deficient, then the application is incomplete.

NOTE: For reference, the application page number upon which each item is requested is identified.

If the application is **NOT** complete, **RETURN** the application & fee to the applicant.

OK

- Type of transfer application

(Page 1)

OK

- Applicant's name, mailing address and contact information.

(Page 1)

N/A

- Agent's name, mailing address and contact information, *if applicable.*

(Page 1)

OK

- Are the water rights to be affected by this transfer listed?

(Page 2)

If there are multiple water rights listed..... The applicant must supply a separate "set" of Supplemental Form A for each water right to be transferred.

	Checklist for Supplemental Form A – (Attachments)	
OK	• Certificate # filled in on each page?	(Page 1)
OK	• Type of change(s) proposed clear?	(Page 1)
OK	• Current Water Right information is complete?	(Page 2)
OK	• If for a change in POU or USE..... (Page 2) Are there any “layered” irrigation rights, permits, or GR registrations appurtenant to the same place of use as the water right proposed to be transferred? YES NO If YES..... the other “layered” water uses subject to transfer must either change concurrently or be cancelled, except as provided in OAR 690-380-2240(5). If layered with GR, must submit a GR Modification application as well as this application. Are they included in application? If not, contact applicant or agent.	
N/A	• Location description of the authorized POA/POD to be changed. (Page 3) NOTE: Ensure that the location coordinates listed in the application match the point and location coordinates illustrated on the application map. Additionally, if the existing authorized source is ground water (POA), the applicant must either: _____ 1) supply a copy of the well log(s), <u>or</u> _____ 2) if well logs are not available, describe the construction of the well(s) in the table provided on page 3 of the supplemental form A application.	
OK	• Location description of the existing authorized POU and associated acres (if applicable). (Page 4) NOTE: Ensure that the location and number of acres listed per ¼ ¼ in the application match those illustrated on the application map.	
N/A	• Location description of the proposed POA/POD. (Page 5) NOTE: Ensure that the proposed location coordinates listed in the application match the proposed point and location coordinates illustrated on the application map. Additionally, if the proposed source is ground water (POA), the applicant must either: _____ 1) supply a copy of the well log(s), <u>or</u> _____ 2) if well logs are not available <u>or</u> the well is not yet constructed, describe the construction of the well(s) in the table provided on page 5 of the application.	
OK	• Location description of the proposed POU and associated acres (if applicable). (Page 6) NOTE: Ensure that the location and number of acres listed per ¼ ¼ in the application match those illustrated on the application map.	
Return back to Page 2 of transfer application		
OK	• The type of changes being proposed.	(Page 2)
OK	• Reason for the transfer.	(Page 2)
OK	• Description of current water delivery system.	(Page 2)
OK	• System Capacity.	(Page 2)

	Checklist for Supplemental Form B – (Attachments)	
OK	• Is there a box checked in #1?	(Page 1)
OK	• Is there a box checked in #2?	(Page 1)
OK	• Does the description of POU on page 4 of the supplemental form A application, match authorized POU in question #3?	(Page 1)
OK	• In question #4 and #5 are they filled out. 2)	(Page 2)
OK	• Is there a box checked in #6?	(Page 2)
OK	• Is the #6 supporting documentation included with application? 2)	(Page 2)
OK	• Is there an original signature of the notary and notary stamp? 2)	(Page 2)
Return back to Page 3 of transfer application		
None	• Affected districts and local governments. If within a district/local government jurisdiction, ensure that name & mailing address is provided.	(Page 3)
OK	• Is the applicant the Landowner of the “from” and “to” Lands? YES NO If NO..... The applicant must list current landowner name & address.	(Page 4)
OK	• Who will be responsible for completion of the changes? Is a box checked? If no box is checked the applicant or agent must be contacted.	(Page 4)
OK	• Map..... (Required to be prepared by a CWRE) unless... 1. Map Waiver included with application 2. FP map with advance email or written approval 3. POD/POA without POU change and for entire right with FP map for “from” map if more than 3 rights are included in transfer, is there a separate map for each water right? If larger than 8 1/2 X 14 than 3 copies of map is needed & an electronic pdf file of map north arrow size & scale other: authorized acreage per 1/4 1/4 matches the water right authorized POD/POA and POU (clearly shown, labeled & matches application listing) point plotted for the authorized POD/POA agrees with location coordinates on supplemental form A and WR proposed POD/POA and/or POU (clearly shown, labeled & matches application “proposed” listing) location coordinates accurately describe the point identified as the proposed POD/POA	(Page 5)
OK	• Land Use form, if applicable. Is the form signed by the local planning department staff? May be needed if the POD/POA or POU is moving a great distance <u>and</u> off of land originally involved in WR.	(Page 5)
N/A	• If a groundwater right is involved, are the well logs or a description included.	(Page 5)
N/A	• If this is an instream water right transfer, is there a form C included and filled out.	(Page 5)

OK	• Signature(s) of applicant(s): Are one of the boxes checked? <u>All</u> applicants listed on page 1 of the application <u>must</u> sign the application.	(Page 6)
WRD Completeness Reviewer's Name: <u>S. Henderson</u> Date: <u>5.16.07</u>		

Dorothy Pedersen

From: John Harms [johnh@andersonengineering.com]
Sent: Thursday, February 07, 2008 4:54 PM
To: Dorothy Pedersen
Subject: T-10387 OWNERSHIP INFORMATION (BASCO BROS. LLC)

Hi Dorothy,

The attached title report you sent to Darryl does cover all the "from" lands in T-10387. There appears to be a deed of trust, and the grantee Perry L Murray, trustees of the Perry L. Murray revocable trust, should be notified.

Let me know if you have any questions.

John Harms
Technician
Anderson Engineering & Surveying Inc.
PO Box 28, Lakeview, Oregon 97630
Office: (541) 947-4407
Cell: (541) 219-1333
Fax: (541) 947-2321

Dorothy Pedersen

From: Dorothy Pedersen
Sent: Thursday, August 09, 2007 5:22 PM
To: 'Darryl Anderson'
Subject: RE: Extensions and T-10387
Attachments: supplemental-lang.dot; Re-description example.doc; Permit S-26192 Plane Table Survey.pdf

Darryl,

Thanks for the message. I needed a little humor at the end of the day!

On to another topic—T-10387:

In reviewing the DPD you put together, I noticed a major omission. The application and maps, as well as the watermaster review include a request for a re-description of the place of use and a correction of the acreage remaining. Did you receive those materials? If not, I'll send them to you.

Attached is the supplemental language document that has a section on re-descriptions. I suggest that if the explanation and maps submitted give you the information you need, add in a "re-description" section in the DPD between Finding #2 (authorized portion to be transferred) and the finding of what is proposed. I've also attached a section from another transfer that will give you an example, as well as a scan of the original plane table survey and a scan of the marked FP map that was in the water right file.

If, however, you are not satisfied that the applicant has sufficiently explained the differences between how the water right footprint is described in the record and how the same place of use would be better described using current understanding of how the Public Land Survey overlays the land, then please put together a deficiency letter, requesting additional information. You are probably a good contractor to handle this one, being that you are a surveyor.

The important points are that the right is where it has been, but we are just describing its relationship to the Public Land Survey differently because of some difference in surveying. In this case one factor may have been a difference in interpreting where a fence line was in relation to the quarter-quarter line. Also, though the original plane table survey was tied to the NE corner of DLC 43, I think the CWRE is suggesting there may have been a rotational error. Use your best judgment, and let me know what you come up with as either a revised DPD or a deficiency letter.

Thanks,
Dorothy

Dorothy Pedersen
(503) 986-0890

From: Darryl Anderson [mailto:darryla@andersonengineering.com]
Sent: Thursday, August 09, 2007 1:33 PM
To: Dorothy Pedersen
Subject: Extensions

Hey Dorothy:

I am working with Kim French on an extension application for a client. The applicant had requested a extension of Time date to year 2202. We have all discussed on how long water rights can take, however this one seems a little long. Thought you might be interested, I hope we do not have any transfers that take this long!

Have a good day

Darryl Anderson
Anderson Engineering and Surveying inc.

8/9/2007

Dorothy Pedersen

From: Dorothy Pedersen
Sent: Thursday, August 09, 2007 5:23 PM
To: 'Darryl Anderson'
Subject: Map for T-10387

Attachments: Permit S-26192 Map.pdf



Permit S-26192
Map.pdf (21 KB)...

Darryl,

Here is the final proof map scan that I evidently neglected to attach to the previous email.

Dorothy

Dorothy I. Pedersen
Field Services Division
Oregon Water Resources Department
Dorothy.I.PEDERSEN@wrd.state.or.us
503-986-0890

Dorothy Pedersen

From: Dorothy Pedersen
Sent: Tuesday, August 07, 2007 11:06 AM
To: 'Darryl Anderson'
Subject: RE: T-10387

Hi Darryl,

It looks like your water rights world is much like mine. So we just do the best we can to keep all the projects moving and not falling through the cracks.

You were correct in putting the original name on the remaining right certificate. That is always the default, and we only put other names on it if we happen to have confirmed information about the current landowner's names in the file.

I'll let you know when we send out the T-10387 DPD if there have been any modifications.

By the way, it helps with efficiency at my end if you can save the documents as ".doc" rather than ".dot" files. Also, we have developed a standard naming convention as follows (xxxxx represents the transfer number and ccccc represents the original certificate number):

xxxxx-dpd.doc
xxxxx-dpd-cov.doc
xxxxx-contact list.doc
xxxxx-pd-cov.doc
xxxxx-pd-notice.doc
xxxxx-rr-cccc-.doc

Thank you, and have a good day,
Dorothy

Dorothy Pedersen
(503) 986-0890

From: Darryl Anderson [mailto:darryla@andersonengineering.com]
Sent: Friday, August 03, 2007 1:48 PM
To: Dorothy Pedersen
Subject: T-10387

Hi Dorothy: Here is data for T-10387. I left the RR certificate in the Original Name (Dudley) There appears to be more owners in this area now so I was not sure on this , please advise

I have been behind- we had 18 final proofs to follow up on, some things with Gerry Clark on proofs and certificates, Clients yelling at us, and Clients complaining about new fees at the department, so other than that it has been a peachy time in the water right industry.

Thanks

Darryl Anderson
Anderson Engineering and Surveying inc.
Lakeview, Oregon 97630
541-947-4407

8/7/2007

Oregon Water Resources Department



FAXED
6/22/07
DDP



State of Oregon
Water Resources Department
725 Summer Street NE, Suite A, Salem, OR. 97301-1271
Phone: 503-986-0900
<http://www.wrd.state.or.us>

FAX TRANSMITTAL

To: Darryl Anderson

Fax Number: (541) 947-2321

Date: 6/22/07

Pages: 6, including cover sheet

From: Dorothy Pedersen

Phone: 503-986-0 890

Comments:

ODFW review for T-10387 (Basco Bros. LLC) and my response.
Please add it to
your file for the project. So - we will not be putting in
the fish screen condition, but should acknowledge receipt
of the comment on "no impact" on the stream.

DIRECTOR'S OFFICE

- Water Resources Commission
- Legislation and Rules
- Public Information

FIELD SERVICES

- Regional Liaisons
- Transfers
- Hydrographics

NORTHWEST REGION

- District 16 Watermaster

ADMINISTRATIVE SERVICES

- Fiscal / Accounting
- Human Resources / Personnel
- Water Development Loan Fund
- Support Services

TECHNICAL SERVICES

- Dam Safety
- Enforcement
- Ground Water
- Information Services
- GIS/Mapping
- Water Use Reporting

Fax: 503-986-0902

WATER RIGHTS

- Water Rights Information
- Adjudications
- Hydroelectric
- Certificates / Final Proofs
- Hearings / Contested Cases

Fax: 503-986-0901

Fax: 503-986-0903 or
503-986-0904

Dorothy Pedersen

From: Dorothy Pedersen
Sent: Wednesday, June 13, 2007 9:04 AM
To: 'Darryl Anderson'
Subject: Templates for T-10387 (Basco Bros)

Attachments: 10387-dpd-template.doc; supplemental-lang.dot; Contact List.dot; RR_sw_permit.dot; DPD_cov_approve.dot; DPD_cov_reject.dot; PD_cov_fav_nni.dot; PD_cov_unfav_nni.dot; PD_notice.dot; DeficLet.dot



10387-dpd-template.doc (106 KB...)



supplemental-lang.dot (162 KB...)



Contact List.dot (26 KB)



RR_sw_permit.dot (30 KB)



DPD_cov_approve.dot (27 KB)



DPD_cov_reject.dot (28 KB)



PD_cov_fav_nni.dot (30 KB)



PD_cov_unfav_nni.dot (30 KB)



PD_notice.dot (29 KB)



DeficLet.dot (27 KB)

Hi Darryl,

I've attached templates for use with T-10387 when you get a work order for the project.

You may have noticed that I sent a review checklist with the file packet. Let me know if I missed sending you one. Please fill out the checklist as you go through your review and then send it in with the final deliverable cover sheet. From now on all the contractors, as well as Department staff, will be using the checklists to document that the steps in the review process are completed.

I believe we emailed the Watermaster review to you, but let me know if you have not received it.

It looks like this one may be interesting from the surveying standpoint. You may possibly need to look into some of the suggestions in the section on "redescription" in the supplemental language document.

Thank you,
Dorothy

Dorothy I. Pedersen
Field Services Division
Oregon Water Resources Department
Dorothy.I.PEDERSEN@wrdd.state.or.us
503-986-0890

Shipping Checklist for Reimbursement Authority File

File T- 10387 Applicant: Basco Bros

Agent/Contact: Juan Yraguen

Ship to Contractor: Anderson

Items included:

- ☒ Copy of front of file folder
- ☒ Reimbursement Authority Estimate Application
- ☒ Transfer Application form
- ☒ Transfer map
- ☒ Evidence of use affidavit
- ☒ Supporting documentation for evidence of use
- ☒ Land-use Information form
- ☒ Lot book report (or deed if instream or temporary transfer, or application received before 7/1/03)
- ☒ Certificate or copy of decree for each right to be transferred
- ☒ Final Proof map or decree map for each right to be transferred
- ☒ Well logs (if change in POA, SW POD-to-GW POA change)
- ☐ Watermaster review (all transfers) - *will send later*
- ☒ ODFW review (if change in POD)
- ☒ GW review (if Δ POA, or POD-to-POA change)
- ☒ Review checklist
- ☒ Final Deliverable cover sheet
- ☒ Itemized Estimate sheet for contractor

Additional things to check:

- ☒ All regular application processing fees paid
- ☒ Reimbursement Authority \$125 fee paid for preparing estimate
- ☒ Date of WRD initial Public Notice 5/22/07

Number of sheets copied 34

File contents copied by Lisa Paschke Date 5/22/07

Reimbursement Authority Process Itemized Estimate Sheet for Water Rights Transfer

Application Number T-10387

Name of Applicant: Basco Bros, LLC

Proposed Timeline

5/22/07	Public Notice (start of 30-day comment period).
7/6/07	Completion of draft preliminary determination--1 week after contracts signed and removal of deficiencies, but not before the end of the Public Notice comment period and receipt of all agency reviews (Watermaster, groundwater and ODFW as applicable).
8/11/07	Deadline for applicant review of draft preliminary determination--30 days or more after draft PD mailed to applicant, depending on issues to be resolved.
5 working days after DPD comments received	Completion of contract work: Submittal of PD cover letter, PD public notice (and remaining rights certificates if applicable)--within 5 business days after comments received from applicant that the draft is satisfactory, or after the end of the period for applicant to comment on draft PD and remedy deficiencies.

For purposes of water right transfers, all deliverables must be in Microsoft Word except remaining right certificates for which electronic copies of the existing certificates are currently available in WordPerfect.

Estimate

	Item	Time
1	Review of application for completeness.	
2	Review of "From" lands to confirm consistency with existing right(s) and ownership.	
3	Review of "To" lands for conflicts and preparation of draft deficiency letter (if necessary).	
4	Preparation of draft preliminary determination, DPD cover letter and contact list.	
5	Preparation of PD public notice, PD cover letter (and remaining right certificate(s) if necessary), and processing documentation.	
Total Estimated Time:		

(Indicate the estimated amount of time, in ½ hour increments, needed to complete each item listed.)

Prior to preparing an estimate, contact Department staff if work could not be performed consistent with the proposed timeline. In developing the estimate, review the transfer application, transfer map, existing certificate, and final proof map. Pay particular attention to the clarity of the existing rights and the complexity of the request.

Name of Consultant: Anderson Engineering & Surveying

Authorized Representative: _____ Date: _____

Water Right Transfer Checklist

Transfer T-10387

Transfer Specialist: RA

Transfer Type: Regular

Applicant Name/Address: Basco Bros LLC; PO Box 131; Winchester OR 97495

Agent Name/Address: NONE

CWRE Name/Number: Kenna Clay Jordan #431

Rec Landowner Name/Address: NONE

Irr. District Name/Address: NONE

Affected Gov'ts Name/Address: NONE

Commentors: Name/Address: NONE

Water Rights Affected

Records Marked	Records Copied	App File No. or Decree Name	Permit No.	Certificate No.	RR/CR Needed	RR/CR Nos.
☒	☒	S 33099	S 26192	80234	☐ Yes ☐ No	
☐	☐				☐ Yes ☐ No	
☐	☐				☐ Yes ☐ No	

Key Dates & Initial Actions

Rec'd: <u>05/15/07</u>	Proposed Action(s): POU POD HST APOD USE OTHER: POU	
Fees Pd: <u>350</u>	WM District: <u>15</u>	ODFW District: <u>Sam Moyer</u>
Initial Notice: <u>05/22/07</u>	WM Review sent: <u>05/22/07</u>	ODFW Review sent: <u>05/22/07</u>
Acknowledgement Letter Sent ☒		GW Review sent: <u>NONE</u>

Processing Dates & Actions

Deficiency Contacts: _____

Newspaper Pub Affid Due: _____

☐ not required

DPD Mailed: _____

Affid of Pub Rec'd: _____

☐ ODFW contact sheet sent with DPD, or ☐ N/A

Last Day Published: _____

PD Mailed: _____

Affidavit Reminder Sent: _____

PD Weekly Notice: _____

Reminder Deadline: _____

Preliminary Determination

☐ Electronic Files uploaded

☐ Preliminary Determination

☐ PD Cover letter

☐ Fee Refund Due

☐ PD Notice

☐ Remaining Rights

☐ File Assigned/ ModPod updated

DPD Review (Optional)	PD Review (Salem)	Final Order Review (Salem)
Reviewer: _____	Reviewer: _____	Reviewer: _____
Date: _____	Date: _____	Date: _____
Coordinator: _____	Coordinator: _____	Coordinator: _____
Date: _____	Date: _____	Date: _____
Comments/Special Issues:		

Special Order Volume: Vol _____ Pages _____ Final Order Signature Date: _____

Notice of FO email'd to processors _____

T-10387 Review Checklist

Application

- ☐ The type of change is clearly indicated.
- ☐ The application is appropriately signed.
- ☐ Appropriate fees were paid. ☐ If overpayment, Refund Request to be sent with FO
- ☐ Land use form matches affected tax lots and is signed by proper official. (from ALL affected Govt's)
- ☐ Ditch company, district and/or BOR, sent a copy of the application and map, if appropriate.
- ☐ All required attachments received.

Water right subject to transfer

- ☐ Certificated right or Proof accepted "to the satisfaction...."
- ☐ The right been exercised according to terms & conditions of certificate.
- ☐ Delivery system has the capacity to fully divert the rate/duty of the right.
- ☐ No information in record that suggests forfeiture.
- ☐ No conflicts identified on the plat cards and plat card reports printed.
- ☐ Affidavits prepared for rights that need to be canceled or diminished.

Application Map

- ☐ The map has an original CWRE signature.
- ☐ The map size and scale accurate and appropriate per OAR 690-380-3100(1)(b)(c)&(d).
- ☐ All authorized and proposed POD's/POA's and POU's shown and clearly labeled.
- ☐ Metes and bounds for the POD's/POA's are properly described on the map.
- ☐ The POD/POA dimensions & 1/4 1/4 on map match the transfer application and certificate descriptions.
- ☐ Map acres match the tabulation on the certificate.
- ☐ Have final proof maps/deed maps for the rights. ☐ Application map matches certificate FPS.
- ☐ Have necessary aerial photos.

Determining the "From" and "To" Lands (make working copy of application and certificates to mark on)

- ☐ Only the authorized POD's/POA's and POUs to be transferred are listed.
- ☐ Application & certificate tabulations match. (Mark on appl. and cert. copies and note corrections needed)
- ☐ Marked on certificate the acreage being transferred, cancelled and remaining by 1/4 1/4.

Ownership

- ☐ The deed/ROLI matches the "from" lands. (Don't need to check "to" lands.)
- ☐ Have current tax lot map. (If transfer application is several years old, contact assessor's office)
- ☐ The applicant is the owner of the "from" lands.
- ☐ All owners on the deed/ROLI have signed the application.
- ☐ If necessary, there is a notarized, signed statement of consent from landowners other than applicant.
- ☐ If necessary, there is a copy of written notification to each lien holder identified on ROLI.
- ☐ Agent has authorization to make decisions.

Evaluation (materials needed for peer reviewer in bold)

- | | | | | |
|---|--------------------------------------|------------------------------------|--|--|
| ☐ application complete | ☐ map | ☐ FPS | ☐ evidence of use | ☐ land-use form |
| ☐ deed/ROLI | ☐ certificate | ☐ fees paid | ☐ well logs | ☐ plat card |
| ☐ audit | ☐ dpd | | | |

- Reviews/comments/conditions received? ☐ Watermaster ☐ ODFW ☐ GW
- Headgate ☐ When in the judgment ☐ Prior to diverting ☐ Existing and maintain
- Measuring Devices ☐ When in the judgment ☐ Prior to diverting ☐ Existing and maintain

Injury: Y N Enlargement: Y N

Conditions to avoid enlargement/injury -

**Reimbursement Authority
Final Deliverables Cover Sheet
for
Transfers**

Transfer # T-10387

Applicant: Basco Bros, LLC

The following items have been submitted electronically*:

- ☐ Contact List
- ☐ Draft Preliminary Determination (DPD)
- ☐ DPD Cover Letter
- ☐ PD Notice
- ☐ PD Cover Letter
- ☐ Remaining Right Certificates (one for each right that is not entirely affected by the transfer)

***NOTE:** Transfer documents should be submitted in MS Word format preferably, or "rich text" format.

The following items are enclosed:

- ☐ Marked copy of transfer application
- ☐ (for POU changes) Plat Card Report marked to indicate any other rights on the "From" lands
- ☐ (for POU changes) Plat Card Report marked to indicate rights overlapping proposed POU
- ☐ Notes or sketches, maps, etc. from evaluation of changes, injury evaluation, etc. that will help document what was considered in reaching the findings and determination in the Preliminary Determination.
- ☐ Copies of each certificate that is only partially included in the transfer, marked as needed to show what portion of the right is being affected, and what remains unchanged.

☐ **Signature of Contractor:** _____ **Date:** _____

For WRD use only:

WRD approval by: _____ **Date:** _____

**WATER RESOURCES DEPARTMENT
REIMBURSEMENT AUTHORITY ESTIMATE APPLICATION**

House Bill 2551 (2003 Oregon Laws) authorizes the Oregon Water Resources Department to expedite or enhance regulatory processes voluntarily requested under the agreement. The voluntary agreement can be entered into with any person requesting services and agreeing to pay the Department's costs of providing the service.

The Department has established a pool of qualified contractors to perform expedited services for water right transfers, water right permits extensions, and water right certificates.

The purpose of this application is to obtain an estimate from the next qualified contractor in the appropriate pool. There is a non-refundable application fee of \$125.00 per request. The contractor will provide an estimate of the cost and of the time required to process and develop a recommendation on the request of a: (check one):

<u>REQUEST</u>	<u>TYPE</u>	<u>FILE NUMBER</u>
☒	Transfer Application	Cert - 80234 T 10387
☐	Certificate Request	
☐	Extension of Time Request	

<u>Applicant Information</u>		<u>Applicant's Representative/Contact</u>
Name: (Please Print)	BASCO BROS LLC	JUAN YRAGUEN
Address:	P.O. Box 131	
	WINCHESTER, OR 97495	
Phone:	541-459-9318	
Fax	N/A	
E-Mail Address:	N/A	

I understand the following:

- There is a non-refundable application fee of \$125.00 per request.
- That upon receipt of my non-refundable application fee in the amount of \$ 125.00, OWRD will assign my request to the next contractor in the pool of contractors performing expedited services.
- That this fee covers the copying, the mailing cost, as well as the cost for the contractor to evaluate and provide the estimate for processing of the request.
- That OWRD will provide all pertinent information to the assigned contractor within three (3) business days.
- That OWRD will, within fourteen (14) days, notify me in writing of the estimates of costs and time frame for the expedited service.
- That upon receiving the estimates I may agree or decline to enter into a formal contract to pay the estimated cost in advance to initiate the expedited service.
- An incomplete or inaccurate application may delay the process and increase the cost to process my request.
- Expedited processing does not guarantee a favorable review of my request.
- Send completed Application and payment to:

OWRD - Reimbursement Authority Program
725 Summer St. NE, Suite A
Salem, OR 97301-1266.

I certify that I am the (check one) ☒ Applicant ☐ Applicant's Representative ☐ Other (Please specify) _____

Signature: _____

Name: _____

JUAN J. YRAGUEN

OWRD USE ONLY

Contractor Assigned:

Total Amount Paid: \$

OWRD Approval:

RECEIVED

MAY 15 2007

**WATER RESOURCES DEPT
SALEM, OREGON**

Revised: 6/21/2004