

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.oregon.gov/OWRD

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant

NAME NICOLAAS HUTTEMA			PHONE (HM)
PHONE (WK)	CELL 541.760.9463		FAX
ADDRESS 1429 UPPER RIVER RD			
CITY GOLD HILL	STATE OR	ZIP 97525	E-MAIL * NIC@LEWISPOWEREQUIP.COM

Organization

NAME		PHONE	FAX
ADDRESS			CELL
CITY	STATE	ZIP	E-MAIL *

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

AGENT / BUSINESS NAME RICK PARSONS / PARSONSWATER CONSULTING LLC		PHONE 541.499.0257	FAX
ADDRESS 1619 MINEAR ROAD			CELL 303.667.5067
CITY MEDFORD	STATE OR	ZIP 97501	E-MAIL * RICK.PARSONS@PARSONSWATER.COM

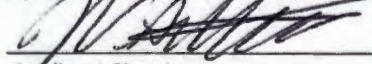
Note: Attach multiple copies as needed

* By providing an e-mail address, consent is given to receive all correspondence from the Department electronically. (Paper copies of the proposed and final order documents will also be mailed.)

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 legally use water until the Water Resources Department issues a permit.
- The Department encourages all applicants to wait for a permit to be issued before beginning construction of any proposed diversion. 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 receive 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 receive water to which they are entitled.

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


 Applicant Signature NIC HUTTEMA LAND OWNER 4-1-24
 Print Name and Title if applicable Date

Applicant Signature Print Name and Title if applicable Date

For Department Use: App. Number: _____

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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.
- YES, the land is encumbered by easements, rights of way, roads or other encumbrances.
- NO, I have a recorded easement or written authorization permitting access.
- NO, I do not currently have written authorization or easement permitting access.
- NO, 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).
- NO, because water is to be diverted, conveyed, and/or used only on federal lands.

Affected Landowners: List the names and mailing addresses of all owners of any lands that are not owned by the applicant and that are crossed by the proposed ditch, canal or other work, even if the applicant has obtained written authorization or an easement from the owner. *(Attach additional sheets if necessary).*

Legal Description: 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. SEE ATTACHED DEED

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), and the locations of the point of diversion (POD):

Source 1: LOST CREEK LAKE	Tributary to: ROGUE RIVER
TRSQQ of POD: SECTION 26 T33S R1E	
Source 2: ROGUE RIVER	Tributary to: PACIFIC OCEAN
TRSQQ of POD: NW SE SECTION 10 T36S R3W	

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).

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MAY 09 2024

B. Applications to Use Stored Water

Do you, or will you, own the reservoir(s) described in Section 3A above?

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Yes. No. (Enclose a copy of your written notification to the operator of the reservoir of your intent to file this application, which should have been mailed or delivered to the operator.)

If all sources listed in Section 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: SENSITIVE, THREATENED OR ENDANGERED FISH SPECIES PUBLIC INTEREST INFORMATION

This information must be provided for your application to be accepted as complete. The Water Resources Department will determine whether the proposed use will impair or be detrimental to the public interest with regard to sensitive, threatened or endangered fish species.

To answer the following questions, use the map provided in [Attachment 3](#) or the link below to determine whether the proposed point of diversion (POD) is located in an area where the Upper Columbia, the Lower Columbia, and/or the Statewide public interest rules apply.

For more detailed information, click on the following link and enter the T,R,S,QQ or the Lat/Long of a POD and click on "Submit" to retrieve a report that will show which section, if any, of the rules apply:
https://apps.wrd.state.or.us/apps/misc/lkp_trsqg_features/

If you need help to determine in which area the proposed POD is located, please call the customer service desk at (503) 986-0900.

Upper Columbia - OAR 690-033-0115 thru -0130

Is the POD located in an area where the Upper Columbia Rules apply?

Yes No

If yes, you are notified that the Water Resources Department will consult with numerous federal, state, local and tribal governmental entities so it may determine whether the proposed use is consistent with the "Columbia River Basin Fish and Wildlife Program" adopted by the Northwest Power Planning Council in 1994 for the protection and recovery of listed fish species. The application may be denied, heavily conditioned, or if appropriate, mitigation for impacts may be needed to obtain approval for the proposed use.

If yes,

- I understand that the proposed use does not involve appropriation of direct streamflow during the time period April 15 to September 30, except as provided in OAR 690-033-0140.
- I understand that I will install, operate and maintain a fish screen and fish passage as listed in ORS 498.301 through 498.346, and 509.580 through 509.910, to the specifications and extent required by Oregon Department of Fish and Wildlife, prior to diversion of water under any permit issued pursuant to this application.
- I understand that the Oregon Department of Environmental Quality will review my application to determine if the proposed use complies with existing state and federal water quality standards.
- I understand that I will install and maintain water use measurement and recording devices as required by the Water Resources Department, and comply with recording and reporting permit condition requirements.

Lower Columbia - OAR 690-033-0220 thru -0230

Is the POD located in an area where the Lower Columbia rules apply?

Yes No

If yes, you are notified that that the Water Resources Department will determine, by reviewing recovery plans, the Columbia River Basin Fish and Wildlife Program, and regional restoration programs applicable to threatened or endangered fish species, in coordination with state and federal agencies, as appropriate, whether the proposed use is detrimental to the protection or recovery of a threatened or endangered fish species and whether the use can be conditioned or mitigated to avoid the detriment.

If a permit is issued, it will likely contain conditions to ensure the water use complies with existing state and federal water quality standards; and water use measurement, recording and reporting required by the Water Resources Department. The application may be denied, or if appropriate, mitigation for impacts may be needed to obtain approval of the proposed use.

If yes, provide the following information (the information must be provided with the application to be considered complete).

Yes No The proposed use is for more than one cubic foot per second (448.8 gpm) and is not subject to the requirements of OAR 690, Division 86 (Water Management and Conservation Plans).

If yes, provide a description of the measures to be taken to assure reasonably efficient water use:

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Salem, OR

Statewide - OAR 690-033-0330 thru -0340

Is the POD located in an area where the Statewide rules apply?

Yes No

If yes, the Water Resources Department will determine whether the proposed use will occur in an area where endangered, threatened or sensitive fish species are located. If so, the Water Resources Department, Department of Fish and Wildlife, Department of Environmental Quality, and the Department of Agriculture will recommend conditions required to achieve “no loss of essential habitat of threatened and endangered (T&E) fish species,” or “no net loss of essential habitat of sensitive (S) fish species.” If conditions cannot be identified that meet the standards of no loss of essential T & E fish habitat or no net loss of essential S fish habitat, the agencies will recommend denial of the application unless they conclude that the proposed use would not harm the species.

SECTION 5: 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
ROGUE RIVER	IRRIGATION	APR 1 – OCT 31	20 <input type="checkbox"/> cfs <input checked="" 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

Please indicate the number of primary, supplemental and/or nursery acres to be irrigated.
 Primary: 6.39 Acres Supplemental: 0 Acres Nursery Use: 0 Acres
 If supplemental acres are listed, provide the Permit or Certificate number of the underlying primary water right(s): N/A
 Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 16

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

SECTION 6: WATER MANAGEMENT

A. Diversion and Conveyance

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

- Pump (give horsepower and type): 1 HP CENTRIFUGAL
 Other means (describe):

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 MAY 09 2024
 Salem, OR

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water.

SCREENED INTAKE TO 2" CONVEYANCE TO HIGH PRESSURE SPRINKLER SYSTEM

B. Application Method

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

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 damage to public uses of affected surface waters.

SPRINKLER SYSTEM WILL BE TIMED TO MAXIMIZE USE AND MINIMIZE WASTE

SECTION 7: RESOURCE PROTECTION

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 per ODFW specifications in ORS 498.301 through 498.346 to prevent uptake of fish and other aquatic life.
Describe planned actions: SCREENED INTAKE WILL BE APPROVED BY ODFW
- Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.
Note: If disturbed area is more than one acre, applicant should contact the Department of Environmental Quality to determine if a 1200C permit is required.
Describe planned actions and additional permits required for project implementation: SOIL DISTURBANCE WILL BE MINIMIZED DURING PUMP INTAKE PLACEMENT
- Operating equipment in a water body will be managed and timed to prevent damage to aquatic life.
Describe planned actions and additional permits required for project implementation: PUMP INTAKE WILL BE PLACED SO AS TO MINIMIZE DISRUPTION OF RIVERINE HABITAT
- Water quality will be protected by preventing erosion and run-off of waste or chemical products.
Describe planned actions: SOIL DISTURBANCE WILL BE MINIMIZED DURING PUMP INTAKE PLACEMENT; NO CHEMICALS OR WASTE WILL BE INVOLVED WITH CONSTRUCTION.
- List other federal and state permits or contracts to be obtained, if a water right permit is granted.
LOST CREEK LAKE CONTRACT WITH USBR

SECTION 8: PROJECT SCHEDULE

- a) Date construction will begin: UPON RECEIPT OF PERMIT
- b) Date construction will be completed: WITHIN 5 YEARS OF PERMIT ISSUANCE
- c) Date beneficial water use will begin: UPON COMPLETION OF CONSTRUCTION

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SECTION 9: WITHIN A DISTRICT

Check here if the point of diversion or place of use are located within or are served by an irrigation or other water district.

Irrigation District Name	Address	
City	State	Zip

SECTION 10: REMARKS

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

Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050 & ORS 537.140)

Include this checklist with the application

Check that each of the following items is included. The application will be returned if all required items are not included. If you have questions, please call the Water Rights Customer Service Group at (503) 986-0900.

Please submit the original application and signatures to the Water Resources Department. Applicants are encouraged to keep a copy of the completed application.

- SECTION 1: Applicant Information and Signature
- SECTION 2: Property Ownership
- SECTION 3: Source of Water
- SECTION 4: Sensitive, Threatened or Endangered Fish Species Public Interest Information
- SECTION 5: Water Use
- SECTION 6: Water Management
- SECTION 7: Resource Protection
- SECTION 8: Project Schedule
- SECTION 9: Within a District
- SECTION 10: Remarks

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MAY 09 2024

Salem, OR

Include the following additional items:

- Land Use Information Form with approval and signature of local planning department (*must be an original*) or signed receipt.
- 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.
- Fees - Amount enclosed: \$1143
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.
- Map that includes the following items:
 - Permanent quality and drawn in ink
 - Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
 - North Directional Symbol
 - Township, Range, Section, Quarter/Quarter, Tax Lots
 - Reference corner on map
 - Location of each diversion, by reference to a recognized public land survey corner (distances north/south and east/west)
 - Indicate the area of use by Quarter/Quarter and tax lot identified clearly.
 - Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
 - Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)

MAY 09 2024

Land Use Information Form

Salem, OR



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1266
 503-986-0900
www.oregon.gov/OWRD

Applicant

NAME NICOLAAS HUTTEMA		PHONE (HM)	
PHONE (WK)	CELL 541.760.9463	FAX	
ADDRESS 1429 UPPER RIVER RD			
CITY GOLD HILL	STATE OR	ZIP 97525	E-MAIL* NIC@LEWISPOWEREQUIP.COM

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:
335 365	3W	10	NW SE	3300	RT	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	IRR
335 365	3W	10	SW SE	3300	RT	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	IRR
335 365	3W	10	SE SE	3300	RT	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	IRR
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

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

JACKSON

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 Groundwater Registration Modification
 Limited Water Use License
 Allocation of Conserved Water
 Exchange of Water

Source of water: Reservoir/Pond
 Groundwater
 Surface Water (name) _____

Estimated quantity of water needed: 16.0
 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:

IRRIGATION OF PROPERTY USING WATER RELEASED FROM LOST CK LK AND RE-DIVERTED FROM ROGUE RIVER

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.

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): 6.3.1(A) Agricultural Use
- 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

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MAY 09 2024
Salem, OR

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.

NAME <u>Francisco Hernandez</u>	TITLE: <u>Planner III</u>
SIGNATURE <u>Francisco Hernandez</u>	PHONE: <u>541.774.6903</u>
GOVERNMENT ENTITY	DATE: <u>04.08.2024</u>

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: _____



CONTRACT DATA SHEET

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Salem, OR



1. Applicant Information:

A. Landowners

- 1) Name of landowner(s): NICOLAAS AND DEVON HUTTEMA
- 2) Address: 1429 UPPER RIVER ROAD GOLD HILL, OR 97525
- 3) Mailing Address (if different): _____
- 4) 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) 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): LOST CREEK LAKE VIA ROGUE RIVER
- 3. Proposed point of diversion: 1450 feet NORTH and 1470 feet WEST of SE corner of Section 10 Township 36S, Range 3W, 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: IN PROCESS
- 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?
 If yes, what is/are the priority date(s)? NO
- 7. Total quantity of water from storage requested: 15.975 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 <small>Please note that Cannabis is not an authorized crop Under Reclamation's Contracting Program. See PEC P16</small>
36S	3W	10	NW SE	0.25	PASTURE
36S	3W	10	SW SE	2.69	PASTURE
36S	3W	10	SE SE	3.45	PASTURE
				6.39	

Total number of Acres: _____



9. What is the present use of the land identified above? [farming; idle (fallow cultivated land); native (appears never to have been tilled, walked on, driven on); planted pasture or other (please specify)].

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10. Is the land identified above currently being irrigated?
If yes, what is the source? (natural flows, wells, etc.)

MAY 09 2024

NO

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11. Diversion must be screened to prevent uptake of fish and other aquatic life. Describe plan(s) to comply with State/Federal fish standards:

ODFW-APPROVED FISH SCREEN WILL BE USED

12. Telephone number where you can be reached during the day: 541.760.9463

Sign and Date: _____

E-mail completed form and associated information to: jkelly@usbr.gov Any questions, please contact Joy Kelley at (986) 999-8984

Please send contract administration fee directly to: CPN Regional Office, Attn: CPN-6323, 1150 N. Curtis Road, Boise, ID 83706

Before returning the completed Contract Data Sheet to the address provided above, 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 FEE 1., MAKE CHECK PAYABLE TO THE U.S. BUREAU OF RECLAMATION

¹The 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.

Jackson County Official Records **2022-021915**
R-WD
Stn=16 MORGANSS 07/11/2022 10:21:43 AM
\$15.00 \$10.00 \$11.00 \$11.00 \$60.00 **\$107.00**

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

AFTER RECORDING RETURN TO:
Gleaves Swearingen
975 Oak Street, Suite 800
Eugene, Oregon 97401
Attn: Michael T. Faulconer

Grantor:
Sean Gibney
61735 Cougar Trail
Bend, OR 97701

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MAY 09 2024

Grantee:
Nicolaas and Devon Huttema
1429 Upper River Rd.
Gold Hill, OR 97525

Salem, OR

First American Title 3963426808

OREGON STATUTORY WARRANTY DEED

SEAN GIBNEY, Grantor, conveys and warrants to NICOLAAS HERMAN HUTTEMA AND DEVON LEIGH HUTTEMA, as tenants by the entirety. Grantee, the real property more particularly described on Exhibit A attached hereto, subject to and excepting: covenants, easements, reservations and restrictions of record.

The true consideration for this conveyance is \$1,100,000.00.

Until a change is requested, all tax statements are to be sent to the following address:

Nicolaas and Devon Huttema
1429 Upper River Rd.
Gold Hill, OR 97525

Tax Account Number: 363W100003300

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST

PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated: July 8, 2022

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MAY 09 2024

Salem, OR

GRANTOR

Sean Gibney
Sean Gibney

STATE OF OREGON)
County of *Salem*

The foregoing instrument was acknowledged before me this July 8, 2022 by Sean Gibney.

[Signature]
Notary Public for Oregon
My Commission Expires 8/25/24



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

BEGINNING AT A 3/4 INCH IRON PIPE MARKING THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 10 IN TOWNSHIP 36 SOUTH, RANGE 3 WEST OF THE WILLAMETTE MERIDIAN IN JACKSON COUNTY, OREGON, SAID CORNER BEING THE NORTHEAST CORNER OF GOVERNMENT LOT 2 AND THE NORTHWEST CORNER OF INSTRUMENT NO. 97-00591 OF THE OFFICIAL RECORDS OF JACKSON COUNTY, OREGON; THENCE SOUTH 40° 07' 23" EAST, 560.00 FEET TO A 5/8 INCH DIAMETER IRON PIN; THENCE CONTINUE SOUTH 40° 07' 23" EAST, 94.11 FEET, THENCE SOUTH 45° 03' 31" WEST ALONG THE SOUTHERLY BOUNDARY OF INSTRUMENT NO. 97-00591 OF SAID RECORDS, 600.00 FEET TO A POINT ON THE EAST LINE OF GOVERNMENT LOT 2, SAID POINT BEING NORTH 0° 11' 45" EAST, A DISTANCE OF 394.94 FEET FROM A 3/4 INCH IRON PIPE MARKING THE SOUTHEAST CORNER OF SAID LOT; THENCE NORTH 0° 11' 45" EAST, ALONG THE EAST LINE OF SAID LOT, 313.86 FEET; THENCE ALONG THE NORTHEASTERLY LINE OF TRACT DESCRIBED IN INSTRUMENT NO. 96-23602 OF THE OFFICIAL RECORDS OF JACKSON COUNTY, OREGON, NORTH 49° 22' 15" WEST (NORTH 49° 34' WEST, RECORD), 670.00 FEET TO THE CENTER OF ROGUE RIVER; THENCE NORTHEASTERLY ALONG CHANNEL OF SAID RIVER, 502.68 FEET, MORE OR LESS; THENCE SOUTH 40° 07' 23" EAST, 181.03 FEET, MORE OR LESS, TO THE POINT OF BEGINNING. EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE COUNTY OF JACKSON BY DEED RECORDED SEPTEMBER 8, 1964, IN VOLUME 573 PAGE 248 OF THE DEED RECORDS OF JACKSON COUNTY, OREGON. ALSO EXCEPTING THEREFROM ANY PORTION THEREOF LYING WITHIN THE CENTRAL OREGON AND PACIFIC RAILROAD RIGHT OF WAY, AS DISCLOSED BY SURVEY NO. 16354, FILED IN THE JACKSON COUNTY SURVEYOR'S OFFICE.

Unofficial
Copy

Received by OWRD

MAY 09 2024

Salem, OR

Re: E-2 application

ParsonsWater <rick.parsons@parsonswater.com>

Wed 4/24/2024 9:58 AM

To: Nic Huttema <Nic@lewispowerequip.com>

Cc: Devon Huttema <devon@lewispowerequip.com>

It's up to you - pay the \$610 now or later, after approval.

It won't happen but, just so you know, if the application is denied then the \$610 portion is refundable.

Rick

ParsonsWater Consulting LLC

parsonswater.com

541.499.0257

303.667.5067

On Apr 24, 2024, at 9:44 AM, Nic Huttema <Nic@lewispowerequip.com> wrote:

Hi Rick,

Do I send the full amount?

Nic Huttema
Lewis Power Equipment
P 541 471 7827
F 541 471 0959
Lewispowerequip.com

Received by OWRD

MAY 09 2024

Salem, OR

From: REECE Nick A * WRD
Sent: Wednesday, April 24, 2024 9:02 AM
To: Rick Parsons; WRD_DL_customerservice
Cc: Nic Huttema; Devon Huttema
Subject: RE: E-2 application

Hello,

OWRD has received and accepted the Surface Water e-application for **irrigation**. The temporary application number is: **NR-16**

Please print this email and include a copy of it when mailing in the payment. The fees due for this application are: **\$ 1266.00** (If opting to include recording fee: **\$1876**)

A copy of the fee calculator is included for your reference:

Received
MAY 09 2024
OWRD

Base Application Fee		\$610.00
Acre feet of Stored Water to be diverted	16	\$656.00
	Subtotal	\$1,266.00
Permit Recording Fee ***		\$610.00
*** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.		Recalculate
Estimated cost of Permit Application		\$1,876.00

Thank you,

Nick Reece

Public Service Representative 4

725 Summer Street NE, Suite A, Salem, OR 97301 | Phone: 503-986-0810



Integrity | Service | Technical Excellence | Teamwork | Forward-Looking

From: Rick Parsons <rick.parsons@parsonswater.com>

Sent: Tuesday, April 23, 2024 1:07 PM

To: WRD_DL_customerservice <WRD_DL_customerservice@water.oregon.gov>

Cc: Nic Huttema <Nic@lewispowerequip.com>; Devon Huttema <devon@lewispowerequip.com>

Subject: E-2 application

Please see attached secondary irrigation water right application using water from Lost Creek Lake.

Thank you,

Rick Parsons

ParsonsWater Consulting LLC

<http://parsonswater.com>

rick.parsons@parsonswater.com

541.499.0257 303.667.5067 (mobile)

Base Application Fee		\$610.00
Acre feet of Stored Water to be diverted	16	\$656.00
	Subtotal	\$1,266.00
Permit Recording Fee ***		\$610.00
*** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.		Recalculate
Estimated cost of Permit Application		\$1,876.00



Received
MAY 09 2024
OWRD