

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

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant Information

NAME Steve + Sara GLASSER		PHONE (HM) 541-8622510	
PHONE (WK)	CELL 626 2226104	FAX	
ADDRESS Resid: 8900 N. Applegate Rd. Mailing: 1630 Williams Hwy. PMB351 Grants Pass OR 97527			
CITY Grants Pass	STATE OR	ZIP 97527	E-MAIL SRglasser@gmail.com

Organization Information

NAME N/A		PHONE	FAX
ADDRESS			CELL
CITY	STATE	ZIP	E-MAIL

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

AGENT / BUSINESS NAME N/A		PHONE	FAX
ADDRESS			CELL
CITY	STATE	ZIP	E-MAIL

Note: Attach multiple copies as needed

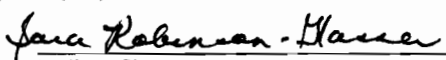
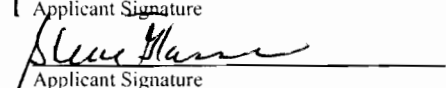
RECEIVED

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application.
- I cannot use water legally until the Water Resources Department issues a permit.
- Acceptance of this application does not guarantee a permit will be issued.
- If I begin construction prior to the issuance of a permit, I assume all risks associated with my actions.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be cancelled.
- The water use must be compatible with local comprehensive land-use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water-right holders to get water to which they are entitled.

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


Applicant Signature

Applicant Signature

SARA ROBINSON-GLASSER
Print Name and title if applicable
STEVE GLASSER
Print Name and title if applicable

10/8/10
Date
2/1/11
Date

For Department Use		
App. No. _____	Permit No. _____	Date _____

SECTION 2: PROPERTY OWNERSHIP

Please indicate if you own all the lands associated with the project from which the water is to be diverted, conveyed, and used.

- Yes
- There are no encumbrances.
 - This land is encumbered by easements, rights of way, roads or other encumbrances.
- No
- I have a recorded easement or written authorization permitting access.
 - I do not currently have written authorization or easement permitting access.
 - Written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigation and/or domestic use only (ORS 274.040).
 - Water is to be diverted, conveyed, and/or used only on federal lands.

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 Applegate Ditch for water conveyance.

List the names and mailing addresses of all affected landowners (attach additional sheets if necessary).

SECTION 3: SOURCE OF WATER

A. 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: _____

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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).

B. Applications to Use Stored Water

Do you, or will you, own the reservoir(s) described in item 3A 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 3A 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.

SECTION 4: WATER USE

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	USE	PERIOD OF USE	AMOUNT
Applegate Reservoir	Irrigation	April 1 - Oct 31	13.5 <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input checked="" 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

For irrigation use only:

Please indicate the number of primary and supplemental acres to be irrigated.

Primary: 3 Acres Supplemental: Acres

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

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

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households: 1
- If the use is **mining**, describe what is being mined and the method(s) of extraction:

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SECTION 5: WATER MANAGEMENT

A. Diversion and Conveyance

What equipment will you use to pump water from your source?

- Pump (give horsepower and type): Monarch Pump, NSPHE (lawn + turf) HP- 5'
- Other means (describe): direct Pipe from source - ditch from Applegate River

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. ditch is 6' wide + 3' deep

B. Application Method

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

low pressure Sprinkler + drip, hand lines

C. Conservation

Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; prevent adverse impact to public uses of affected surface waters.

meter - sprinkler, drip

SECTION 6: RESOURCE PROTECTION ~~N/A~~

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 already exists - no excavation necessary
- Operating equipment in a water body will be managed and timed to prevent damage to aquatic life.
Describe: N/A
- Water quality will be protected by preventing erosion and run-off of waste or chemical products.
Describe: N/A

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SECTION 7: PROJECT SCHEDULE

Date construction will begin: system in place

Date construction will be completed: system is in place

Date beneficial water use will begin: irrigation season 2011

SECTION 8: REMARKS

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

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CONTRACT DATA SHEET



U.S. Bureau of Reclamation
Attn: PN-3324
1150 North Curtis Road
Boise, ID 83706-1234
208-378-5344

RECLAMATION Managing Water in the West

1. Applicant Information:

A. Landowners

- 1) Name of landowner(s): Steve + Sara GLASSER
- 2) Address: 8900 N. Applegate Road, Grants Pass OR 97527
- 3) Mailing Address (if different): 1630 Williams Hwy, PMB 351 Grants Pass OR 97527
- 4) Taxpayer Identification Number(s): _____
(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: N/A
- 2) Name & Title of Applicant: N/A RECEIVED
- 3) Mailing Address of Organization: N/A FEB 10 2011
- 4) Taxpayer Identification Number: N/A CREATED BY OREGON DEPT
SALE & ADMIN
(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: 4000 feet south and 80 feet east of NW corner of Section 6, Township 38 S, Range 4W, Willamette Meridian.

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: _____ (concurrently filing for surface water right with OWRD)

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].

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
37 S	RSW	21	SWNE	2.3	lawn + garden
			SENE	.7	" "

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 + native

10. Is the land identified above currently being irrigated? NO If yes, what is the source? (*natural flows, wells, etc.*) _____

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: Fish screen in place on Northside Ditch

12. Telephone number where you can be reached during the day: 541 862 2510

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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 revised 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.

WATER RESOURCES DEPT
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3/2/11

Ms Eastman

Inclosed please find a copy
of the Land Use Information form
with the Josephine County
Land Use Planning information
provided on the second page. Pls
include this info in our app. file.

Thank you -
para Glasser

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MAR 04 2011

WATER RESOURCES DEPT
SALEM, OREGON

Re S-87689

Land Use Information Form



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

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WATER RESOURCES DEPT
SALEM, OREGON

Applicant: Steve + Sara ~~GLASSER~~ GLASSER
First Last

Mailing Address: 1630 Williams Hwy PMB 351
Grants Pass OR 97527 Daytime Phone: 541 862 2510
City State Zip

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
37S	5W	21	SWNE	100		<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	irrigation
			SE of NE			<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

(ditch already exists; no new excavation required)

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

Josephine

B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- Permit to Use or Store Water
- Limited Water Use License
- Water Right Transfer
- Allocation of Conserved Water
- Permit Amendment or Ground Water Registration Modification
- Exchange of Water

Source of water: Reservoir ~~Applegate~~ Ground Water Surface Water (name)
Applegate Reservoir → Applegate River → Northside Applegate Ditch

Estimated quantity of water needed: 13.5 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 _____

Briefly describe:

will get contract water from Applegate Reservoir through Bureau of Reclamation - water will be conveyed to property through existing North Applegate Ditch for watering lawn + garden

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

See bottom of Page 3. →

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For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

- Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): see below
- Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) If approvals have been obtained but all appeal periods have not ended, check "Being pursued."

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

No review required. Placing pump for irrigation at existing irrigation ditch.

Name: Valerie Montague Title: Planner
 Signature: Valerie Montague Phone: 541 474 5427 Date: 2/10/11
 Government Entity: Josephine County Planning Office

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.

Request for Land Use Information
 Applicant name: Glosser Josephine County Planning
 700 NW Dimmick Street
 Suite C
 Grants Pass, OR 97526
 City or County: _____ Staff contact: Valerie Montague
 Signature: Valerie Montague Phone: 541 474 5427 Date: 2/8/11

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Land Use Information Form

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SALEM, OREGON



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

Applicant: Steve + Sara ~~GLASSER~~ GLASSER
First Last

Mailing Address: 1630 Williams Hwy PMB 351
Grants Pass OR 97527 Daytime Phone: 541 862 2510
City State Zip

A. Land and Location

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			SE of NE			<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
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(ditch already exists; no new excavation required)

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

Josephine

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
- Permit Amendment or Ground Water Registration Modification
- Limited Water Use License
- Allocation of Conserved Water
- Exchange of Water

Source of water: Reservoir/~~Point~~ Ground Water Surface Water (name) Applegate Reservoir → Applegate River → Northside Applegate Ditch

Estimated quantity of water needed: 13.5 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 _____

Briefly describe:

will get contract water from Applegate Reservoir through Bureau of Reclamation - water will be conveyed to property through existing North Applegate Ditch for watering lawn + garden

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

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Please check the appropriate box below and provide the requested information

- Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): See below
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Name: Valerie Montague Title: Planner
 Signature: Valerie Montague Phone: 541 474 5427 Date: 2/10/11
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Receipt for Request for Land Use Information Josephine County Planning
700 NW Dimmick Street
Suite C
Grants Pass, OR 97526

Applicant name: Glasser
 City or County: Josephine County Planning Staff contact: Valerie Montague
 Signature: Valerie Montague Phone: 541 474 5427 Date: 2/8/11

Land Use Information Form



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

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Name: _____ Title: _____ Date: FEB 10 2011

Signature: _____ Phone: _____

Government Entity: _____

WATER RESOURCES DEPT
SALES OFFICE

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Suite C
Grants Pass, OR 97526

Request for Land Use Information

Applicant name: Glasser

City or County: Josephine County Planning Staff contact: Valerie Montague

Signature: Valerie Montague Phone: 541 474 5427 Date: 2/8/11

JOSEPHINE COUNTY PLANNING

Name: Steve & Sara GLASSER Date: 1/11/2011 Receipt #: 48305
Address: 1022 S. ...
Legal: T 37 R 5 Sec 31 Tax Lots: 100 Amount: \$ 195

ADMINISTRATIVE

38220 Conditional Use
38200 Development Permit
39801 Aggregate Mining Permit
38240 Farm Dwelling
38250 Forest Dwelling
38260 Medical Hardship
38210 Medical Hardship Renewal
38270 Home Occ / No Hearing
38271 Home Occ / Hearing
38272 Home Occ / Renewal
38280 Manufactured Dwelling Storage
39812 Measure 37 Claim
38290 Non-Conforming Use-Verification
39810 Non-Conforming Use-Expansion
39803 Pre-App. Aggregate Mining
39804 Pre-App. Comp Plan/ZC

39100 Pre-App. - Other
39050 Pre-App. - PUD
39806 Pre-App. Subdivision
39250 Road Naming
39450 Variance w/o Hearing
39451 Variance w/Hearing
39813 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 # 1911 BY: JM

RECEIVED

FEB 07 2011

WATER RESOURCES DEPT
SALEM, OREGON

17
1
JA 1437641 (TO)

After recording return to and send all tax statements to the following address
Stephen M. Glasser and Sara R. Robinson-Glasser
1630 Williams Hwy #351
Grants Pass, OR 97527

STATUTORY
BARGAIN AND SALE DEED

40-

Deutsche Bank National Trust Company, as Trustee for Morgan Stanley ABS Capital 1 Inc. Trust 2006-HE4, a Washington Corporation, Grantor, as to a fee simple interest, conveys to Stephen M. Glasser and Sara R. Robinson-Glasser, tenants by the entirety, Grantee(s), the following described real property:

See Exhibit "A".
Property ID No: R323404

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

The true and actual consideration for this conveyance is \$210,000.00(Sec ORS 93.030).

November 3, 2009

Deutsche Bank National Trust Company, as Trustee for Morgan Stanley ABS Capital 1 Inc. Trust 2006-HE4

By: Desmond Cline-Smythe VP Loan Documentation
Wells Fargo Bank NA, as Attorney in Fact

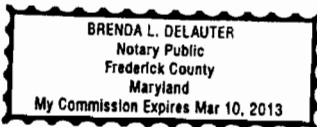
STATE OF MARYLAND
COUNTY OF FREDERICK } SS:

On this 4 day of November, 2009, before me personally appeared Desmond Cline-Smythe (NAME) as VP Loan Documentation (TITLE) on behalf of Wells Fargo Bank, NA to me known to be the individual who executed the foregoing instrument as Attorney in Fact for Deutsche Bank National Trust Company, as Trustee for Morgan Stanley ABS Capital 1 Inc. Trust 2006-HE4, a Washington Corporation and acknowledged that he/she signed the same as his/her free and voluntary act and deed as Attorney in Fact for said principal for the uses and purposes therein mentioned, and on oath states that the Power of Attorney authorizing the execution of this instrument has not been revoked and that the said principal is now living and is not incompetent.

Given under my hand and official seal the day and year last above written

Dated: 11/4/09

Brenda Hill
Notary Public in and for the State of _____
Residing at _____
My appointment expires: _____



JOSEPHINE COUNTY OFFICIAL RECORDS
ART HARVEY, COUNTY CLERK 2009-017600
DED-880
Crt#1 Pgs#2 Str#4 RECEIPTS 11/12/2009 03:00 PM
\$10.00 \$11.00 \$15.00 \$4.00 Total: \$40.00



I, Art Harvey, County Clerk, certify that the within document was received and duly recorded in the official records of Josephine County.

RECEIVED

FEB 10 2011

ENTER HERE SOURCES DEPT
SALEM, OREGON

2

Exhibit "A"

Real property in the County of Josephine, State of Oregon, described as follows:

BEGINNING AT A 5/8 INCH DIAMETER IRON ROD ON THE NORTHERLY RIGHT OF WAY LINE OF NORTH APPLGATE ROAD WHICH IS SOUTH 26° 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° 16' EAST FOR 235.0 FEET TO A 1/2 INCH DIAMETER IRON PIPE SAID PIPE BEING NORTH 48° 08' 30" WEST OF AND 190.34 FEET DISTANT FROM THE SOUTHEASTERLY CORNER OF THAT PROPERTY DESCRIBED IN VOLUME 181, PAGE 56, JOSEPHINE COUNTY MORTGAGE RECORDS; THENCE NORTH 53° 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 AT PAGE 56; THENCE NORTH 13° 00' WEST FOR 424.00 FEET; THENCE SOUTH 36° 44' 30" WEST FOR 603.82 FEET TO THE POINT OF BEGINNING. ALSO: BEGINNING AT A 5/8 INCH IRON ROD ON THE NORTHERLY RIGHT OF WAY LINE OF NORTH APPLGATE ROAD, WHICH ROD BEARS SOUTH 26° 26' EAST 2160.0 FEET FROM THE NORTH QUARTER CORNER OF SECTION 21, TOWNSHIP 37 SOUTH, RANGE 5 WEST OF THE WILLAMETTE MERIDIAN, JOSEPHINE COUNTY, OREGON, SAID POINT BEING THE MOST WESTERLY CORNER OF A TRACT OF LAND DESCRIBED IN VOLUME 290, PAGE 783, JOSEPHINE COUNTY DEED RECORDS; THENCE NORTH 36° 44' 30" EAST 603.82 FEET TO THE MOST NORTHERLY CORNER OF SAID DESCRIBED TRACT; THENCE NORTHWESTERLY IN A STRAIGHT LINE TO THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 21; THENCE SOUTHWESTERLY IN A STRAIGHT LINE TO THE POINT OF BEGINNING.

NOTE: This legal description was created prior to January 1, 2008

Tax Parcel Number: R323404

RECEIVED

FEB 10 2011

WATER RESOURCES DEPT
SALEM, OREGON