

3

Application for a Permit to Use Surface Water



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

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "n/a." Please read and refer to the instructions when completing your 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. APPLICANT INFORMATION

A. Applicants

Applicant: Daniel + Dolores Rodriguez
First Last

Mailing Address: 8800 N Applegate Rd
Grants Pass Oregon 97527
City State Zip

Phone: 541-862-7380 541 862 2265
Home Work Other

*Fax: _____ *Email Address: danrodriguez@oigp.net

B. Organizations

N/A

(Corporations, associations, firms, partnerships, joint stock companies, cooperatives, public and municipal corporations)

Name of Organization: _____

Name and Title of Person Applying: _____

Mailing Address or Organization: _____

City State Zip

Phone : _____
Day Evening

*Fax: _____ *Email Address: _____

*Optional

For Department Use		
App. No. <u>S-87506</u>	Permit No. _____	Date _____

Last Updated: 3/31/2009

Surface Water/1

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2. SOURCE AND PROPERTY OWNERSHIP

A. The Proposed Source of Water

Provide the commonly used name of the water body from which water will be diverted, and the name of the stream or lake it flows into. If unnamed, say so:

Source 1: Applegate Reservoir Tributary to: Rogue River
 Source 2: _____ Tributary to: _____
 Source 3: _____ Tributary to: _____
 Source 4: _____ Tributary to: _____

If any source listed above is stored water that is authorized under a water right permit, certificate, or decree, attach a copy of the document or list the document number (for decrees, list the volume, page and/or decree name).

R 78107 ~~3~~

B. Applications to Use Stored Water

Complete this section if any source listed in item 2A above is stored water.

Do you, or will you, own the reservoir(s) described in item 2A above?

Yes

No. (Please enclose a copy of your written notification to the operator of the reservoir of your intent to file this application, which you should have already mailed or delivered to the operator.)

If *all* sources listed in item 2A are stored water, the Department will review your application using the expedited process provided in ORS 537.147, unless you check the box below. Please see the instruction booklet for more information.

By checking this box, you are requesting that the Department process your application under the standard process outlined in ORS 537.150 and 537.153, rather than the expedited process provided by ORS 537.147. To file an application under the standard process, you must enclose the following:

- A copy of a signed non-expired contract or other agreement with the owner of the reservoir (if not you) to impound the volume of water you propose to use in this application.
- A copy of your written agreement with the party (if any) delivering the water from the reservoir to you.

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C. Property Ownership

Do you own all the land where you propose to divert, transport, and use water?

Yes (Please check appropriate box below then skip to section 3 'Water Use')

There are no encumbrances

This land is encumbered by easements, rights of way, roads or other encumbrances (please provide a copy of the recorded deed(s))

No (Please check the appropriate box below)

I have a recorded easement or written authorization permitting access.

I do not currently have written authorization or easement permitting access.

Written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigated and/or domestic use only (ORS 274.040).

North Applegate
Ditch runs through
property
Own property
where water
will be used

Do not own
property
where
reservoir is
located.

Enclosed - letter authorizing
use of
N. Applegate
Applegate
Ditch for
conveyance

You must provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.

List the names and mailing addresses of all affected landowners.

3. WATER USE

Please read the instruction booklet for more details on "type of use" definitions, how to express how much water you need and how to identify the water source you propose to use. You must fill out a supplemental form for some uses as they require specific information for that type of use.

A. Type(s) of Use(s)

See list of beneficial uses provided in the instructions.

• If your proposed use is **domestic**, indicate the number of households to be supplied with water: _____

If your proposed use is **irrigation**, please attach **Form I**

• If your proposed use is **mining**, attach **Form R**

• If your proposed use is **municipal or quasi-municipal**, attach **Form M**

• If your proposed use is **commercial/industrial**, attach **Form Q**

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B. Amount of Water

Provide the amount of water you propose to use from each source, for each use, in cubic feet-per-second (cfs) or gallons-per-minute (gpm). If the proposed use is from storage, provide the amount in acre-feet (af):

(1 cfs equals 448.8 gpm. 1 acre-foot equals 325,851 gallons or 43,560 cubic feet)

Source	Type of use	Amount
Applegate Reservoir	Irrigation	<input checked="" type="checkbox"/> 13.5 cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
		<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
		<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
		<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af

C. Period of Use

Indicate the time of year you propose to use the water: April 1 - Oct 31
 (For seasonal uses like irrigation give dates when water use would begin and end, e.g. March 1-October 31.)

If you will be applying water to land, indicate the total number of acres where water will be applied or used: 3 acres
 (This number should be consistent with your application map.)

4. WATER MANAGEMENT

A. Diversion

What method will you use to divert water from the source?

- Pump (give horsepower and pump type): Monarch Pump NSPHE (Lawn + Turf), HP-2.5
- Head-gate (give dimensions): _____
- other means (describe): _____

B. Monitoring

How will you monitor your diversion to be sure you are within the limits of your water right (allowed rate and duty) and you are not wasting water?

- Weir
- Meter
- Periodic Sampling
- other means (describe): _____

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C. Transport

How will you transport water to your place of use?

Ditch or canal (give average width and depth): Existing (N. Applegate)
Width 6' Depth 3'

Is the ditch or canal to be lined? Yes No

~~W/A~~ Pipe (give diameter and total length):

Diameter ~~W/A~~ Length _____

~~W/A~~ Other, describe: _____

D. Application/Distribution Method

What equipment will you use to apply water to your place of use?

Monarch Pump NSPHE (Franklin Electric) and 2" pipe to sprinklers

Irrigation or land application method (check all that apply):

- Flood
- Drip
- Hand Lines
- Siphon tubes or gated pipe with furrows
- other, describe: _____
- High pressure sprinkler
- Water Cannons
- Wheel Lines
- Low pressure sprinkler
- Center pivot system

Distribution method

- Direct pipe from source
- In-line storage (tank or pond)
- Open Canal

E. Conservation

(ditch from Applegate River)

What methods will you use to conserve water? Why did you choose this distribution or application method? Have you considered other methods to transport, apply, distribute or use water? For example, if you are using sprinkler irrigation rather than drip irrigation, explain. If you need additional space, attach a separate sheet.

sprinkler + drip

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5. RESOURCE PROTECTION

A. Protection Practices

In granting permission to use water from a stream or lake, the state encourages, and in some instances requires, careful control of activities that may affect the waterway or streamside area. See instruction guide for a list of possible permit requirements from other agencies. Please indicate any of the practices you plan to undertake to protect water resources.

- Diversion will be screened to prevent uptake of fish and other aquatic life. Describe planned actions:

existing fish screen on N Applegate Ditch

- Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas. Describe planned actions:

Ditch exists

- Operating equipment in a water body will be managed and timed to prevent damage to aquatic life. Describe:

NA

- Water quality will be protected by preventing erosion and run-off of waste or chemical products. Describe:

NA

- Other:

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6. PROJECT SCHEDULE

Indicate the anticipated dates that the following construction tasks should begin. If construction has already begun, or is completed, please indicate that date.

Proposed date construction will begin: System is in place

Proposed date construction will be completed: System is in place

Proposed date beneficial water use will begin: Irrigation season 2010

Is this project fully or partially funded by the American Recovery and Reinvestment Act? (Federal stimulus dollars) Yes No

7. REMARKS

If you would like to clarify any information you have provided in the application, please do so here and reference the specific application question you are addressing.

[Empty rectangular box for remarks]

8. MAP REQUIREMENTS

The Department cannot process your application without accurate information showing the source of water and location of water use. You must include a map with this application form that clearly indicates the township, range, section, and quarter/quarter section of the proposed points of diversion and place of use. The map must provide tax lot numbers. See the map guidelines sheet for detailed map specifications.

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9. SIGNATURE

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application packet.
- I cannot legally use water until the Water Resources Department issues a permit to me.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be canceled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water right holders to get water to which they are entitled.

I swear that all information provided in this application is true and correct to the best of my knowledge:

Dolores Rodriguez *Paul Holaday* 7-30-09
 Signature of Applicant (*if more than one applicant, all must sign*) Date

Before you submit your application be sure you have:

- Answered each question completely.
- Attached a legible map which includes township, range, section, quarter/quarter and tax lot number.
- Included a Land Use Information Form or receipt stub signed by a local official.
- Included the legal description of all the property involved with this application. You may supply a copy of the deed, land sales contract, or title insurance policy, to meet this requirement.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount. The Department's fee schedule can be found at www.wrd.state.or.us or call (503) 986-0900.

WRD on the web:
www.wrd.state.or.us

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NORTH SIDE APPLEGATE RIVER DITCH CO

July 31 2009

Dolores Rodriguez
8800 No Applegate Rd
Grants Pass OR

We accept your request to transport Applegate Dam water to 2 acres located at 8800 No Side Applegate Rd Grants Pass.

There is a one time charge of \$200 per acre with a minimum charge of \$600. There will be an annual assessment which varies from \$8 to \$12 per acre with a minimum of 3 acres. We do not allow flood irrigation or to fill ponds with delivered water. The inlet to your pump must allow ditch cleaning equipment to pass.

Don Frank
Sec. Treas.

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Oregon Water Resources Department

FORM I

FOR IRRIGATION WATER USE

1. Please indicate whether you are requesting a primary or supplemental irrigation water right.

Primary Supplemental

If supplemental, please indicate the number of acres that will be irrigated for each type of use.

Primary: Acres

Secondary: Acres

List the permit or certificate number of the primary water right: No.

2. Please list the anticipated crops you will grow and whether you will be irrigating them for a full or partial season:

- 1. lawn + garden Full season Partial season (from: to)
- 2. Full season Partial season (from: to)
- 3. Full season Partial season (from: to)
- 4. Full season Partial season (from: to)

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

 13.5 acre-feet

(1 acre-foot equals 12 inches of water spread over 1 acre, or 43,560 cubic feet, or 325,851 gallons.)

4. How will you schedule your applications of water? Will you be applying water in the evenings, twice a week, daily?

- Daily during daytime hours Daily during nighttime hours
- Two or three times weekly during daytime Two or three times weekly during nighttime
- Weekly, during daytime hours Weekly, during nighttime hours
- Other, explain:

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Last revision: October 31, 1996
WATER RESOURCES DEPT
SALEM, OREGON

S-07506

Receipt for Request for Land Use Information

\$125⁰⁰

Applicant name: Daniel/Dolores Rodriguez

City or County: Josephine Staff contact: Roger Harrah

Signature: [Signature] Phone: 474-5421 Date: 7-30-09

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TEAR OFF RECEIPT

copy

JOSEPHINE COUNTY PLANNING

Name: Daniel + Dolores Rodriguez Date: 7-30-09 Receipt #: 46869
 Address: 8900 N. Appleton Rd
 Legal: T 37 R 05 Sec 21 Tax Lots: 103 Amount: \$ 125.00

- ADMINISTRATIVE**
- 38220 Conditional Use
 - 38200 Development Permit
 - 39301 Aggregate Mining Permit
 - 38240 Farm Dwelling
 - 38250 Forest Dwelling
 - 38260 Medical/Healthcare
 - 38210 Medical Hardship Renewal
 - 38270 Home Care No Hearing
 - 38271 Home Care Hearing
 - 38272 Home Care Renewal
 - 38280 Manufactured Dwelling Storage
 - 38912 Measure 37 Claim
 - 38290 Non-Conforming Use Ventilation
 - 38810 Non-Conforming Use Expansion
 - 39803 Pre-App. Aggregate Mining
 - 39804 Pre-App. Comp Plan/ZC

- 39100 Pre-App. Other
 - 39050 Pre-App. PUD
 - 39808 Pre-App. Subdivision
 - 39250 Road Naming
 - 39450 Variance w/o Hearing
 - 39451 Variance w/ Hearing
 - 39513 Violation Surcharge
- HEARING REQUESTS**
- 38000 Appeal after Hearing
 - 38010 Appeal w/o Hearing
 - 39200 Remand Hearing
 - 39650 Re-noticing Fee
- LAND DIVISION**
- 38300 Final Plat
 - 39000 Partition/Tentative Approval
 - 39001 Partition/Easement/Public Usage Access

- 39802 PUD/Tentative Approval
 - 39150 Property Line Adjustment
 - 39700 Replat (Less than 4 lots)
 - 39701 Replat (Pre-App Review involving more than 3 lots)
 - 39702 Replat (More than 3 lots)
 - 39400 Subdivision/Tentative Approval
- ORDINANCE CHANGES**
- 38100 Comp Plan/Zone Change
 - 39002 Comp Plan/Zone Change w/ exception to Statewide Goals
 - 39800 Text Amendment
- SITE REVIEW**
- 39350 Half Acre or Less
 - 39360 Half Acre → Two Acres
 - 39380 Over Two Acres
 - 39340 Standards Only

- ANALYSIS**
- 38050 Auth. Lot/Dwelling Determination
 - 38235 Determination of Dvlp/Extension
 - 38350 Flood Review/FEMA Map Info
 - 39805 Flood Review - Substantial Improvement
 - 39809 Flood Review - Elevation Determination
 - 39550 Land Use Statement
 - 39807 Technical Plan Review/Flood, Fire, Erosion, etc.

- MISCELLANEOUS**
- 39600 Copies/Maps/Ordinances
 - 39750 Transcript Deposit
 - 39808 Preparation of LUBA Record

- PUBLIC WORKS**
(201-33100-343400)
- 11763 Subdivision Pre-App.
 - 11764 Subdivision Application
 - 11765 Partition Pre-App.
 - 11766 Partition Application
 - 11767 Site Plan Pre-App.
 - 11768 Site Plan Application

CASH _____ CHECK # 959 BY: Roger

CONTRACT DATA SHEET



U.S. Bureau of Reclamation
Attn: PN-3322
1150 North Curtis Road
Boise ID 83706-1234
(208) 378-5223

Irrigation Season 2010

1. Applicant Information:

A. Landowners

- 1) Name of landowner(s): Daniel + Dolores Rodriguez
- 2) Address: 8800 N Applegate Rd Grants Pass OR 97527
- 3) Mailing Address (if different): _____
- 4) Taxpayer Identification Number(s): Dolores Daniel

(Social Security Number or Employer Identification Number)¹

- 5) Do you own all of the land where you propose to divert and make use of water? yes

B. Water User Organizations (Such as Irrigation Districts, Ditch/Canal Companies, Water Control Districts, Water User Associations & Cooperatives, Irrigation Improvement Districts, and similar entities organized according to State Law)

- 1) Name of Organization: _____
- 2) Name & Title of Applicant: _____
- 3) Mailing Address of Organization: _____
- 4) Taxpayer Identification Number: _____
(Social Security Number or Employer Identification Number)
- 5) Please provide the following information:
 - (a) A description of the area served by the organization (location, total acreage, # of water users, prominent crops, etc.)
 - (b) Copy of organization by-laws, articles of incorporation (if applicable), board resolution authorizing the applicant to represent and bind the organization under contract with the United States.

2. Source of Water (name of stream, river) Applegate Reservoir
3. Proposed point of diversion: 1750' feet north and 150 feet east
of SW corner of Section 6, Township 38 S, Range 4 W,
Willamette Meridian. North Applegate Ditch

4. A water right permit to divert storage water is required. Application or file number with OWRD if you have applied for a permit to divert storage water: _____ CURRENTLY APPLYING FOR WATER RIGHT

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5. Include a map of lands and diversion points. [Same as required by Oregon Water Resources Department (OWRD) for application for surface/ground water permit].
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6. Do you currently hold a right to natural flows for irrigating the property described herein? no
If yes, what is/are the priority date(s)? _____

7. Total quantity of water from storage requested: 13.5 acre-feet.

8. Location of land to be irrigated in each 40-acre tract:

TOWNSHIP	RANGE	SECTION	40-ACRE TRACT (1/4) (1/4)	NO. of ACRES	TYPE of IRRIGATED CROP
37S	5W	21	SWNE	3	lawn + garden

9. What is the present use of the land identified above? [*Farming; idle (fallow cultivated land); native (appears never to have been tilled); planted pasture or other (please specify)*].
lawn, garden, & forest

10. Is the land identified above currently being irrigated? ^{YES} ~~NO~~ If yes, what is the source? (natural flows, wells, etc.)
partially (1/2 acre from well)

11. Diversion must be screened to prevent uptake of fish and other aquatic life.
Describe plan(s) to comply with State/Federal fish screen standards: There is an existing fish screen on North Applegate Ditch

12. Telephone Number where you can be reached during the day: 541-862-7380

Before returning the completed Contract Data Sheet to the address provided on page 1, please check that you have done the following:

- ANSWERED ALL QUESTIONS COMPLETELY
- ATTACHED AND IDENTIFIED ADDITIONAL SHEET(S) AS NECESSARY
- ATTACHED THE REQUIRED MAP
- SUBMIT PAYMENT FOR THE APPROPRIATE CONTRACT ADMINISTRATION FEE², MAKE CHECK PAYABLE TO THE U. S. BUREAU OF RECLAMATION

¹ Section 31001.(i) of the Debt Collection Improvement Act of 1996 (Chapter 10 of Pub. L. 104-134) requires each contractor with an agency of the United States to furnish their taxpayer identifying number (social security number or employer identification number) and each agency to disclose to that contractor its intent to use such number for purposes of collecting and reporting on any delinquent amounts arising out of such contractor's relationship with the Government.

² The minimum contract administration fee for most applications is \$100. However, from time to time this fee may be increased to cover the costs of the United States. We recommend you contact this office to verify the current minimum contract administration fee. In the event that the costs to the United States of evaluating the application are in excess of the minimum contract administration fee, an estimate of the reimbursable costs for which advance payment is required will be provided to the applicant.

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SALEM, OREGON**

JOSEPHINE COUNTY PLANNING

Name: Daniel + Dolores Rodriguez Date: 7-30-09 Receipt #: 46869
 Address: 8400 N. Applegate Rd
 Legal: T37 R05 Sec 21 Tax Lots: 103 Amount: \$ 125⁰⁰

ADMINISTRATIVE	38100 Pre-App - Other	39802 PUD / Tentative Approval	ANALYSIS
38220 Conditional Use	39050 Pre-App - PUD	39150 Property Line Adjustment	38050 Auth. Lot/Creating Determination
38200 Development Permit	38808 Pre-App. Subdivision	39700 Replat (Less than 4 lots)	38235 Determination of Dwp/Extension
38601 Aggregate Mining Permit	38250 Road Naming	39701 Replat (Pre-App Review involving more than 3 lots)	38350 Flood Review/FEMA Map Info
38240 Farm Dwelling	38450 Variance w/o Hearing	39702 Replat (More than 3 lots)	38805 Flood Review - Substantial Improvement
38250 Forest Dwelling	38451 Variance w/ Hearing	39400 Subdivision/Tentative Approval	39809 Flood Review - Elevation Determination
38260 Medical Hardship	39813 Violation Surcharge		39550 Land Use Statement
38210 Medical Hardship Renewal	HEARING REQUESTS	ORDINANCE CHANGES	39807 Technical Plan Review/Flood, Fire, Erosion, etc.
38270 Home Occ / No Hearing	38000 Appeal after Hearing	38100 Comp Plan / Zone Change	MISCELLANEOUS
38271 Home Occ / Hearing	38010 Appeal w/o Hearing	39002 Comp Plan / Zone Change w/ exception to Statewide Goals	39600 Copies / Maps / Ordinances
38272 Home Occ / Renewal	38200 Remand Hearing	39600 Text Amendment	39750 Transcript Deposit
38280 Manufactured Dwelling Storage	38850 Re-noticing Fee	SITE REVIEW	39808 Preparation of LUBA Record
39812 Measure 5P Claim	LAND DIVISION	39350 Half Acre or Less	PUBLIC WORKS
38290 Non-Conforming Use-Verification	38300 Final Plat	39360 Half Acre -> Two Acres	(201-33100-343499)
39810 Non-Conforming Use-Expansion	39000 Partition/Tentative Approval	39380 Over Two Acres	11763 Subdivision Pre-App
39803 Pre-App. Aggregate Mining	39001 Partition/Easement/Public Usage Access	39340 Standards Only	11764 Subdivision Application
39804 Pre-App. Comp Plan/ZC			11785 Partition Pre-App
			11766 Partition Application
			11767 Site Plan Pre-App
			11768 Site Plan Application

CASH _____ CHECK # 959 BY: Roger

Receipt for Request for Land Use Information

\$125⁰⁰

Applicant name: Daniel/Dolores Rodriguez
 City or County: Josephine Staff contact: Roger Harada
 Signature: [Signature] Phone: 474-5421 Date: 7-30-09

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(2)

Title No. 26-53324

Escrow No. 26-53324

EXHIBIT 'A'Legal Description:

A parcel of real property lying in the Southwest Quarter of the Northeast Quarter of Section 21, Township 37 South, Range 5 West of the Willamette Meridian, Josephine County, Oregon, described as follows: Beginning at the Southeast corner of said Section 21; thence West 939.97 feet; thence North 2708.98 feet to a point on the Easterly right of way line of the North Side Road; thence North $42^{\circ}27'1/2''$ West 558.99 feet; thence continuing along said Northerly right of way line 415 feet to the point of beginning; thence continuing along said North right of way line 200 feet; thence North parallel with the East line of the Southwest Quarter of the Northeast Quarter of said Section 21, 500 feet, more or less, to a point on the North line of the Southwest Quarter of the Northeast Quarter; thence East along the North line of said Southwest Quarter of the Northeast Quarter, 500 feet, more or less, to the Northeast corner of said Southwest Quarter of the Northeast Quarter; thence Southwest 695 feet, more or less, in a straight line to the true point of beginning. EXCEPTING THEREFROM any portion of the above-described property lying within the following: Beginning at a 5/8 inch diameter iron rod on the Northerly right of way line of North Applegate Road which is South $26^{\circ}26'$ East of and 2160.0 feet distant from the Quarter corner common to Sections 16 and 21, Township 37 South, Range 5 West of the Willamette Meridian, Josephine County, Oregon; thence along said Northerly right of way line South $60^{\circ}16'$ East for 235.0 feet to a 1/2 inch diameter iron pipe, said pipe being North $48^{\circ}08'30''$ West of and 190.34 feet distant from the Southeasterly corner of that property described in Volume 181, Page 56, Josephine County Deed Records; thence North $53^{\circ}26'$ East for 314.38 feet to a 1/2 inch diameter iron pipe marking the most Northeasterly corner of said property described in Volume 181, Page 56, Josephine County Deed Records; thence North $13^{\circ}00'$ West for 424.0 feet; thence South $36^{\circ}44'30''$ West for 603.82 feet to the point of beginning.

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SALEM, OREGON

Send Tax Statements To:

Daniel Rodriguez
Dolores Rodriguez
8800 North Applegate Road
Grants Pass OR 97527

Title Order No. 26-53324
Escrow No. 26-53324
Tax Account No. R323407 370521
103

WARRANTY DEED
(ORS 93.850)

David T. Metzger, an estate in fee simple, Grantor, conveys and warrants to Daniel Rodriguez and Dolores Rodriguez, as tenants by the entirety, Grantee, the following described real property:

See Exhibit 'A' attached hereto and by reference made a part hereof.

The said property is free from encumbrances except: COVENANTS, CONDITIONS, RESTRICTIONS, RESERVATIONS, SET BACK LINES, POWERS OF SPECIAL DISTRICTS AND EASEMENTS OF RECORD, IF ANY.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)). THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)).

The true consideration for this conveyance is \$295,000.00.

Dated this 18th day of January, 2006.

David T. Metzger
David T. Metzger

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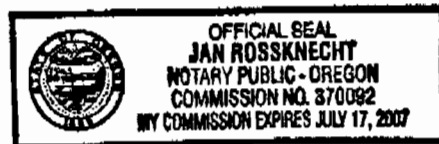
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SALEM, OREGON

State of OR, County of Josephine)ss.

This instrument was acknowledged before me on January 18, 2006
by David T. Metzger.

Jan Rossknecht
Notary Public

My commission expires: 7-17-2007



TICOR TITLE
23-53324 SR
375-21 103

JOSEPHINE COUNTY OFFICIAL RECORDS
GEORGETTE BROWN, COUNTY CLERK

2006-001302



\$25.00

01/20/2006 02:30:27 PM



DED-WRD Cnt=1 Stn=4 RECEIPTS
\$10.00 \$11.00 \$4.00

After Recording Return To:
Ticor Title
744 NE 7th Street
P.O. Box 1960
Grants Pass OR 97526-0167

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Send Tax Statements To:
Daniel Rodriguez
Dolores Rodriguez
8800 North Applegate Road
Grants Pass OR 97527

Title Order No. 26-53324
Escrow No. 26-53324
Tax Account No. R323407 370521
103

WARRANTY DEED

(ORS 93.850)

David T. Metzger, an estate in fee simple, Grantor, conveys and warrants to Daniel Rodriguez and Dolores Rodriguez, as tenants by the entirety, Grantee, the following described real property:

See Exhibit 'A' attached hereto and by reference made a part hereof.

The said property is free from encumbrances except: COVENANTS, CONDITIONS, RESTRICTIONS, RESERVATIONS, SET BACK LINES, POWERS OF SPECIAL DISTRICTS AND EASEMENTS OF RECORD, IF ANY.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)). THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)).

The true consideration for this conveyance is \$295,000.00.

Dated this 18th day of January, 2006.

David T. Metzger

State of OR, County of Josephine)ss.

This instrument was acknowledged before me on January 18, 2006 by David T. Metzger.