

S-84706

S-84706

ASSIGN: 12.6.24
CWRE: 3.6.24

HOLD:

Mailing List for Proposed Certificate

Application: S-84706

Permit: S-53818

Certificate:

Permit/Certificate Holder:

PREMIER WEST BANK
PO BOX 40
MEDFORD, OR 97501

SCOTT VELLE BANK
PO BOX 69
YREKA, CA 96097

RON BOEHM
PO BOX 697
SHADY COVE OR 97539

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

Copies of Proposed Certificate to be sent to:

1. Watermaster District #: 13
2. File

Other persons to receive copies: (include map):

1. NEW LANDOWNER 34S1W08 LOT 400, 403:
JOHN H EVANSKI 3
2884 S CHERRY AVE
FRESNO CA 97306
2. GARY D. KAISER, CWRE
3. EXCLUDED LANDOWNER 34S1W08 LOT102
RICKEY MC CLAIN TRUST
RICKEY MC CLAIN, TRUSTEE
369 RENE DR
SHADY COVE OR 97539-9706
4. EXCLUDED LANDOWNER 34S1W16 205
SUNSTONE WATER LLC
250 SW TAYLOR
PORTLAND OR 97204

Copies Mailed

by: TH
(STAFF)

on: 9.6.2024
(DATE)

5. EXCLUDED LANDOWNER 34S1W16 200
SCOTT SLACK
TAMARA RADA
20606 SAWYER RD
SHADY COVE OR 97539-6400
6. EXCLUDED LANDOWNER 34S1W16 400
WALKER STUDY CENTER INC
PO BOX 693
SHADY COVE OR 97539-0693
7. EXCLUDED LANDOWNER 34S1W16 606
PATRICK ALLSOP
479 SAWYER RD
SHADY COVE OR 97539-9701
8. EXCLUDED LANDOWNER 34S1W16 604
M3K KHARABEESH LP
515 S FIGUEROA ST 1600
LOS ANGELES CA 90071-3337
9. EXCLUDED LANDOWNER 34S1W16 500
IAN S COLEMAN
20499 SAWYER RD
SHADY COVE OR 97539
10. EXCLUDED LANDOWNER 34S1W16 501
DARIN L DUBOIS
PO BOX 101
EAGLE POINT OR 97524
11. EXCLUDED LANDOWNER 34S1W16 204
MARY ANN GRAHAM
328 S CENTRAL 203
MEDFORD OR 97501
12. EXCLUDED LANDOWNER 34S1W16 2000
JASON AND KRISTA VAN HOUTEN
20399 SAWYER RD
EAGLE POINT OR 97539



Oregon

Tina Kotek, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

www.oregon.gov/owrd

Date Mailed: SEP 06 2024

Reference: Application S-84706 Permit S-53818

Enclosed is a proposed certificate of water right and map. The map and proposed certificate represent the extent water was used within the terms of the permit based upon Claims of Beneficial Use, prepared by a Certified Water Right Examiner, that either you or a previous permit holder submitted.

The certificate is the final step in the water right process. The Department encourages you to review these proposals. If you do not agree with the proposed certificate, Oregon Administrative Rule 690-330-010 (2) allows the permittee or landowner 60 days from the mailing date of this notice to request the Department to reconsider the contents of the proposed certificate.

If you agree with the proposed certificate, no response to this notice is required. Sometime after comment period, the recorded certificate of water right will be mailed to the permit holder of record.

If your name is not listed on the proposed certificate, and you are the current landowner, and would like to have the final certificate issued in your name, you may apply through the Department to have the permit assigned to you. If you have any questions about the assignment process, please contact Mary Bjork at 503-979-9895.

If you have any questions please contact Codi Holmes via email at codi.n.holmes@water.oregon.gov or by phone at 503-979-3943.

Sincerely,

Dwight French
Administrator
Water Right Services

STATE OF OREGON
COUNTY OF JACKSON
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

RON BOEHM
PO BOX 697
SHADY COVE OR 97539

PREMIER WEST BANK
PO BOX 40
MEDFORD, OR 97501

SCOTT VALLEY BANK
PO BOX 69
YREKA CA 96097

confirms the right to the use of water perfected under the terms of Permit S-53818. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: S-84706

SOURCE OF WATER: LOST CREEK RESERVOIR, CONSTRUCTED UNDER PERMIT R-8142, A TRIBUTARY OF ROGUE RIVER

PURPOSE or USE: IRRIGATION OF 6.20 ACRES

MAXIMUM VOLUME: 27.23 ACRE-FEET

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: APRIL 11, 2001

Point of Diversion Location:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
34 S	1 W	WM	16	NE SE	815 FEET SOUTH AND 385 FEET WEST FROM NE CORNER, SECTION 16

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 4.5 acre-feet for each acre irrigated during the irrigation season of each year.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

The Place of Use is Located as Follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
34 S	1 W	WM	8	NE SE	6.05
34 S	1 W	WM	9	NW SW	0.15

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or other suitable measuring device as approved by the Director in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the water user to report general water use information, including the place and nature of use of water under the right.
- B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

The use of water under this right is subject to the terms and conditions of contract No. 029E101352, or a satisfactory replacement, between the Bureau of Reclamation and the applicant, a copy of which is on file in the records of the Water resources Department.

The storage area of the bulge system shall not exceed 9 ½ acre-feet and the height of the dam shall not exceed 10.0 feet.

The water user shall not construct, operate or maintain any dam or artificial obstruction to fish passage in the channel of the subject stream without providing fishway to ensure adequate upstream and downstream passage for fish. The applicant is hereby directed to contact an Oregon Department of Fish and Wildlife Fish Passage Coordinator, Portland, Oregon, before beginning construction of any in channel obstruction.

The water user shall maintain and operate fish screening as required by the Oregon Department of Fish and Wildlife (ODFW) to prevent fish from entering the diversion.

Failure to comply with any of the provisions of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

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

Issued _____

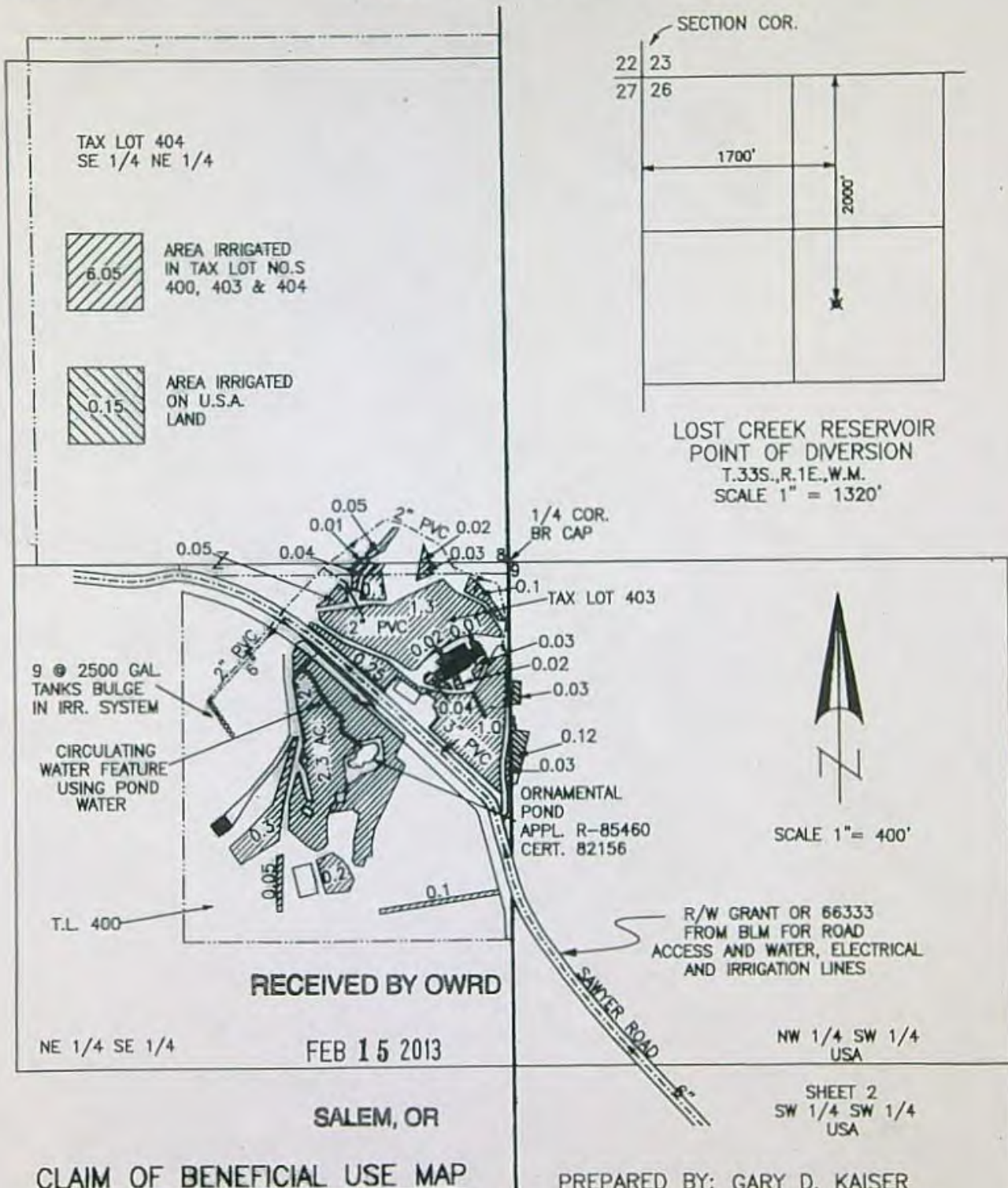
PROPOSED
Dwight French
Water Rights Services Division Administrator, for
Ivan Galt, Director
Oregon Water Resources Department



T.34S., R.1W., W.M.

SHEET 1 OF 4

Jackson County, Oregon
 Tax Lot No. 341W08 - 400, 403 & 404
 ROGUE RIVER BASIN



CLAIM OF BENEFICIAL USE MAP

APPLICATION No. S-84706
 PERMIT No. S-53818

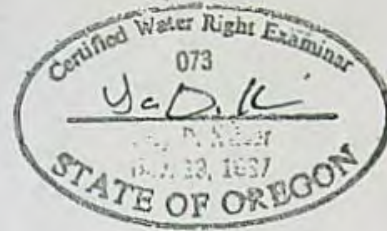
FOR: SCOTT VALLEY BANK
 P.O. BOX 69
 YREKA, CA 96097

NOTE: MAP PREPARED FOR WATER RIGHT PURPOSES ONLY, NOT FOR PROPERTY BOUNDARY LOCATIONS.

PREPARED BY: GARY D. KAISER
 KAISER SURVEYING
 19440 HWY. 62
 EAGLE POINT, OR. 97524

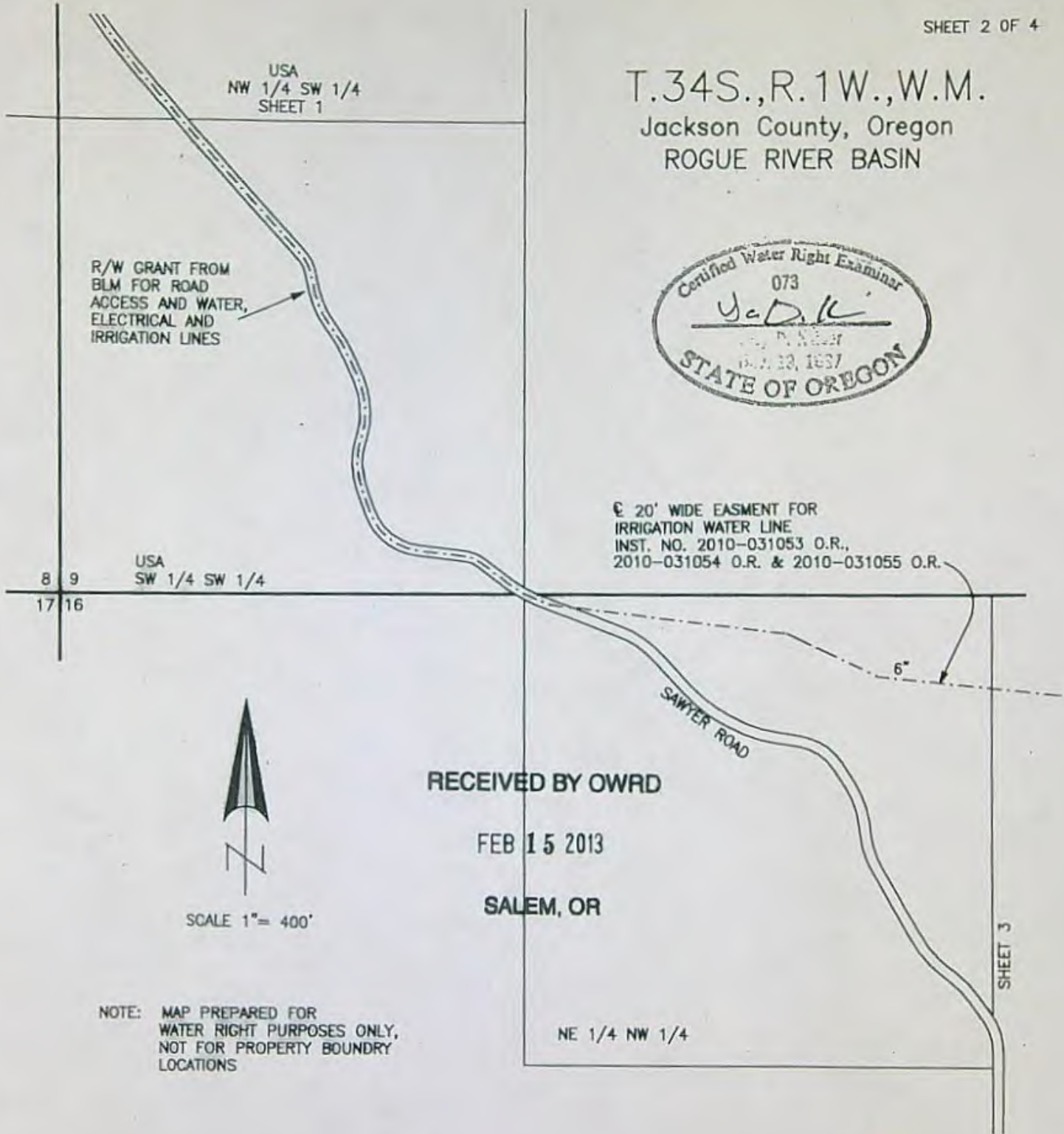
JANUARY 25, 2013

T.34S., R.1W., W.M.
Jackson County, Oregon
ROGUE RIVER BASIN



R/W GRANT FROM
BLM FOR ROAD
ACCESS AND WATER,
ELECTRICAL AND
IRRIGATION LINES

€ 20' WIDE EASMENT FOR
IRRIGATION WATER LINE
INST. NO. 2010-031053 O.R.,
2010-031054 O.R. & 2010-031055 O.R.



8 9
17 16

USA
SW 1/4 SW 1/4



SCALE 1" = 400'

RECEIVED BY OWRD

FEB 15 2013

SALEM, OR

NE 1/4 NW 1/4

SHEET 3

NOTE: MAP PREPARED FOR
WATER RIGHT PURPOSES ONLY,
NOT FOR PROPERTY BOUNDARY
LOCATIONS

CLAIM OF BENEFICIAL USE MAP

APPLICATION No. S-84706
PERMIT No. S-53818

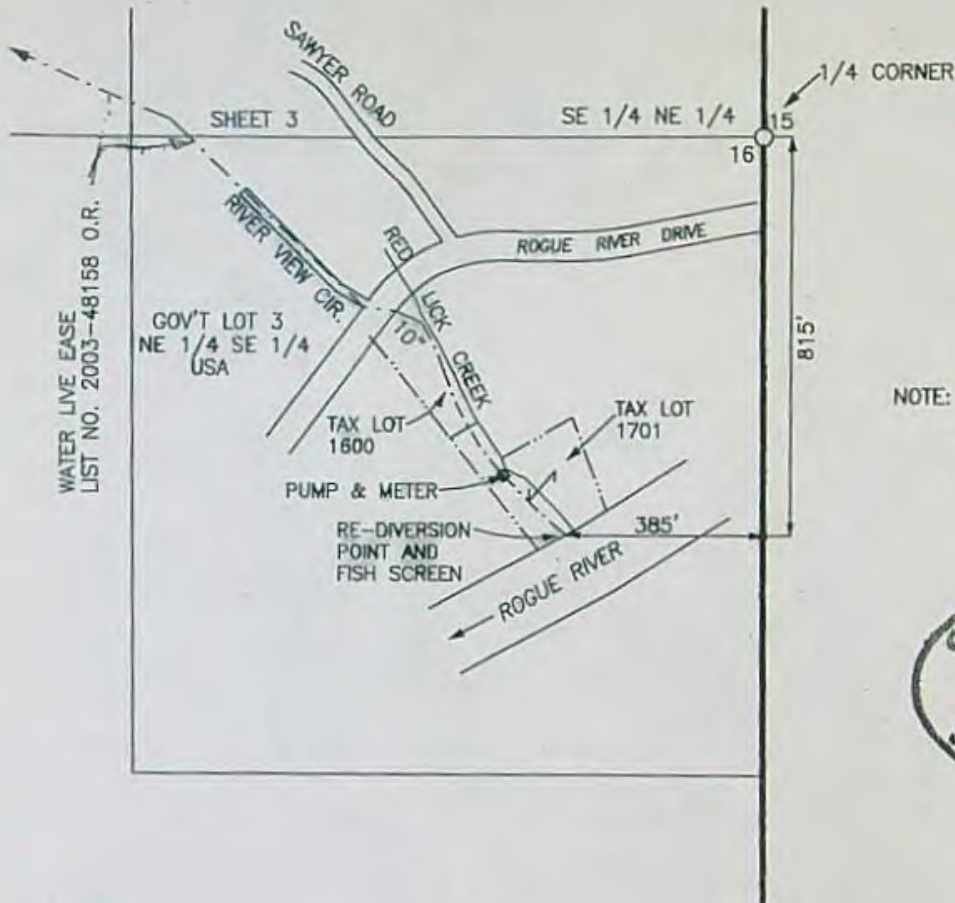
FOR: SCOTT VALLEY BANK
P.O. BOX 69
YREKA, CA 96097

PREPARED BY:
GARY D. KAISER
KAISER SURVEYING
19440 HWY. 62
EAGLE POINT, OR. 97524

JANUARY 25, 2013

T.34S., R.1W., W.M.
Jackson County, Oregon
ROGUE RIVER BASIN

SHEET 4 OF 4



SCALE 1" = 400'

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LOCATIONS



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FEB 15 2013

SALEM, OR

CLAIM OF BENEFICIAL USE MAP

APPLICATION No. S-84706
PERMIT No. S-53818

FOR: SCOTT VALLEY BANK
P.O. BOX 69
YREKA, CA 96097

PREPARED BY:
GARY D. KAISER
KAISER SURVEYING
19440 HWY. 62
EAGLE POINT, OR. 97524

JANUARY 25, 2013



Oregon

Tina Kotek, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

www.oregon.gov/owrd

Date Mailed: **SEP 06 2024**

Notice to Excluded Landowner

Reference: Application S-84706 Permit S-53818

Enclosed is a proposed certificate of water right and map. The proposed certificate represents the extent water was used within the terms of an order approving the permit based upon a Claim of Beneficial Use, prepared by a Certified Water Right Examiner, that either you or a previous permit holder submitted.

The certificate is the final step in the water right process. The Department encourages you to review this proposal. If you do not agree with the proposed certificate, Oregon Administrative Rule 690-330-010 (2) allows the permittee or landowner 60 days from the mailing date of this notice to request the Department to reconsider the contents of the proposed certificate.

If your name is not listed on the proposed certificate, and you are the current landowner, and would like to have the final certificate issued in your name, you may apply through the Department to have the permit assigned to you. If you have any questions about the assignment process, please contact Mary Bjork at Mary.F.Bjork@water.oregon.gov or 503-979-9895.

If you agree with the proposed certificate and map, no response to this notice is required. Sometime after the 60 day period, a recommendation will be made to the Director to issue a certificate, and if the Director signs the certificate, the recorded certificate of water right will be mailed to you.

If you have any questions please contact Codi Holmes via email at codi.n.holmes@water.oregon.gov or by phone at 503-979-3184 .

Sincerely,

Dwight Erench
Administrator Water Right Services

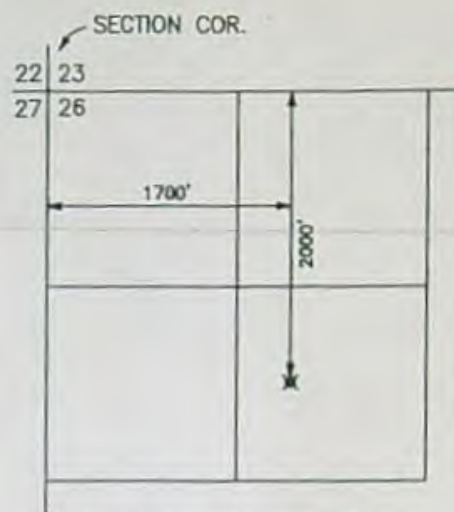
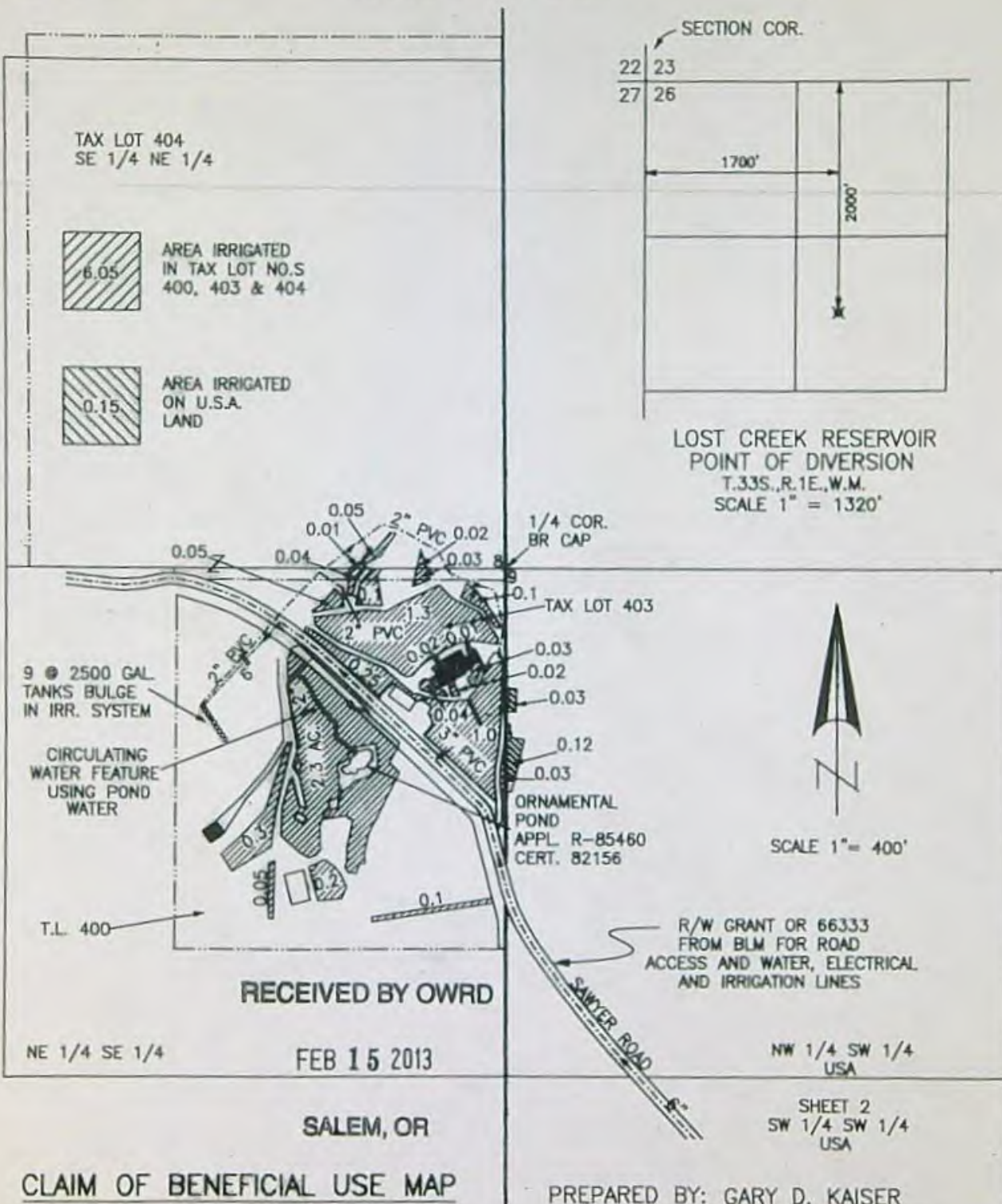


T.34S.,R.1W.,W.M.

SHEET 1 OF 4

Jackson County, Oregon

Tax Lot No. 341W08 - 400, 403 & 404
ROGUE RIVER BASIN



LOST CREEK RESERVOIR
POINT OF DIVERSION
T.33S.,R.1E.,W.M.
SCALE 1" = 1320'

RECEIVED BY OWRD
FEB 15 2013
SALEM, OR

NE 1/4 SE 1/4
NW 1/4 SW 1/4 USA
SHEET 2
SW 1/4 SW 1/4 USA

CLAIM OF BENEFICIAL USE MAP

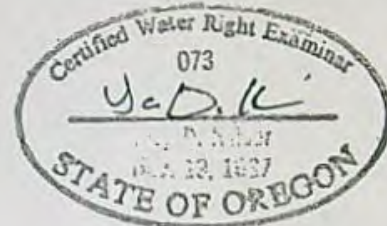
APPLICATION No. S-84706
PERMIT No. S-53818

FOR: SCOTT VALLEY BANK
P.O. BOX 69
YREKA, CA 96097

PREPARED BY: GARY D. KAISER
KAISER SURVEYING
19440 HWY. 62
EAGLE POINT, OR. 97524
JANUARY 25, 2013

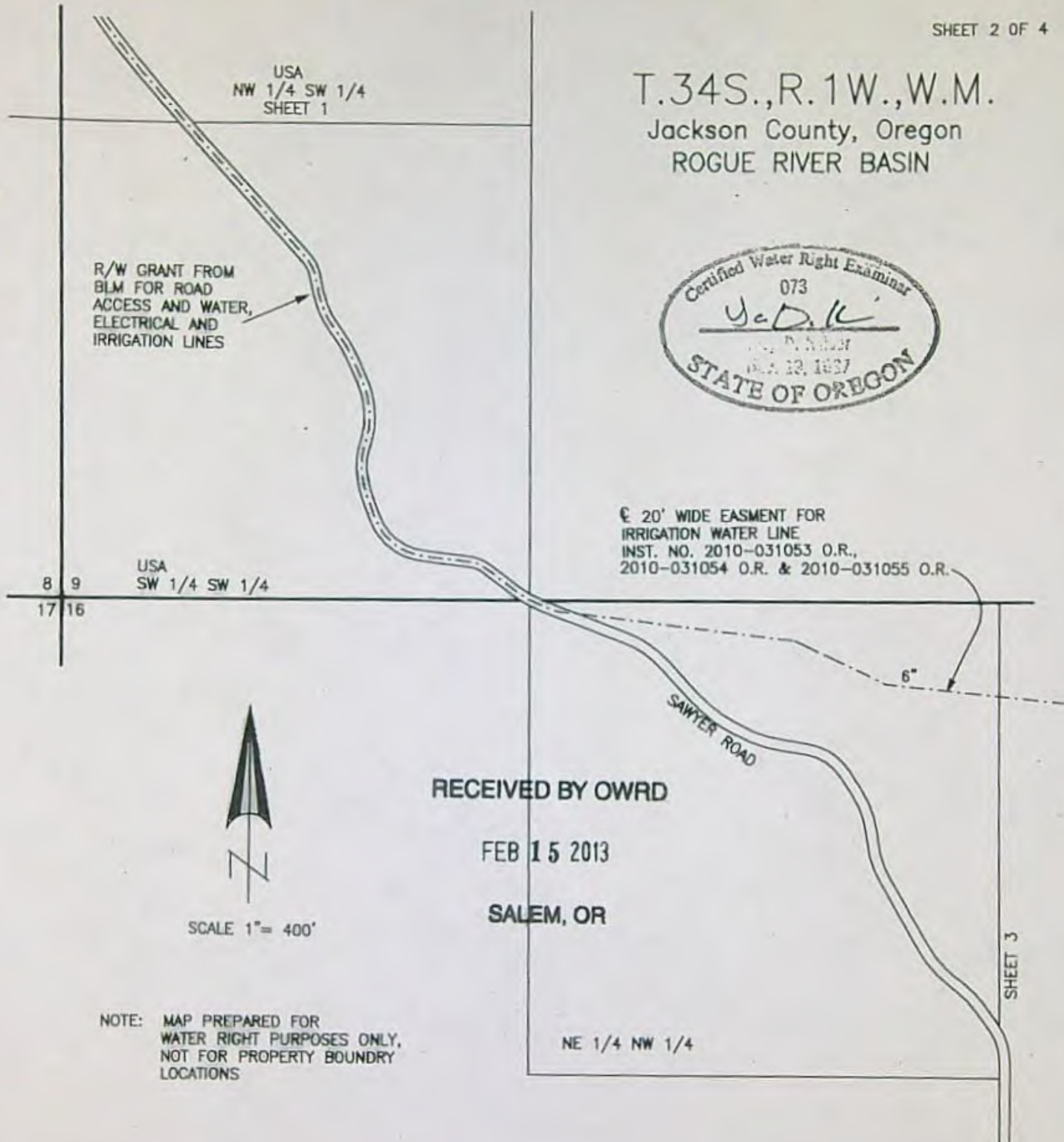
NOTE: MAP PREPARED FOR
WATER RIGHT PURPOSES ONLY,
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LOCATIONS.

T.34S.,R.1W.,W.M.
Jackson County, Oregon
ROGUE RIVER BASIN



R/W GRANT FROM
BLM FOR ROAD
ACCESS AND WATER,
ELECTRICAL AND
IRRIGATION LINES

€ 20' WIDE EASMENT FOR
IRRIGATION WATER LINE
INST. NO. 2010-031053 O.R.,
2010-031054 O.R. & 2010-031055 O.R.



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FEB 15 2013

SALEM, OR

SCALE 1" = 400'

NOTE: MAP PREPARED FOR
WATER RIGHT PURPOSES ONLY,
NOT FOR PROPERTY BOUNDARY
LOCATIONS

CLAIM OF BENEFICIAL USE MAP

APPLICATION No. S-84706
PERMIT No. S-53818

FOR: SCOTT VALLEY BANK
P.O. BOX 69
YREKA, CA 96097

PREPARED BY:
GARY D. KAISER
KAISER SURVEYING
19440 HWY. 62
EAGLE POINT, OR. 97524

JANUARY 25, 2013

T.342, R.1W., W.M.
Jackson County, Oregon
ROGUE RIVER BASIN



SCALE 1" = 400'

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LOCATIONS



RECEIVED BY OWRD
FEB 19 2013
SALEM, OR

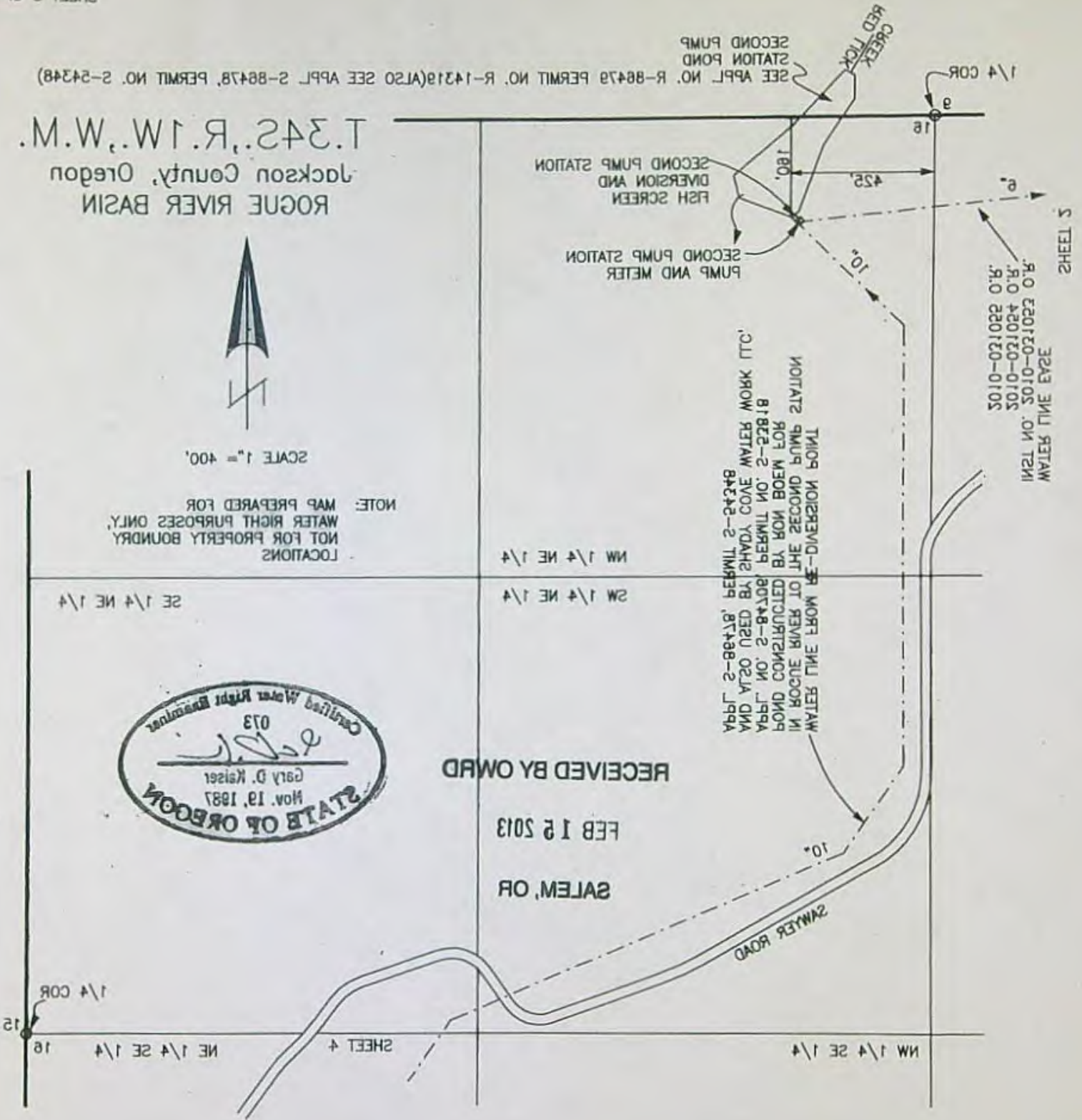
CLAIM OF BENEFICIAL USE MAP

APPLICATION No. 2-84708
PERMIT No. 2-23818

FOR: SCOTT VALLEY BANK
P.O. BOX 89
YREKA, CA 96097

PREPARED BY:
GARY D. KAISER
KAISER SURVEYING
19440 HWY. 62
EAGLE POINT, OR. 97524

JANUARY 25, 2013



SEE APPL. NO. R-88478 PERMIT NO. R-14219(L)20 SEE APPL. 2-88478, PERMIT NO. 2-2348)

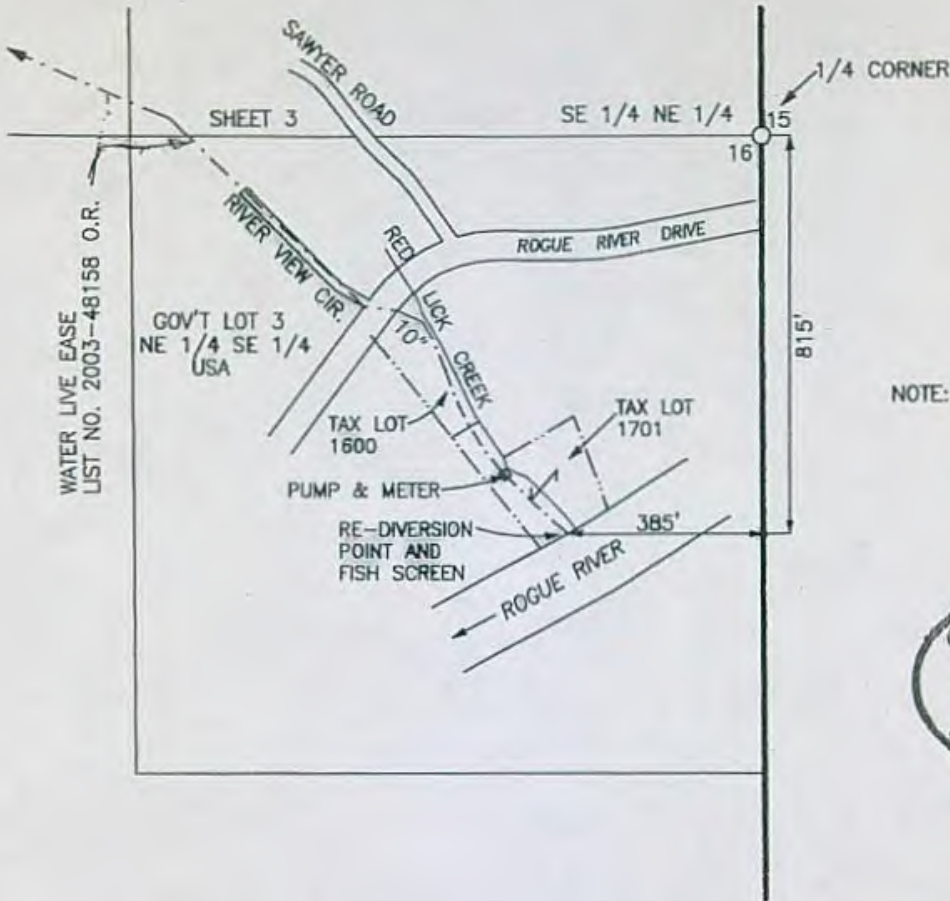
SECOND PUMP STATION
PUMP AND METER
10'
SECOND PUMP STATION
DIVERSION AND
FISH SCREEN
425'
180'
SECOND PUMP
STATION POND
SEE APPL. NO. R-88478 PERMIT NO. R-14219(L)20 SEE APPL. 2-88478, PERMIT NO. 2-2348)

WATER LINE EASE
INST. NO. 3010-0105
R.O. 420120-0105
R.O. 220120-0105

SHEET 3

T.34S.,R.1W.,W.M.
Jackson County, Oregon
ROGUE RIVER BASIN

SHEET 4 OF 4



SCALE 1" = 400'

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FEB 15 2013

SALEM, OR

CLAIM OF BENEFICIAL USE MAP

APPLICATION No. S-84706

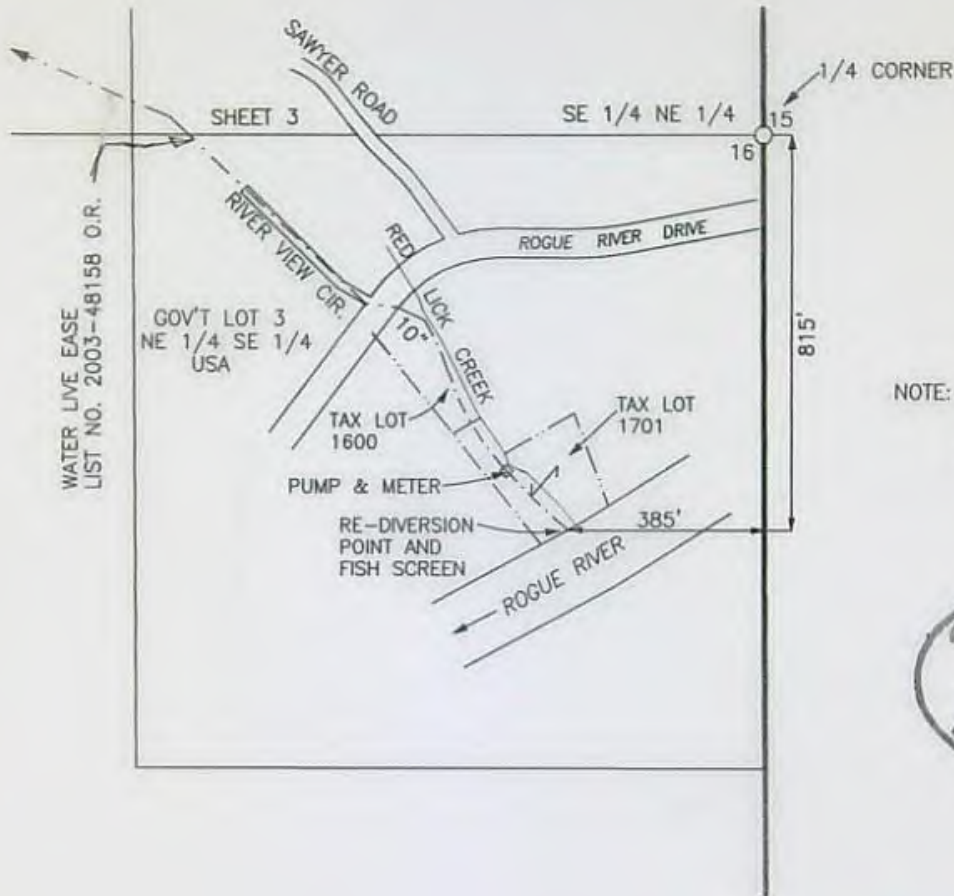
PERMIT No. S-53818

FOR: SCOTT VALLEY BANK
P.O. BOX 69
YREKA, CA 96097

PREPARED BY:
GARY D. KAISER
KAISER SURVEYING
19440 HWY. 62
EAGLE POINT, OR. 97524

JANUARY 25, 2013

T.34S.,R.1W.,W.M.
Jackson County, Oregon
ROGUE RIVER BASIN



SCALE 1" = 400'

NOTE: MAP PREPARED FOR WATER RIGHT PURPOSES ONLY, NOT FOR PROPERTY BOUNDARY LOCATIONS



RECEIVED BY OWRD

FEB 15 2013

SALEM, OR

CLAIM OF BENEFICIAL USE MAP

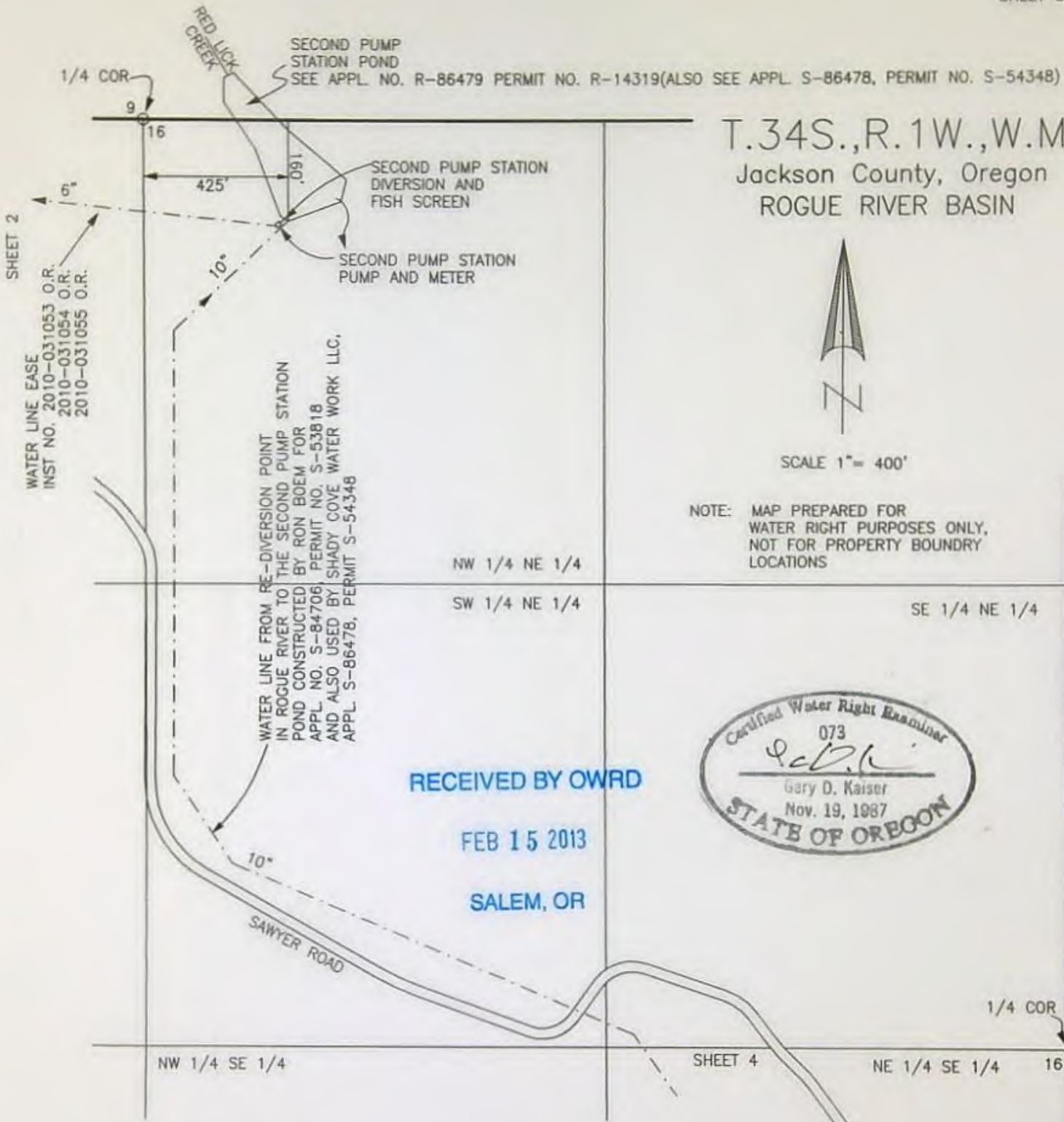
APPLICATION No. S-84706

PERMIT No. S-53818

FOR: SCOTT VALLEY BANK
P.O. BOX 69
YREKA, CA 96097

PREPARED BY:
GARY D. KAISER
KAISER SURVEYING
19440 HWY. 62
EAGLE POINT, OR. 97524

JANUARY 25, 2013



T.34S.,R.1W.,W.M.
 Jackson County, Oregon
 ROGUE RIVER BASIN



SCALE 1" = 400'

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 FEB 15 2013
 SALEM, OR



CLAIM OF BENEFICIAL USE MAP

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 PERMIT No. S-53818

FOR: SCOTT VALLEY BANK
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 YREKA, CA 96097

PREPARED BY:
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 KAISER SURVEYING
 19440 HWY. 62
 EAGLE POINT, OR. 97524

JANUARY 25, 2013

T.34S.,R.1W.,W.M.
Jackson County, Oregon
ROGUE RIVER BASIN

USA
NW 1/4 SW 1/4
SHEET 1

R/W GRANT FROM
BLM FOR ROAD
ACCESS AND WATER,
ELECTRICAL AND
IRRIGATION LINES



€ 20' WIDE EASMENT FOR
IRRIGATION WATER LINE
INST. NO. 2010-031053 O.R.,
2010-031054 O.R. & 2010-031055 O.R.

8 9
17 16
USA
SW 1/4 SW 1/4

SAWYER ROAD

6"

RECEIVED BY OWRD

FEB 15 2013

SALEM, OR



SCALE 1" = 400'

NOTE: MAP PREPARED FOR
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LOCATIONS

NE 1/4 NW 1/4

SHEET 3

CLAIM OF BENEFICIAL USE MAP

APPLICATION No. S-84706
PERMIT No. S-53818

FOR: SCOTT VALLEY BANK
P.O. BOX 69
YREKA, CA 96097

PREPARED BY:
GARY D. KAISER
KAISER SURVEYING
19440 HWY. 62
EAGLE POINT, OR. 97524

JANUARY 25, 2013

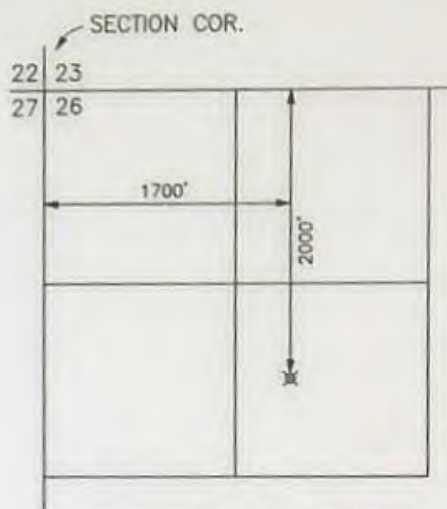
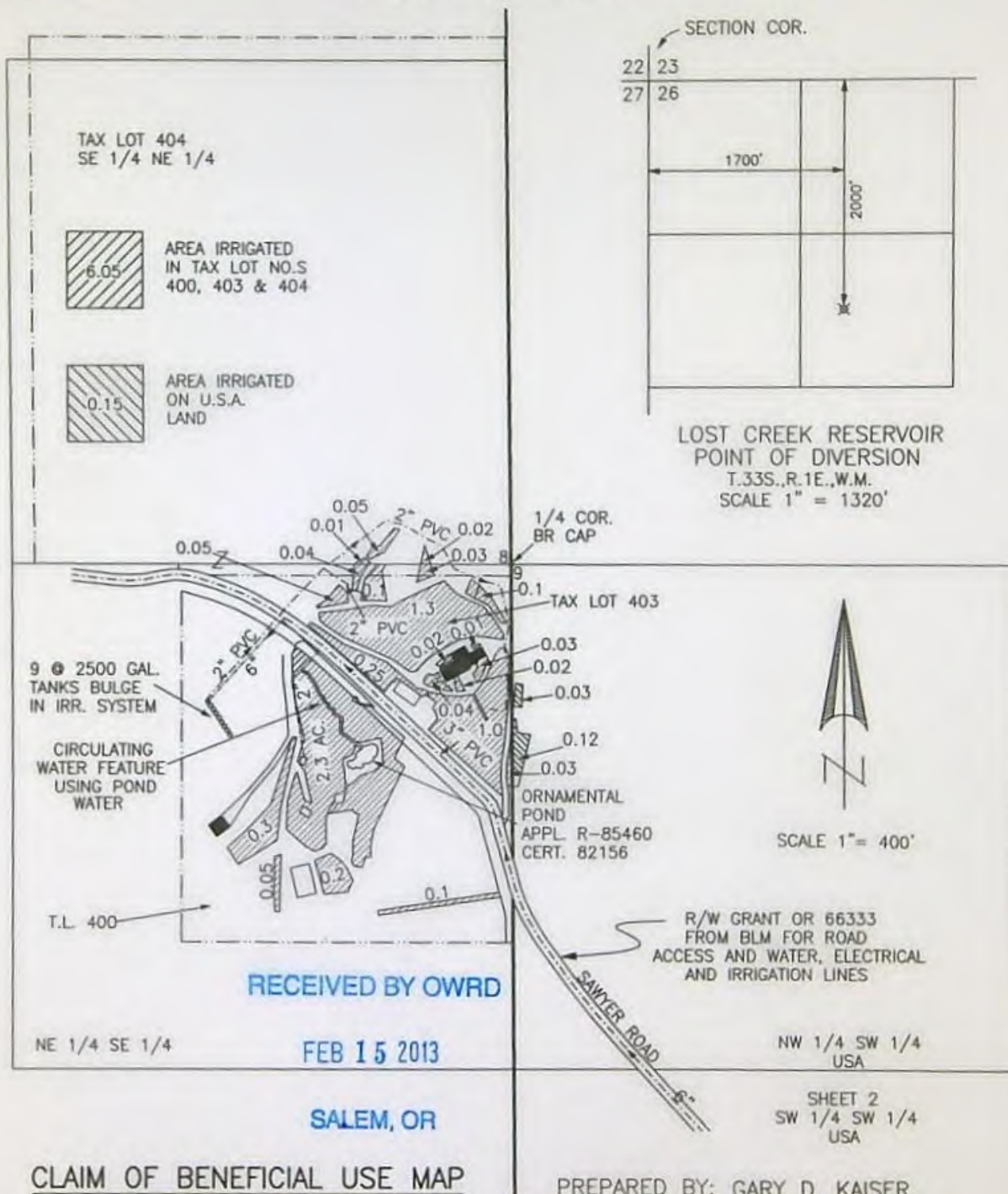


T.34S., R.1W., W.M.

SHEET 1 OF 4

Jackson County, Oregon

Tax Lot No. 341W08 - 400, 403 & 404
ROGUE RIVER BASIN



LOST CREEK RESERVOIR
POINT OF DIVERSION
T.33S., R.1E., W.M.
SCALE 1" = 1320'

RECEIVED BY OWRD

FEB 15 2013

SALEM, OR

CLAIM OF BENEFICIAL USE MAP

APPLICATION No. S-84706
PERMIT No. S-53818

FOR: SCOTT VALLEY BANK
P.O. BOX 69
YREKA, CA 96097

PREPARED BY: GARY D. KAISER
KAISER SURVEYING
19440 HWY. 62
EAGLE POINT, OR. 97524

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JANUARY 25, 2013

T.34S.,R.1W.,W.M.

Jackson County, Oregon
Tax Lot Nos. 341W 8 - 102, 300,
301, 400, 403 & 404

RECEIVED

MAR 26 2001

WATER RESOURCES DEPT.
SALEM, OREGON

MAP TO ACCOMPANY AN
APPLICATION TO USE
SURFACE WATER

FOR:
Ron Boehm
P.O. Box 697
Shady Cove, OR. 97539

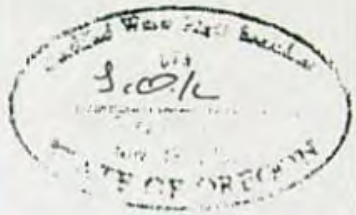
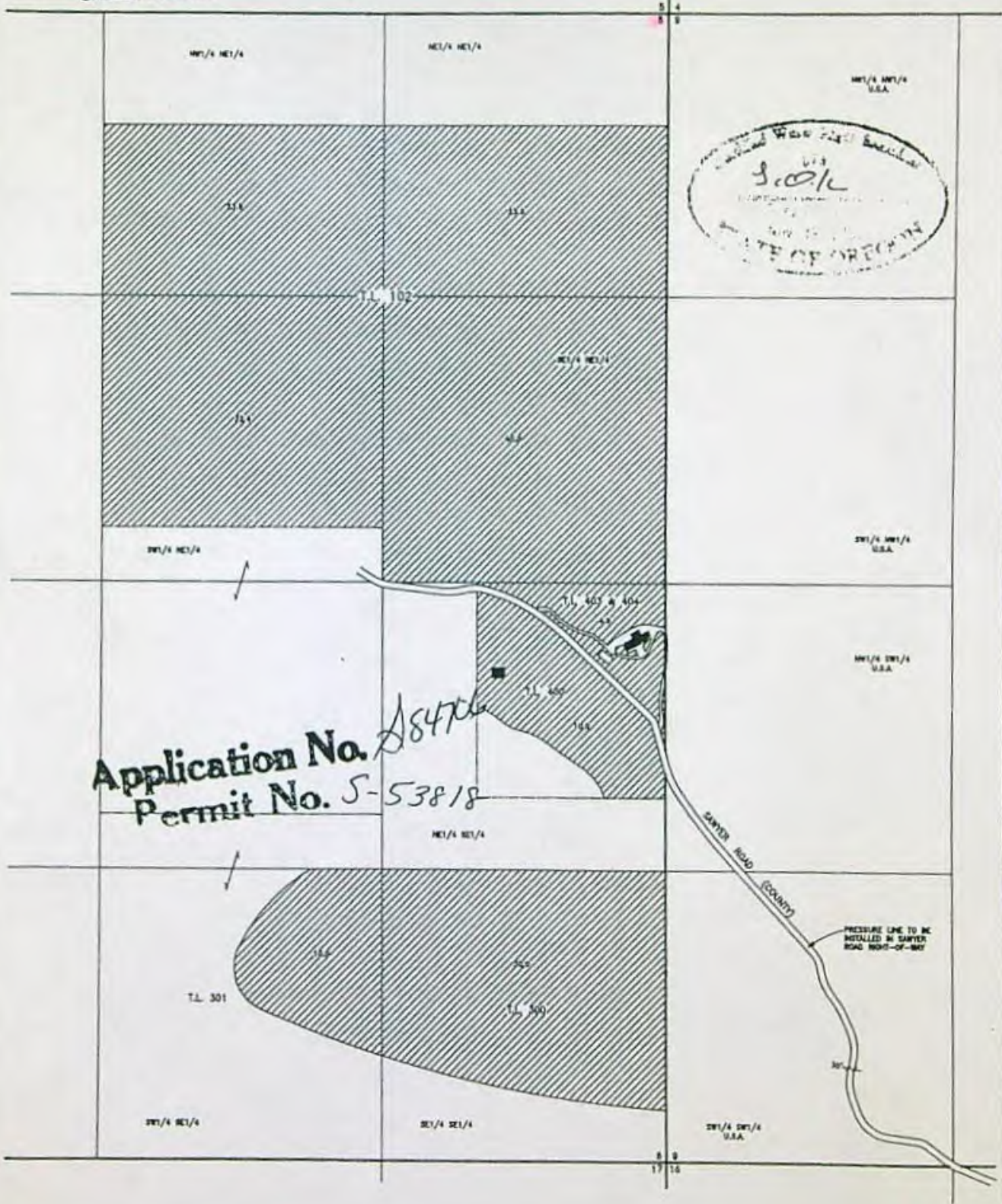
PREPARED BY:
Kaiser Surveying
19440 Highway 62
Eagle Point, OR. 97524

DATE:
March 18, 2001

NOTE: MAP PREPARED FOR
WATER RIGHT PURPOSES ONLY,
NOT FOR PROPERTY BOUNDARY
LOCATIONS.



SCALE 1" = 400'
M.T.S.



Application No. 18470
Permit No. 5-53818

T.34S.,R.1W.,W.M.
Jackson County, Oregon
Tax Lot Nos. 341W 18 - 200, 400, 500, 501,
804 & 806, 341W 160A - 200 & 1701

MAP TO ACCOMPANY AN
APPLICATION TO USE
SURFACE WATER

PREPARED BY:
Gary D. Kaiser
19440 Highway 62
Eagle Point, OR. 97524

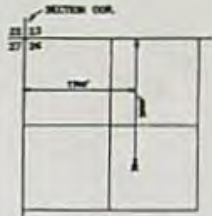
NOTE: MAP PREPARED FOR
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LOCATIONS.

FOR:
Ron Boehm
P.O. Box 697
Shady Cove, OR. 97539

DATE:
March 19, 2001



SCALE: HTS



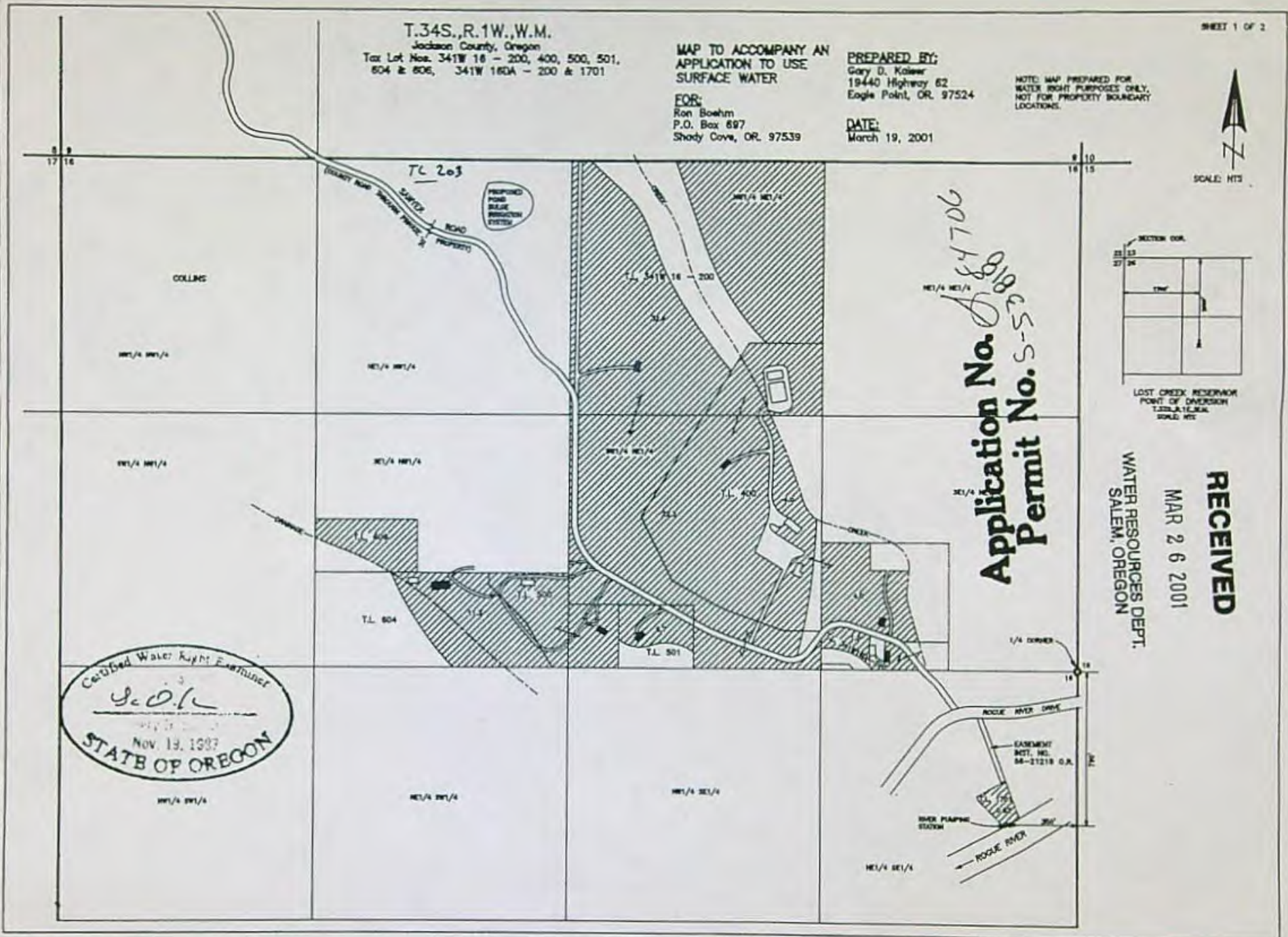
LOST CREEK RESERVOIR
POINT OF DIVERSION
TERRACE
SCALE: HTS

WATER RESOURCES DEPT.
SALEM, OREGON

MAR 26 2001

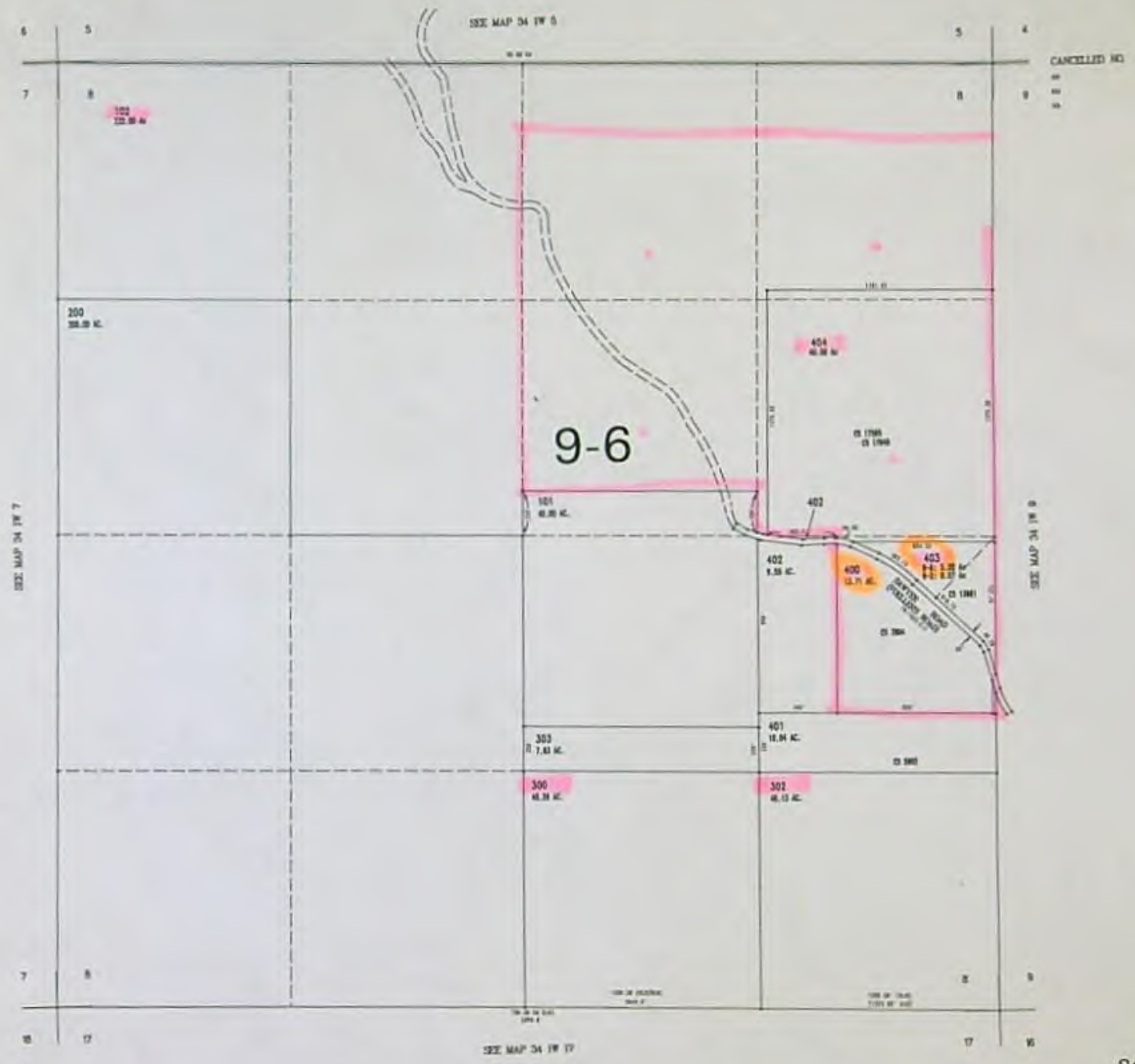
RECEIVED

Application No. 8018 ES-5-5-5
Permit No. 5-5-5-5-5
54706



SECTION 8 T34S. R1W. W.M.
JACKSON COUNTY
T- 407

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

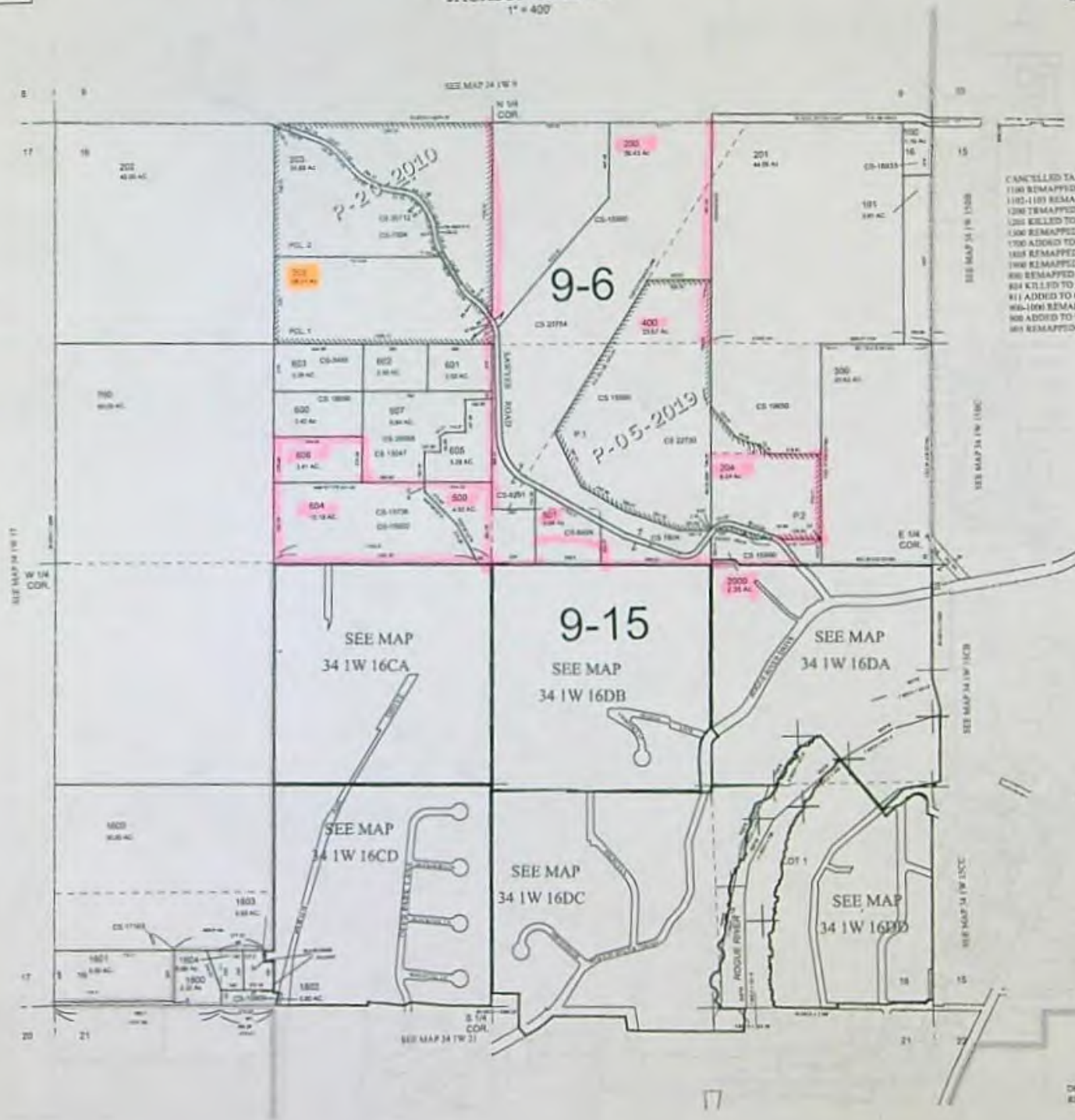


METAFILE C:\WORKSPACE\241W08 PLAT.GBA
CREATED THURSDAY, JUNE 03, 2004 2:02 PM BY FRANCIS

FOR ASSESSMENT AND TAXATION ONLY

SECTION 16 T.34S. R.1W. W.M.
JACKSON COUNTY
1" = 400'

341W16
& INDEX
SHADY COVE



CANCELLED TAX LOT NUMBERS
100 REMAPPED TO 341W1600
101-105 REMAPPED TO 341W1601
106 REMAPPED TO 341W1602
107 KILLED TO STREET
108 REMAPPED TO 341W1603
109 ADDED TO 100
110 REMAPPED TO 341W1604
111 REMAPPED TO 341W1605
112 KILLED TO STREET
113 ADDED TO 101
114-116 REMAPPED TO 341W1606
117 ADDED TO 101
118-120 REMAPPED TO 341W1607
121 ADDED TO 101
122-124 REMAPPED TO 341W1608
125 ADDED TO 101
126 REMAPPED TO 341W1609

DATE DATA: 09/15/2015 11:53:27 AM [unclear]

341W16
& INDEX
SHADY COVE
DCR CONVERSION August 14, 2009
REV February 12, 2019

New landowner
for claim POW
LOTS

[Map TL Sequence](#)

Assessment Year 2023 ▼

[Print Window](#)

[Close Window](#)

Assessment Info for Account 1-022218-8 Map 341W08 Taxlot 400
Report For Assessment Purposes Only Created August 28, 2024

Account Info		Tax Year 2023 Info		Land Info	
Taxlot	1-022218-8	Pay Taxes Online		Tax Code	9-06
Owner	341W08 400	Tax Report	Details	Acres	13.71
Situs Address	EVANSKI JOHN H III	Tax Statement	Details	Zoning	
1875 SAWYER RD EAGLE POINT/COUNTY R		First Tri Statement	Details	OSR	
Mailing Address	EVANSKI JOHN H III 2884 S CHERRY AVE FRESNO CA, 93706	Second Tri Statement	Details	Land Class	
Appraiser	146	Tax History	Details	FP 8.71 Ac HS 0.00 Ac RT 5.00 Ac	
		Tax Details	Details	Property Class	401
		Tax Rates	Details	Stat Class	144
				Unit ID	116582-1
				Maintenance Area	1
				Neighborhood	000
				Study Area	02
				Account Status	ACTIVE
				Tax Status	Assessable
				Sub Type	NORMAL

Sales Data (ORCATS)

Last Sale (consideration > 0)

\$ 2,305,000

Oct 23, 2020

Instrument Number

[2020-39820](#)

Sales History

[Details](#)

Value Summary Detail (For Assessment Year 2023)

Market Value Summary (For Assessment Year 2023)

Code Area	Type	Acreage	RMV	M5	MAV	AV
9-06	LAND	13.71	\$ 362,870	\$ 362,870	\$ 485,870	\$ 362,870
9-06	IMPR	0.00	\$ 303,010	\$ 303,010	\$ 302,540	\$ 303,010
Value History Details			Total: \$ 665,880	\$ 665,880	\$ 788,410	\$ 665,880

Improvements

Building #	Code Area	Year Built	Eff Year Built	Stat Class	Description	Type	SqFt	% Complete	
1	9-06	1980	1980	144	Two story with basement	Residence	2163	100 %	Details
2	9-06	1980	1980	850	GP Bldg	Farm Bldg	1500	100 %	Details
3	9-06	2004	2004	850	GP Bldg	Farm Bldg	1500	100 %	Details
4	9-06	2005	2005	861	Lean-To	Farm Bldg	1000	100 %	Details

Photos and Scanned Documents

Type	Item Number	Image Files	
ACCOUNT PHOTO	1	1	PDF

Assessment Info for Account 1-022218-8 Map 341W08 Taxlot 400
 Report For Assessment Purposes Only Created August 28, 2024

Account Info		Tax Year 2023 Info		Land Info	
Account	1-022218-8	Pay Taxes Online		Tax Code	9-06
Map	341W08 400	Tax Report	Details	Acreage	13.71
Taxlot		Tax Statement	Details	Zoning	
Owner	EVANSKI JOHN H III	First Tri Statement	Details	Land Class	
<input type="checkbox"/> Situs Address		Second Tri Statement	Details	OSR	
1875 SAWYER RD EAGLE POINT/COUNTY R		Tax History	Details	FP 8.71 Ac	
Mailing Address	EVANSKI JOHN H III 2884 S CHERRY AVE FRESNO CA, 93706	Tax Details	Details	HS 0.00 Ac	
Appraiser	146	Tax Rates	Details	RT 5.00 Ac	
				Property Class	401
				Stat Class	144
				Unit ID	116582-1
				Maintenance Area	1
				Neighborhood	000
				Study Area	02
				Account Status	ACTIVE
				Tax Status	Assessable
				Sub Type	NORMAL

Sales Data (ORCATS)

Last Sale (consideration > 0)	Sale Date	Instrument Number	Sales History
\$ 2,305,000	Oct 23, 2020	2020-39820	Details

Value Summary Detail (For Assessment Year 2023)

Market Value Summary (For Assessment Year 2023)

Code Area	Type	Acreage	RMV	M5	MAV	AV
9-06	LAND	13.71	\$ 362,870	\$ 362,870	\$ 485,870	\$ 362,870
9-06	IMPR	0.00	\$ 303,010	\$ 303,010	\$ 302,540	\$ 303,010
Value History Details		Total:	\$ 665,880	\$ 665,880	\$ 788,410	\$ 665,880

Improvements

Building #	Code Area	Year Built	Eff Year Built	Stat Class	Description	Type	SqFt	% Complete	
1	9-06	1980	1980	144	Two story with basement	Residence	2163	100 %	Details
2	9-06	1980	1980	850	GP Bldg	Farm Bldg	1500	100 %	Details
3	9-06	2004	2004	850	GP Bldg	Farm Bldg	1500	100 %	Details
4	9-06	2005	2005	861	Lean-To	Farm Bldg	1000	100 %	Details

Photos and Scanned Documents

Type	Item Number	Image Files	
ACCOUNT PHOTO	1	1	PDF

Assessment Info for Account 1-022221-0 Map 341W08 Taxlot 403
 Report For Assessment Purposes Only Created August 28, 2024

Account Info		Tax Year 2023 Info		Land Info	
Account	1-022221-0	Pay Taxes Online		Tax Code	9-06
Map Taxlot	341W08 403	Tax Report	Details	Acreege	5.07
Owner	EVANSKI JOHN H III	Tax Statement	Details	<u>Zoning</u>	
Situs Address	1880 SAWYER RD EAGLE POINT/COUNTY R	First Tri Statement	Details	<u>Land Class</u>	
Mailing Address	EVANSKI JOHN H III 2884 S CHERRY AVE FRESNO CA, 93706	Second Tri Statement	Details	HS 0.00 Ac FP 0.07 Ac RT 5.00 Ac	
Appraiser		Tax History	Details	<u>Property Class</u>	401
		Tax Details	Details	<u>Stat Class</u>	174
		Tax Rates	Details	Unit ID	116588-1
				Maintenance Area	1
				Neighborhood	000
				Study Area	02
				Account Status	ACTIVE
				Tax Status	Assessable
				Sub Type	NORMAL

Sales Data (ORCATS)

Last Sale (consideration > 0)	Sale Date	Instrument Number	Sales History
\$ 2,305,000	Oct 23, 2020	2020-39820	Details

+ **Value Summary Detail (For Assessment Year 2023)**

- **Market Value Summary (For Assessment Year 2023)**

Code Area	Type	Acreege	RMV	M5	MAV	AV
9-06	LAND	5.07	\$ 743,210	\$ 743,210	\$ 1,046,530	\$ 743,210
9-06	IMPR	0.00	\$ 1,194,880	\$ 1,194,880	\$ 1,682,530	\$ 1,194,880
Value History Details			Total: \$ 1,938,090	\$ 1,938,090	\$ 2,729,060	\$ 1,938,090

Improvements

Building #	Code Area	Year Built	Eff Year Built	Stat Class	Description	Type	SqFt	% Complete	
1	9-06	1995	1996	174	Two story with basement	Residence	8498	100 %	Details
2	9-06	2002	2002	163	One story with basement	Residence	4916	100 %	Details

Photos and Scanned Documents

Type	Item Number	Image Files	
APEX DRAWINGS	1	1	PDF
ACCOUNT PHOTO	2	1	PDF

Excluded landowners
8/27/24

Assessment Info for Account 1-074887-6 Map 341W08 Taxlot 102
Report For Assessment Purposes Only Created August 28, 2024

Account Info		Tax Year 2023 Info		Land Info	
Account	1-074887-6	Pay Taxes Online		Tax Code	9-02
Map Taxlot	341W08 102	Tax Report	Details	Acreage	232.00
Owner	MCCLAIN RICKEY L TRUST	Tax Statement	Details	Zoning	
	MCCLAIN RICKEY L TRUSTEE	Tax History	Details	FR	
Situs Address		Tax Details	Details	Land Class	
SAWYER RD EAGLE POINT/COUNTY R		Tax Rates	Details	RT 44.36 Ac UNK 0.00 Ac FG 187.64 Ac	
Mailing Address	MCCLAIN RICKEY L TRUST ET AL 369 RENE DR SHADY COVE OR, 975399706			Property Class	600
Appraiser	124			Stat Class	000
				Unit ID	116575-1
				Maintenance Area	1
				Neighborhood	000
				Study Area	02
				Account Status	ACTIVE
				Tax Status	Assessable
				Sub Type	NORMAL

Sales Data (ORCATS)

Last Sale (consideration > 0)	Sale Date	Instrument Number	Sales History
\$ 625,000	Jan 13, 2020	2020-1307	Details

Value Summary Detail (For Assessment Year 2023)

Market Value Summary (For Assessment Year 2023)

Code Area	Type	Acreage	RMV	M5	MAV	AV
9-02	LAND	44.36	\$ 177,620	\$ 177,620	\$ 37,000	\$ 37,000
9-02	LAND	187.64	\$ 616,750	\$ 0	\$ 0	\$ 0
Value History Details			Total: \$ 794,370	\$ 177,620	\$ 37,000	\$ 37,000

Specially Assessed Value Summary (For Assessment Year 2023)

Code Area	Type	Acreage	SAV	MSAV	AV
9-02	LAND	187.64	\$ 31,798	\$ 17,262	\$ 17,262
Total:			\$ 31,798	\$ 17,262	\$ 17,262

Total (Market + Specially Assessed) Value Summary (For Assessment Year 2023)

Code Area	RMV	M5	MAV	AV
9-02	\$ 794,370	\$ 209,418	\$ 54,262	\$ 54,262

Assessment Info for Account 1-074887-6 Map 341W08 Taxlot 102
 Report For Assessment Purposes Only Created August 28, 2024

Account Info		Tax Year 2023 Info		Land Info	
Account	1-074887-6	Pay Taxes Online		Tax Code	9-02
Map Taxlot	341W08 102	Tax Report	Details	Acreage	232.00
Owner	MCCLAIN RICKEY L TRUST	Tax Statement	Details	Zoning	
	MCCLAIN RICKEY L TRUSTEE	Tax History	Details	FR	
Situs Address	SAWYER RD EAGLE POINT/COUNTY R	Tax Details	Details	Land Class	
Mailing Address	MCCLAIN RICKEY L TRUST ET AL 369 RENE DR SHADY COVE OR, 975399706	Tax Rates	Details	RT 44.36 Ac UNK 0.00 Ac FG 187.64 Ac	
Appraiser	124			Property Class	600
				Stat Class	000
				Unit ID	116575-1
				Maintenance Area	1
				Neighborhood	000
				Study Area	02
				Account Status	ACTIVE
				Tax Status	Assessable
				Sub Type	NORMAL

Sales Data (ORCATS)

Last Sale (consideration > 0)		Sale Date	Instrument Number	Sales History
\$ 625,000		Jan 13, 2020	2020-1307	Details

Value Summary Detail (For Assessment Year 2023)

Market Value Summary (For Assessment Year 2023)

Code Area	Type	Acreage	RMV	M5	MAV	AV
9-02	LAND	44.36	\$ 177,620	\$ 177,620	\$ 37,000	\$ 37,000
9-02	LAND	187.64	\$ 616,750	\$ 0	\$ 0	\$ 0
Value History Details			Total: \$ 794,370	\$ 177,620	\$ 37,000	\$ 37,000

Specially Assessed Value Summary (For Assessment Year 2023)

Code Area	Type	Acreage	SAV	MSAV	AV
9-02	LAND	187.64	\$ 31,798	\$ 17,262	\$ 17,262
Total:			\$ 31,798	\$ 17,262	\$ 17,262

Total (Market + Specially Assessed) Value Summary (For Assessment Year 2023)

Code Area	RMV	M5	MAV	AV
9-02	\$ 794,370	\$ 209,418	\$ 54,262	\$ 54,262

Photos and Scanned Documents

Assessment Info for Account 1-022222-8 Map 341W08 Taxlot 404
 Report For Assessment Purposes Only Created August 28, 2024

Account Info		Tax Year 2023 Info		Land Info	
Account	1-022222-8	Pay Taxes Online		Tax Code	9-02
Map Taxlot	341W08 404	Tax Report	Details	Acreage	40.58
Owner	EVANSKI JOHN H III	Tax Statement	Details	Zoning	
Situs Address	1886 SAWYER RD EAGLE POINT/COUNTY R	Tax History	Details	Land Class	
Mailing Address	EVANSKI JOHN H III 2884 S CHERRY AVE FRESNO CA, 93706	Tax Details	Details	FG 37.78 Ac	
Appraiser		Tax Rates	Details	MVO 0.00 Ac	
				RT 2.80 Ac	
				Property Class	601
				Stat Class	000
				Unit ID	290464-1
				Maintenance Area	1
				Neighborhood	000
				Study Area	02
				Account Status	ACTIVE
				Tax Status	Assessable
				Sub Type	NORMAL

Sales Data (ORCATS)

Last Sale (consideration > 0)	Sale Date	Instrument Number	Sales History
\$ 2,305,000	Oct 23, 2020	2020-39820	Details

⊕ **Value Summary Detail (For Assessment Year 2023)**

☐ **Market Value Summary (For Assessment Year 2023)**

Code Area	Type	Acreage	RMV	M5	MAV	AV
9-02	LAND	2.80	\$ 58,050	\$ 58,050	\$ 47,130	\$ 47,130
9-02	LAND	37.78	\$ 539,510	\$ 0	\$ 0	\$ 0
Value History Details			Total:	\$ 597,560	\$ 58,050	\$ 47,130

☐ **Specially Assessed Value Summary (For Assessment Year 2023)**

Code Area	Type	Acreage	SAV	MSAV	AV
9-02	LAND	37.78	\$ 6,402	\$ 3,475	\$ 3,475
Total:			\$ 6,402	\$ 3,475	\$ 3,475

☐ **Total (Market + Specially Assessed) Value Summary (For Assessment Year 2023)**

Code Area	RMV	M5	MAV	AV
9-02	\$ 597,560	\$ 64,452	\$ 50,605	\$ 50,605

Photos and Scanned Documents

Assessment Info for Account 1-022217-0 Map 341W08 Taxlot 300
 Report For Assessment Purposes Only Created August 28, 2024

Account Info		Tax Year 2023 Info		Land Info	
Account	1-022217-0	Pay Taxes Online		Tax Code	9-02
Map Taxlot	341W08 300	Tax Report	Details	Acreage	40.26
Owner	EVANSKI JOHN H III	Tax Statement	Details	<u>Zoning</u>	
Situs Address	1853 SAWYER RD EAGLE POINT/COUNTY R	Tax History	Details	WR	
Mailing Address	EVANSKI JOHN H III 2884 S CHERRY AVE FRESNO CA, 93706	Tax Details	Details	<u>Land Class</u>	
Appraiser	23	Tax Rates	Details	FG 19.37 Ac	
				RT 20.89 Ac	
				<u>Property Class</u>	600
				<u>Stat Class</u>	000
				Unit ID	116578-1
				Maintenance Area	1
				Neighborhood	000
				Study Area	02
				Account Status	ACTIVE
				Tax Status	Assessable
				Sub Type	NORMAL

Sales Data (ORCATS)

Last Sale (consideration > 0)	Sale Date	Instrument Number	Sales History
\$ 2,305,000	Oct 23, 2020	2020-39820	Details

⊕ **Value Summary Detail (For Assessment Year 2023)**

⊖ **Market Value Summary (For Assessment Year 2023)**

Code Area	Type	Acreage	RMV	M5	MAV	AV
9-02	LAND	20.89	\$ 268,460	\$ 268,460	\$ 96,900	\$ 96,900
9-02	LAND	19.37	\$ 146,270	\$ 0	\$ 0	\$ 0
Value History Details			Total:	\$ 414,730	\$ 268,460	\$ 96,900

⊖ **Specially Assessed Value Summary (For Assessment Year 2023)**

Code Area	Type	Acreage	SAV	MSAV	AV
9-02	LAND	19.37	\$ 3,282	\$ 1,782	\$ 1,782
Total:			\$ 3,282	\$ 1,782	\$ 1,782

⊖ **Total (Market + Specially Assessed) Value Summary (For Assessment Year 2023)**

Code Area	RMV	M5	MAV	AV
9-02	\$ 414,730	\$ 271,742	\$ 98,682	\$ 98,682

Photos and Scanned Documents

Assessment Info for Account 1-084174-1 Map 341W08 Taxlot 302
 Report For Assessment Purposes Only Created August 28, 2024

Account Info		Tax Year 2023 Info		Land Info	
Account	1-084174-1	Pay Taxes Online		Tax Code	9-02
Map Taxlot	341W08 302	Tax Report	Details	Acreage	40.13
Owner	EVANSKI JOHN H III	Tax Statement	Details	Zoning	
Situs Address	SAWYER RD EAGLE POINT/COUNTY R	First Tri Statement	Details	Land Class	
Mailing Address	EVANSKI JOHN H III 2884 S CHERRY AVE FRESNO CA, 93706	Second Tri Statement	Details	RT 40.13 Ac	
Appraiser		Tax History	Details	BS 0.00 Ac	
		Tax Details	Details	Property Class	400
		Tax Rates	Details	Stat Class	000
				Unit ID	116580-1
				Maintenance Area	1
				Neighborhood	000
				Study Area	02
				Account Status	ACTIVE
				Tax Status	Assessable
				Sub Type	NORMAL

Sales Data (ORCATS)

Last Sale (consideration > 0)	Sale Date	Instrument Number	Sales History
\$ 2,305,000	Oct 23, 2020	2020-39820	Details

☒ **Value Summary Detail (For Assessment Year 2023)**

☐ **Market Value Summary (For Assessment Year 2023)**

Code Area	Type	Acreage	RMV	M5	MAV	AV
9-02	LAND	40.13	\$ 645,700	\$ 645,700	\$ 254,760	\$ 254,760
Value History Details		Total:	\$ 645,700	\$ 645,700	\$ 254,760	\$ 254,760

Photos and Scanned Documents

SCANNED ASSESSOR DOCUMENTS	(See new portal)	(See new portal)	Portal
----------------------------	------------------	------------------	------------------------

☐ **Account Comments**

(1) SEG CREATED FROM TL 300 +40.13 ACRES <<< 8-3-05 CORRECTED THE 2004 TREND TABLES THAT WERE INCORRECT FOR THE PERIOD 2-05 THROUGH 8-05 PER #23>>>6/8/06: ADDED 30 ACRES OF IRRIGATION RIGHTS PER STATE OF OREGON #136

☐ **Exemptions / Special Assessments / Notations / Potential Liability**

Real Property Special Assessments				
Tax Year Applied	Code	Description	Amount	Acres
2023	40	FIRE PATROL TIMBER	\$157.32	40.13

Assessment Info for Account 1-099445-8 Map 341W16 Taxlot 205
 Report For Assessment Purposes Only Created August 28, 2024

Account Info		Tax Year 2023 Info		Land Info	
Account	1-099445-8	Pay Taxes Online		Tax Code	9-06
Map	341W16 205	Tax Report	Details	Acreage	28.21
Taxlot		Tax Statement	Details	Zoning	
Owner	SUNSTONE WATER LLC	Tax History	Details	Land Class	
Situs Address	20642 SAWYER RD EAGLE POINT/COUNTY B	Tax Details	Details	OSR	
Mailing Address	SUNSTONE WATER LLC 250 SW TAYLOR PORTLAND OR, 97204	Tax Rates	Details	FP 23.21 Ac	
Appraiser	172			RT 5.00 Ac	
				BS 0.00 Ac	
				Property Class	401
				Stat Class	560
				Unit ID	290194-1
				Maintenance Area	1
				Neighborhood	000
				Study Area	02
				Account Status	ACTIVE
				Tax Status	Assessable
				Sub Type	NORMAL

Sales Data (ORCATS)

Last Sale (consideration > 0)	Sale Date	Instrument Number	Sales History
\$ 2,135,864	Dec 28, 2023	2023-26481	Details

[Value Summary Detail \(For Assessment Year 2023 \)](#)

[Market Value Summary \(For Assessment Year 2023 \)](#)

Code Area	Type	Acreage	RMV	M5	MAV	AV
9-06	LAND	28.21	\$ 241,190	\$ 241,190	\$ 110,350	\$ 110,350
9-06	IMPR	0.00	\$ 97,300	\$ 97,300	\$ 52,840	\$ 52,840
Value History Details		Total:	\$ 338,490	\$ 338,490	\$ 163,190	\$ 163,190

Improvements

Building #	Code Area	Year Built	Eff Year Built	Stat Class	Description	Type	SqFt	% Complete	
1	9-06	2016		560	COMMERCIAL SHOP	Comm Imp	1728	100 %	Details

Photos and Scanned Documents

Type	Item Number	Image Files	
ACCOUNT PHOTO	1	1	PDF
SCANNED ASSESSOR DOCUMENTS	(See new portal)	(See new portal)	Portal

[Improvement Comments](#)

[Appraisal Maintenance](#)

Assessment Info for Account 1-025271-7 Map 341W16 Taxlot 200
 Report For Assessment Purposes Only Created August 28, 2024

Account Info		Tax Year 2023 Info		Land Info	
Account	1-025271-7	Pay Taxes Online		Tax Code	9-06
Map Taxlot	341W16 200	Tax Report	Details	Acreege	36.43
Owner	SLACK SCOTT A	Tax Statement	Details	<u>Zoning</u>	
	RADA TAMARA J	Tax History	Details	OSR	
Situs Address	20606 SAWYER RD EAGLE POINT/COUNTY R	Tax Details	Details	<u>Land Class</u>	
	SLACK SCOTT A ET AL	Tax Rates	Details	HS 0.00 Ac	
Mailing Address	20606 SAWYER RD			FP 16.43 Ac	
	SHADY COVE OR, 975396400			RT 20.00 Ac	
<input type="checkbox"/> <u>Associated Taxlots</u> 1 Acct				<u>Property Class</u>	401
9-02 R	1-022265-8 341W16 200 PURGED			<u>Stat Class</u>	131
Appraiser	201			Unit ID	117479-2
				Maintenance Area	1
				Neighborhood	000
				Study Area	02
				Account Status	ACTIVE
				Tax Status	Assessable
				Sub Type	NORMAL

Sales Data (ORCATS)

Last Sale (consideration > 0)	Sale Date	Instrument Number	Sales History
\$ 125,000	Feb 08, 2012	2012-3846	Details

Value Summary Detail (For Assessment Year 2023)

Market Value Summary (For Assessment Year 2023)

Code Area	Type	Acreege	RMV	M5	MAV	AV
9-06	LAND	36.43	\$ 623,090	\$ 623,090	\$ 238,670	\$ 238,670
9-06	IMPR	0.00	\$ 231,270	\$ 231,270	\$ 133,230	\$ 133,230
Value History Details		Total:	\$ 854,360	\$ 854,360	\$ 371,900	\$ 371,900

Improvements

Building #	Code Area	Year Built	Eff Year Built	Stat Class	Description	Type	SqFt	% Complete	
1	9-06	1900	1900	300	Residential Other Improvements	Residence	0	100 %	Details
2	9-06	2016	2016	131	One story	Residence	2189	90 %	Details

Photos and Scanned Documents

Type	Item Number	Image Files	
ACCOUNT PHOTO	1	1	PDF
ACCOUNT PHOTO	2	1	PDF

Assessment Info for Account 1-022268-2 Map 341W16 Taxlot 400
Report For Assessment Purposes Only Created August 28, 2024

Account Info		Tax Year 2023 Info		Land Info	
Account	1-022268-2	Pay Taxes Online		Tax Code	9-06
Map Taxlot	341W16 400	Tax Report	Details	Acresage	23.57
Owner	WALKER STUDY CENTER INC	Tax Statement	Details	Zoning	
<input type="checkbox"/> Situs Address		Second Tri Statement	Details	Land Class	
20462 SAWYER RD EAGLE POINT/COUNTY B		Tax History	Details	TS 0.00 Ac	
Mailing Address	WALKER STUDY CENTER INC PO BOX 693 SHADY COVE OR, 975390693	Tax Details	Details	HS 0.00 Ac	
Appraiser		Tax Rates	Details	RT 23.57 Ac	
				Property Class	401
				Stat Class	132
				Unit ID	295841-1
				Maintenance Area	1
				Neighborhood	000
				Study Area	02
				Account Status	ACTIVE
				Tax Status	Assessable
				Sub Type	NORMAL

Sales Data (AS 400)

Last Sale	Sale Date	Instrument Number	Sales History
\$28,629.00	4/15/1985	1985-05580 Details	Details

Value Summary Detail (For Assessment Year 2023)

Market Value Summary (For Assessment Year 2023)

Code Area	Type	Acresage	RMV	M5	MAV	AV
9-06	LAND	23.57	\$ 551,890	\$ 551,890	\$ 308,060	\$ 308,060
9-06	IMPR	0.00	\$ 749,280	\$ 749,280	\$ 423,880	\$ 423,880
Value History Details		Total:	\$ 1,301,170	\$ 1,301,170	\$ 731,940	\$ 731,940

Improvements

Building #	Code Area	Year Built	Eff Year Built	Stat Class	Description	Type	SqFt	% Complete	
1	9-06	1980	1980	850	GP Bldg	Farm Bldg	3840	100 %	Details
1	9-06	1992	1992	132	Two story	Residence	6480	100 %	Details
2	9-06	1980	1980	850	GP Bldg	Farm Bldg	9672	100 %	Details
2	9-06	1973	1973	131	One story	Residence	2167	100 %	Details

Photos and Scanned Documents

Type	Item Number	Image Files

Assessment Info for Account 1-022276-1 Map 341W16 Taxlot 606
 Report For Assessment Purposes Only Created August 28, 2024

Account Info		Tax Year 2023 Info		Land Info	
Account	1-022276-1	Pay Taxes Online		Tax Code	9-02
Map Taxlot	341W16 606	Tax Report	Details	Acreage	3.41
Owner	ALLSOP PATRICK	Tax Statement	Details	Zoning	
Situs Address	SAWYER RD EAGLE POINT/COUNTY R	Tax History	Details	OSR	
Mailing Address	ALLSOP PATRICK 479 SAWYER RD SHADY COVE OR, 975399701	Tax Details	Details	Land Class	
Appraiser		Tax Rates	Details	RT 3.41 Ac	
				BS 0.00 Ac	
				Property Class	400
				Stat Class	000
				Unit ID	117499-1
				Maintenance Area	1
				Neighborhood	000
				Study Area	02
				Account Status	ACTIVE
				Tax Status	Assessable
				Sub Type	NORMAL

Sales Data (ORCATS)

Last Sale (consideration > 0)	Sale Date	Instrument Number	Sales History
\$ 41,000	Jul 14, 2009	2009-40784	Details

☒ **Value Summary Detail (For Assessment Year 2023)**

☒ **Market Value Summary (For Assessment Year 2023)**

Code Area	Type	Acreage	RMV	M5	MAV	AV
9-02	LAND	3.41	\$ 209,020	\$ 209,020	\$ 54,770	\$ 54,770
Value History Details		Total:	\$ 209,020	\$ 209,020	\$ 54,770	\$ 54,770

Photos and Scanned Documents

SCANNED ASSESSOR DOCUMENTS	(See new portal)	(See new portal)	Portal
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☒ **Account Comments**

(1) OWNS TL 600 (2) ACCESS VIA EASEMENT
 03/20/00: 3-10-00 NO ACTIVITY NOTED #64<<< 8-3-05 CORRECTED THE 2004 TREND TABLES THAT WERE INCORRECT FOR THE PERIOD 2-05 THROUGH 8-05 PER #23 >>>

☒ **Exemptions / Special Assessments / Notations / Potential Liability**

Real Property Special Assessments				
Tax Year Applied	Code	Description	Amount	Acres

Assessment Info for Account 1-022274-7 Map 341W16 Taxlot 604
Report For Assessment Purposes Only Created August 28, 2024

Account Info		Tax Year 2023 Info		Land Info	
Account	1-022274-7	Pay Taxes Online		Tax Code	9-06
Map	341W16 604	Tax Report	Details	Acresage	12.18
Taxlot	341W16 604	Tax Statement	Details	<u>Zoning</u>	
Owner	M3K KHARABEESH LP	Tax History	Details	EFU	
Situs Address		Tax Details	Details	<u>Land Class</u>	
461 SAWYER RD EAGLE POINT/COUNTY R		Tax Rates	Details	RT 9.28 Ac	
20509 SAWYER RD EAGLE POINT/COUNTY R				HS 0.00 Ac	
Mailing Address	M3K KHARABEESH LP M M SIAM 515 S FIGUEROA ST 1600 LOS ANGELES CA, 900713337			FF 2.90 Ac	
Appraiser	201			<u>Property Class</u>	601
				<u>Stat Class</u>	141
				Unit ID	116589-1
				Maintenance Area	1
				Neighborhood	000
				Study Area	02
				Account Status	ACTIVE
				Tax Status	Assessable
				Sub Type	NORMAL

Sales Data (ORCATS)

Last Sale (consideration > 0)	Sale Date	Instrument Number	Sales History
\$ 10	Jul 03, 2011	2011-34043	Details

[Value Summary Detail \(For Assessment Year 2023 \)](#)

[Market Value Summary \(For Assessment Year 2023 \)](#)

Code Area	Type	Acresage	RMV	M5	MAV	AV
9-06	LAND	9.28	\$ 339,530	\$ 339,530	\$ 118,990	\$ 118,990
9-06	LAND	2.90	\$ 64,480	\$ 0	\$ 0	\$ 0
9-06	IMPR	0.00	\$ 528,360	\$ 528,360	\$ 431,910	\$ 431,910
Value History Details			Total:	\$ 932,370	\$ 867,890	\$ 550,900

[Specially Assessed Value Summary \(For Assessment Year 2023 \)](#)

Code Area	Type	Acresage	SAV	MSAV	AV
9-06	LAND	2.90	\$ 1,154	\$ 637	\$ 637
Total:			\$ 1,154	\$ 637	\$ 637

[Total \(Market + Specially Assessed\) Value Summary \(For Assessment Year 2023 \)](#)

Code Area	RMV	M5	MAV	AV
9-06	\$ 932,370	\$ 869,044	\$ 551,537	\$ 551,537

Improvements

Building #	Code Area	Year Built	Eff Year Built	Stat Class	Description	Type	SqFt	% Complete
1	9-06	1992	1994	141	One story	Residence	3102	100 %

Assessment Info for Account 3-008500-7 Map 341W16 Taxlot 500
 Report For Assessment Purposes Only Created August 28, 2024

Account Info		Tax Year 2023 Info		MS Info	
Account	3-008500-7			Situs Zoning	
Map Taxlot	341W16 500			EFU	
Owner	COLMAN IAN S			RR-5	
Situs Address				Property Class	409
20499 SAWYER RD EAGLE POINT/COUNTY MS				Stat Class	
Mailing Address	COLMAN IAN S 20499 SAWYER RD SHADY COVE OR, 97539			Unit ID	117490-1
<input type="checkbox"/> Associated Taxlots 1 Acct				X Number	X117769
	9-06 R 1-025273-3 341W16 500 ACTIVE			Maintenance Area	1
Appraiser	141			Neighborhood	000
				Study Area	02
				Account Status	ACTIVE
				Tax Status	Assessable
				Sub Type	EXEMPT / REAL
				MS Park ID	502

Sales Data (AS 400)

Photos and Scanned Documents

SCANNED ASSESSOR DOCUMENTS	(See new portal)	(See new portal)	Portal
----------------------------	------------------	------------------	------------------------

Account Comments

>>>7/11/07: ADDED LOCATION ADJUSTMENT PER SCHEDULE, NO TRC #74>>>5/7/08: MS GOING EXEMPT FOR 2008 #100>>>8/22/08: ADDED LOCATION ADJUSTMENT FOR 2008 #100>>> 5/25/10 ADDED ACC FROM STAT CLASS 300 #141>>>

Exemptions / Special Assessments / Notations / Potential Liability

Location Map

Assessment Info for Account 3-017075-6 Map 341W16 Taxlot 501
 Report For Assessment Purposes Only Created August 28, 2024

Account Info		Tax Year 2023 Info	MS Info		
Account	3-017075-6		<u>Situs Zoning</u>		
Map Taxlot	341W16 501		<u>OSR</u>		
Owner	DUBOIS DARIN L		<u>RR-5</u>		
Situs Address			<u>Property Class</u>	409	
20493 SAWYER RD EAGLE POINT/COUNTY MS			<u>Stat Class</u>		
Mailing Address	DUBOIS DARIN L PO BOX 101 EAGLE POINT OR, 97524		Unit ID	117491-1	
<input type="checkbox"/> <u>Associated Taxlots</u> 1 Acct			X Number	X250928	
9-06 R 1-022269-1 341W16 501 ACTIVE			Maintenance Area	1	
Appraiser 158			Neighborhood	000	
			Study Area	02	
		Account Status	ACTIVE		
		Tax Status	Assessable		
		Sub Type	EXEMPT / REAL		
		<u>MS Park ID</u>	502		

Sales Data (AS 400)

Photos and Scanned Documents

SCANNED ASSESSOR DOCUMENTS	(See new portal)	(See new portal)	<input type="button" value="Portal"/>
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Account Comments

08/01/00: IN BY 1/1/00. NO S.A.D.A. SEE IN 2001. JH 12/99. TNT. PER #32
 08/01/00: IN BY 1/1/00. NO S.A.D.A. SEE IN 2001. JH 12/99. TNT. PER #32>>>5/7/08: MS GOING EXEMPT FOR 2008 #100>>>8/22/08: ADDED
 LOCATION ADJUSTMENT FOR 2008 #100>>> 09/22/2007 REMOVAL OF -MS MINUS RMV ACCSSRY FACTOR IS NOT EXCEPTION. >> 7/9/18
 UPDATE ACC'S NO EXC #183/158 >>

Exemptions / Special Assessments / Notations / Potential Liability

Location Map

Assessment Info for Account 1-098584-9 Map 341W16 Taxlot 204
 Report For Assessment Purposes Only Created August 28, 2024

Account Info		Tax Year 2023 Info		Land Info	
Account	1-098584-9	Pay Taxes Online		Tax Code	9-06
Map Taxlot	341W16 204	Tax Report	Details	Acreage	8.24
Owner	GRAHAM MARY ANN	Tax Statement	Details	Zoning	
Situs Address	20430 SAWYER RD EAGLE POINT/COUNTY R	Tax History	Details	OSR	
Mailing Address	GRAHAM MARY ANN 328 S CENTRAL 203 MEDFORD OR, 97501	Tax Details	Details	Land Class	
Appraiser	183	Tax Rates	Details	RT 8.24 Ac	
				HS 0.00 Ac	
				Property Class	401
				Stat Class	121
				Unit ID	295842-1
				Maintenance Area	1
				Neighborhood	000
				Study Area	02
				Account Status	ACTIVE
				Tax Status	Assessable
				Sub Type	NORMAL

Sales Data (ORCATS)

Last Sale (consideration > 0)	Sale Date	Instrument Number	Sales History
\$ 169,500	Feb 14, 2019	2019-4176	Details

⊕ **Value Summary Detail (For Assessment Year 2023)**

☐ **Market Value Summary (For Assessment Year 2023)**

Code Area	Type	Acreage	RMV	M5	MAV	AV
9-06	LAND	8.24	\$ 295,910	\$ 295,910	\$ 164,660	\$ 164,660
9-06	IMPR	0.00	\$ 71,710	\$ 71,710	\$ 31,340	\$ 31,340
Value History Details		Total:	\$ 367,620	\$ 367,620	\$ 196,000	\$ 196,000

Improvements

Building #	Code Area	Year Built	Eff Year Built	Stat Class	Description	Type	SqFt	% Complete	
1	9-06	1930	1980	121	One story	Residence	1081	100 %	Details

Photos and Scanned Documents

Type	Item Number	Image Files	
ACCOUNT PHOTO	1	1	PDF
ACCOUNT PHOTO	2	1	PDF
ACCOUNT PHOTO	3	1	PDF
ACCOUNT PHOTO	4	1	PDF
ACCOUNT PHOTO	5	1	PDF
ACCOUNT PHOTO	6	1	PDF

Assessment Info for Account 3-012898-7 Map 341W16 Taxlot 2000
 Report For Assessment Purposes Only Created August 28, 2024

Account Info		Tax Year 2023 Info	MS Info		
Account	3-012898-7			<u>Situs Zoning</u>	
Map Taxlot	341W16 2000	OSR			
Owner	VAN HOUTEN JASON	Property Class			401
	VAN HOUTEN KRISTA	Stat Class			
Situs Address		Unit ID			117603-1
20399 SAWYER RD EAGLE POINT/COUNTY MS		X Number			X206352
Mailing Address	VAN HOUTEN JASON / KRISTA 20399 SAWYER RD EAGLE POINT/COUNTY OR, 97539	Maintenance Area			1
		Neighborhood			000
		Study Area			02
		Account Status			ACTIVE
<input type="checkbox"/> Associated Taxlots 1 Acct		Tax Status		Assessable	
9-06 R	1-025279-1 341W16 2000 ACTIVE	Sub Type		EXEMPT / REAL	
Appraiser	69	MS Park ID			

Sales Data (AS 400)

Photos and Scanned Documents

SCANNED ASSESSOR DOCUMENTS

(See new portal)

(See new portal)

Account Comments

09/22/2007 REMOVAL OF -MS MINUS RMV ACC FACTOR IS NOT EXC>>> 9/23/09 REMOVED ADJUSTMENTS FOR 2009 #100>>> 02/13/2015 SUBTYPE CHANGE FROM P TO E PER LOIS AND DOC 2015-002653. ADDED MA 1/SA 2 ADJ; CHANGED SA/NH; AND, REMOVED OMB FEE #139>>>

Exemptions / Special Assessments / Notations / Potential Liability

Location Map

34 1 W 8
300 102
302
400 ✓
403 ✓
404 ✓

34 1W 16 DA
1701

34 1W 16

204

2000

~~200~~

200

500

501

~~205~~

205

604

606

Check ownership
May need an excluded
landowner(s) letter

FOR ASSIGNMENT AND
TAXATION ONLY

N.E.1/4, S.E.1/4, SEC.16, T.34S., R.1W., W.M.
JACKSON COUNTY
1" = 100'

34 1W 16DA
SHADY COVE

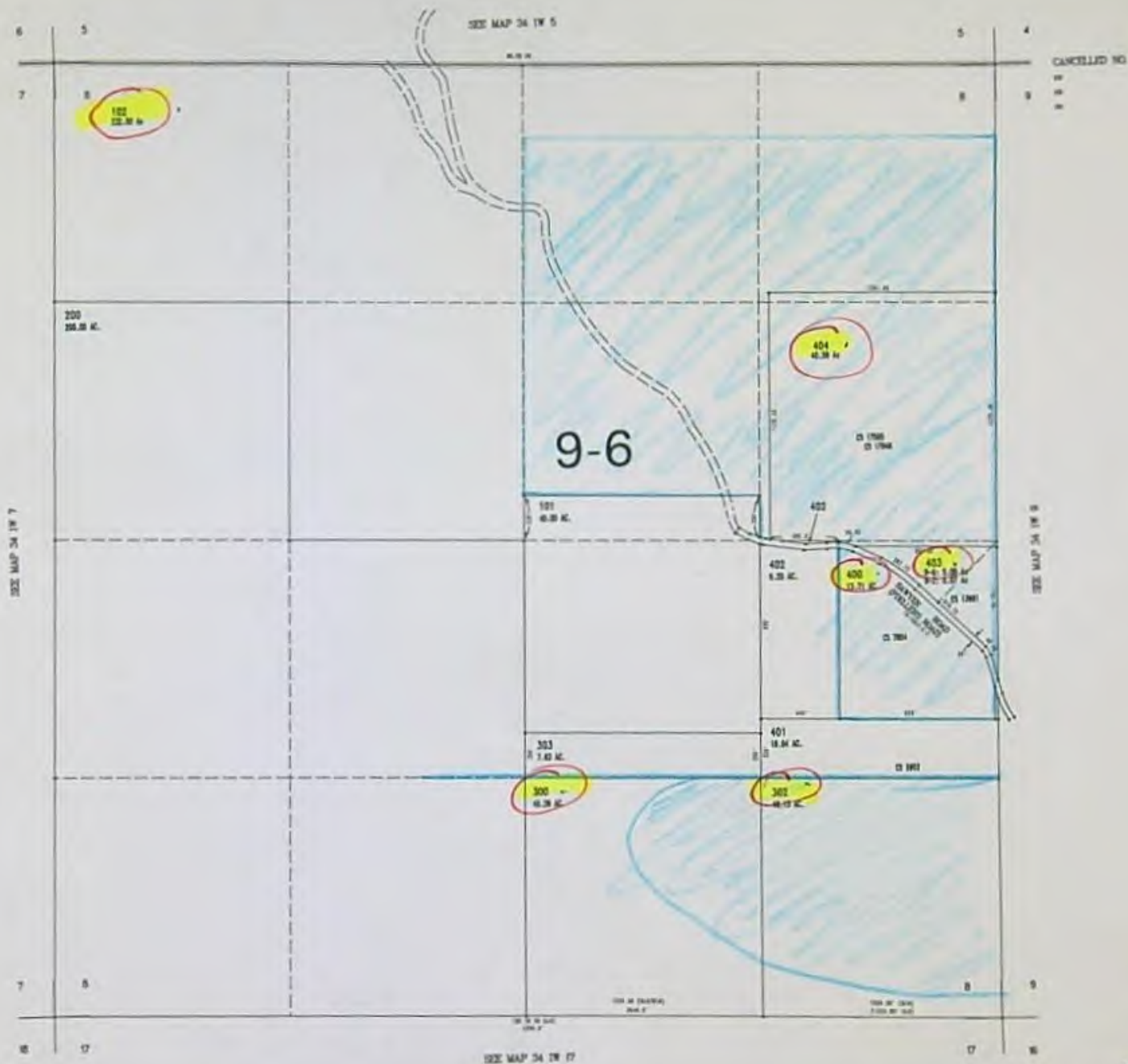


CANCELLED TAX
LOT NUMBERS:
201 REAPPORSED TO 141W14

34 1W 16DA
SHADY COVE
NEW MAP MAY 11, 2009
REV OCTOBER 13, 2014

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSES ONLY

SECTION 8 T34S R1W. W.M.
JACKSON COUNTY
T-437

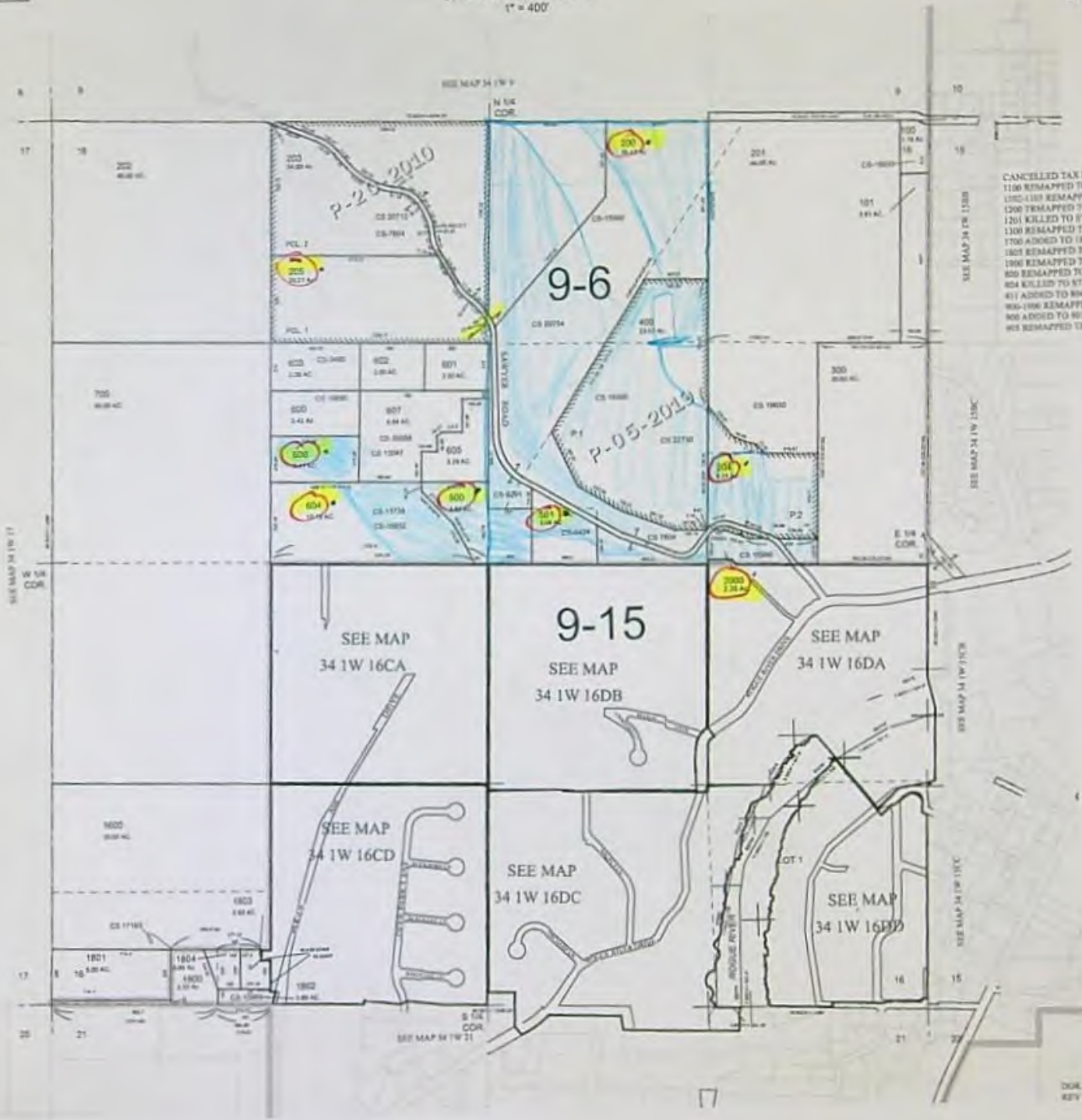


METAFIX C / WORKSPACE/241108 PLAT.CBA
CREATED THURSDAY, JUNE 10, 2004 2:02 PM BY FRANKOL

FOR ASSIGNMENT AND
TAXATION ONLY

SECTION 16 T.34S. R.1W. W.M.
JACKSON COUNTY
1" = 400'

341W16
& INDEX
SHADY COVE



CANCELLED TAX LOT NUMBERS
1100 REMAPPED TO 341W16DB
1200-1201 REMAPPED TO 341W16DB
1300 REMAPPED TO 341W16DB
1201 KILLED TO STREET
1300 REMAPPED TO 341W16DB
1700 ADDED TO 1800
1801 REMAPPED TO 341W16DB
1900 REMAPPED TO 341W16DB
800 REMAPPED TO 341W16CA
804 KILLED TO STREET
811 ADDED TO 804
900-906 REMAPPED TO 341W16DB
906 ADDED TO 901
905 REMAPPED TO 341W16DB

GIS DATA
09/12/2019 11:53:27 AM

341W16
& INDEX
SHADY COVE
DIGI CONVERSION August 14, 2009
REV February 12, 2019

STATE OF OREGON
COUNTY OF JACKSON
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

RON BOEHM
PO BOX 697
SHADY COVE OR 97539

PREMIER WEST BANK
PO BOX 40
MEDFORD, OR 97501

SCOTT VALLEY BANK
PO BOX 69
YREKA CA 96097

confirms the right to the use of water perfected under the terms of Permit S-53818. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION NUMBER:

APPLICATION FILE NUMBER: S-84706

SOURCE OF WATER: LOST CREEK RESERVOIR, CONSTRUCTED UNDER PERMIT R-8142, A TRIBUTARY OF ROGUE RIVER

PURPOSE or USE: IRRIGATION OF 6.20 ACRES

MAXIMUM VOLUME: 27.23 ACRE-FEET

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: APRIL 11, 2001

Point of Diversion Location:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
34 S	1 W	WM	16	NE SE	815 FEET SOUTH AND 385 FEET WEST FROM NE CORNER, SECTION 16

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 4.5 acre-feet for each acre irrigated during the irrigation season of each year.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

The Place of Use is Located as Follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
34 S	1 W	WM	8	NE SE	6.05
34 S	1 W	WM	9	NW SW	0.15

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or other suitable measuring device as approved by the Director in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the water user to report general water use information, including the place and nature of use of water under the right.
- B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

The use of water under this right is subject to the terms and conditions of contract No. 029E101352, or a satisfactory replacement, between the Bureau of Reclamation and the applicant, a copy of which is on file in the records of the Water resources Department.

The storage area of the bulge system shall not exceed 9 1/2 acre-feet and the height of the dam shall not exceed 10.0 feet.

The water user shall not construct, operate or maintain any dam or artificial obstruction to fish passage in the channel of the subject stream without providing for fish passage for fish. The applicant is

providing fishway to ensure adequate upstream and downstream passage for fish. The applicant is hereby directed to contact an Oregon Department of Fish and Wildlife Fish Passage Coordinator, Portland, Oregon, beginning construction of any in channel obstruction.

The water user shall maintain and operate fish screening as required by the Oregon Department of Fish and Wildlife (ODFW) to prevent fish from entering the diversion.

Failure to comply with any of the provisions of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

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

Issued _____

Dwight French
Water Right Services Division Administrator, for
Douglas E. Woodcock, Acting Director
Oregon Water Resources Department

Mailing List for Final Certificate

Application: S-84706

Permit: S-53818

Certificate: 97641

Permit/Certificate Holder:

PREMIER WEST BANK
PO BOX 40
MEDFORD, OR 97501

SCOTT VELLE BANK
PO BOX 69
YREKA, CA 96097

RON BOEHM
PO BOX 697
SHADY COVE OR 97539

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

Copies of Final Certificate to be sent to:

1. Watermaster District #: 13
2. Vault
3. File

Other persons to receive copies: (include map):

1. LANDOWNER:
JOHN H EVANSKI 3
2884 S CHERRY AVE
FRESNO CA 97306
2. GARY D. KAISER, CWRE
No address

Copies Mailed	
by: _____	(STAFF)
on: _____	(DATE)

T.34S.,R.1W.,W.M.
Jackson County, Oregon
Tax Lot Nos. 341W 8 - 102, 300,
301, 400, 403 & 404

RECEIVED

MAR 26 2001

WATER RESOURCES DEPT.
SALEM, OREGON

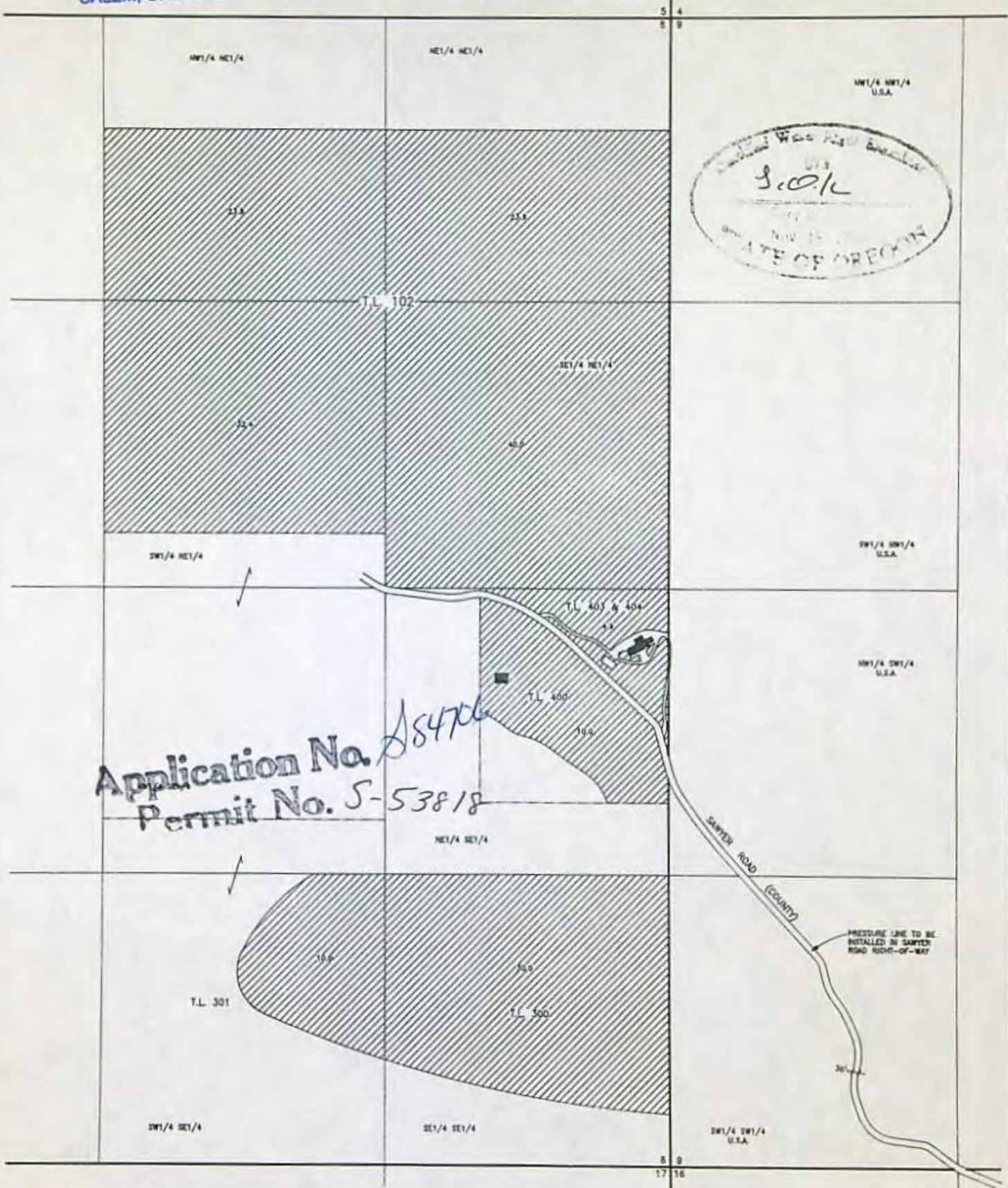
MAP TO ACCOMPANY AN
APPLICATION TO USE
SURFACE WATER

FOR:
Ron Boehm
P.O. Box 697
Shady Cave, OR. 97539

PREPARED BY:
Kaiser Surveying
19440 Highway 62
Eagle Point, OR. 97524

DATE:
March 19, 2001

NOTE: MAP PREPARED FOR
WATER RIGHT PURPOSES ONLY.
NOT FOR PROPERTY BOUNDARY
LOCATIONS.



Application No. *AS4706*
Permit No. *S-53818*

SAPPER ROAD (COUNTY)

PRESSURE LINE TO BE
INSTALLED IN SAPPER
ROAD RIGHT-OF-WAY

T.34S.,R.1W.,W.M.
Jackson County, Oregon
Tax Lot Nos. 341W 16 - 200, 400, 500, 501,
604 & 606, 341W 16DA - 200 & 1701

MAP TO ACCOMPANY AN
APPLICATION TO USE
SURFACE WATER

PREPARED BY:
Gary D. Kaiser
19440 Highway 62
Eagle Point, OR. 97524

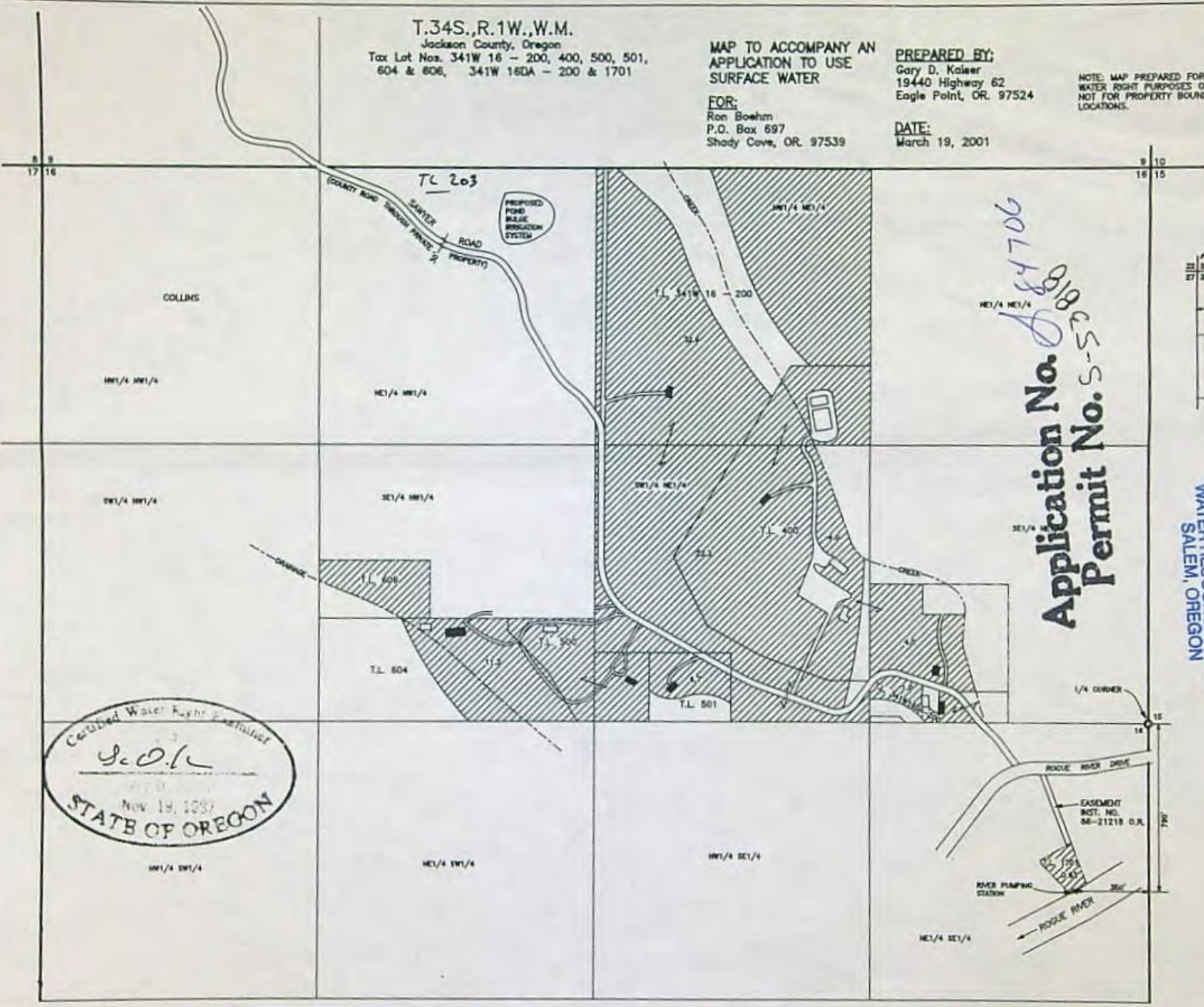
NOTE: MAP PREPARED FOR
WATER RIGHT PURPOSES ONLY.
NOT FOR PROPERTY BOUNDARY
LOCATIONS.

FOR:
Ron Boehm
P.O. Box 697
Shady Cove, OR. 97539

DATE:
March 19, 2001



SCALE: NTS



LOST CREEK RESERVOIR
POINT OF DIVERSION
T.33S., R.1E., W.M.
SCALE: NTS

Handwritten: 20180818
Application No. 854706
Permit No. S-5-25

RECEIVED
MAR 26 2001
WATER RESOURCES DEPT.
SALEM, OREGON



Mailing List for Proposed Certificate

Application: S-84706

Permit: S-53818

Certificate:

Permit/Certificate Holder:

PREMIER WEST BANK
PO BOX 40
MEDFORD, OR 97501

SCOTT VELLE Y BANK
PO BOX 69
YREKA, CA 96097

RON BOEHM
PO BOX 697
SHADY COVE OR 97539

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

Copies of Proposed Certificate to be sent to:

1. Watermaster District #: 13
2. File

Other persons to receive copies: (include map):

1. LANDOWNER:
JOHN H EVANSKI 3
2884 S CHERRY AVE
FRESNO CA 97306
2. GARY D. KAISER, CWRE
NO ADDRESS

Copies Mailed	
by:	<u>KMWF</u> (STAFF)
on:	<u>DEC 08 2023</u> (DATE)



Oregon

Tina Kotek, Governor

Water Resources Department
725 Summer St NE, Suite A
Salem, OR 97301
(503) 986-0900
www.oregon.gov/owrd

Date Mailed: **DEC 08 2023**

Reference: Application S-84706 Permit S-53818

PROPOSED

Enclosed is a proposed certificate of water right and map. The map and proposed certificate represent the extent water was used within the terms of the permit based upon Claims of Beneficial Use, prepared by a Certified Water Right Examiner, that either you or a previous permit holder submitted.

The certificate is the final step in the water right process. The Department encourages you to review these proposals. If you do not agree with the proposed certificate, Oregon Administrative Rule 690-330-010 (2) allows the permittee or landowner 60 days from the mailing date of this notice to request the Department to reconsider the contents of the proposed certificate.

If you agree with the proposed certificate, no response to this notice is required. Sometime after comment period, the recorded certificate of water right will be mailed to the permit holder of record.

If your name is not listed on the proposed certificate, and you are the current landowner, and would like to have the final certificate issued in your name, you may apply through the Department to have the permit assigned to you. If you have any questions about the assignment process, please contact Mary Bjork at 503-979-9895.

If you have any questions please contact Codi Holmes at 503-979-3184.

Sincerely,

Dwight French
Administrator
Water Right Services

STATE OF OREGON
COUNTY OF JACKSON
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

RON BOEHM
PO BOX 697
SHADY COVE OR 97539

PREMIER WEST BANK
PO BOX 40
MEDFORD, OR 97501

SCOTT VALLEY BANK
PO BOX 69
YREKA CA 96097

confirms the right to the use of water perfected under the terms of Permit S-53818. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: S-84706

SOURCE OF WATER: LOST CREEK RESERVOIR, CONSTRUCTED UNDER PERMIT R-8142, A TRIBUTARY OF ROGUE RIVER

PURPOSE or USE: IRRIGATION OF 6.20 ACRES

MAXIMUM VOLUME: 27.23 ACRE-FEET

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: APRIL 11, 2001

Point of Diversion Location:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
34 S	1 W	WM	16	NE SE	815 FEET SOUTH AND 385 FEET WEST FROM NE CORNER, SECTION 16

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 4.5 acre-feet for each acre irrigated during the irrigation season of each year.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

PROPOSED

The Place of Use is Located as Follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
34 S	1 W	WM	8	NE SE	6.05
34 S	1 W	WM	9	NW SW	0.15

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or other suitable measuring device as approved by the Director in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the water user to report general water use information, including the place and nature of use of water under the right.
- B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

The use of water under this right is subject to the terms and conditions of contract No. 029E101352, or a satisfactory replacement, between the Bureau of Reclamation and the applicant, a copy of which is on file in the records of the Water resources Department.

The storage area of the bulge system shall not exceed 9 ½ acre-feet and the height of the dam shall not exceed 10.0 feet.

The water user shall not construct, operate or maintain any dam or artificial obstruction to fish passage in the channel of the subject stream without providing fishway to ensure adequate upstream and downstream passage for fish. The applicant is hereby directed to contact an Oregon Department of Fish and Wildlife Fish Passage Coordinator, Portland, Oregon, before beginning construction of any in channel obstruction.

The water user shall maintain and operate fish screening as required by the Oregon Department of Fish and Wildlife (ODFW) to prevent fish from entering the diversion.

Failure to comply with any of the provisions of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

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

Issued _____

PROPOSED
Dwight French
Water Right Services Division Administrator, for
Douglas E. Woodcock, Acting Director
Oregon Water Resources Department



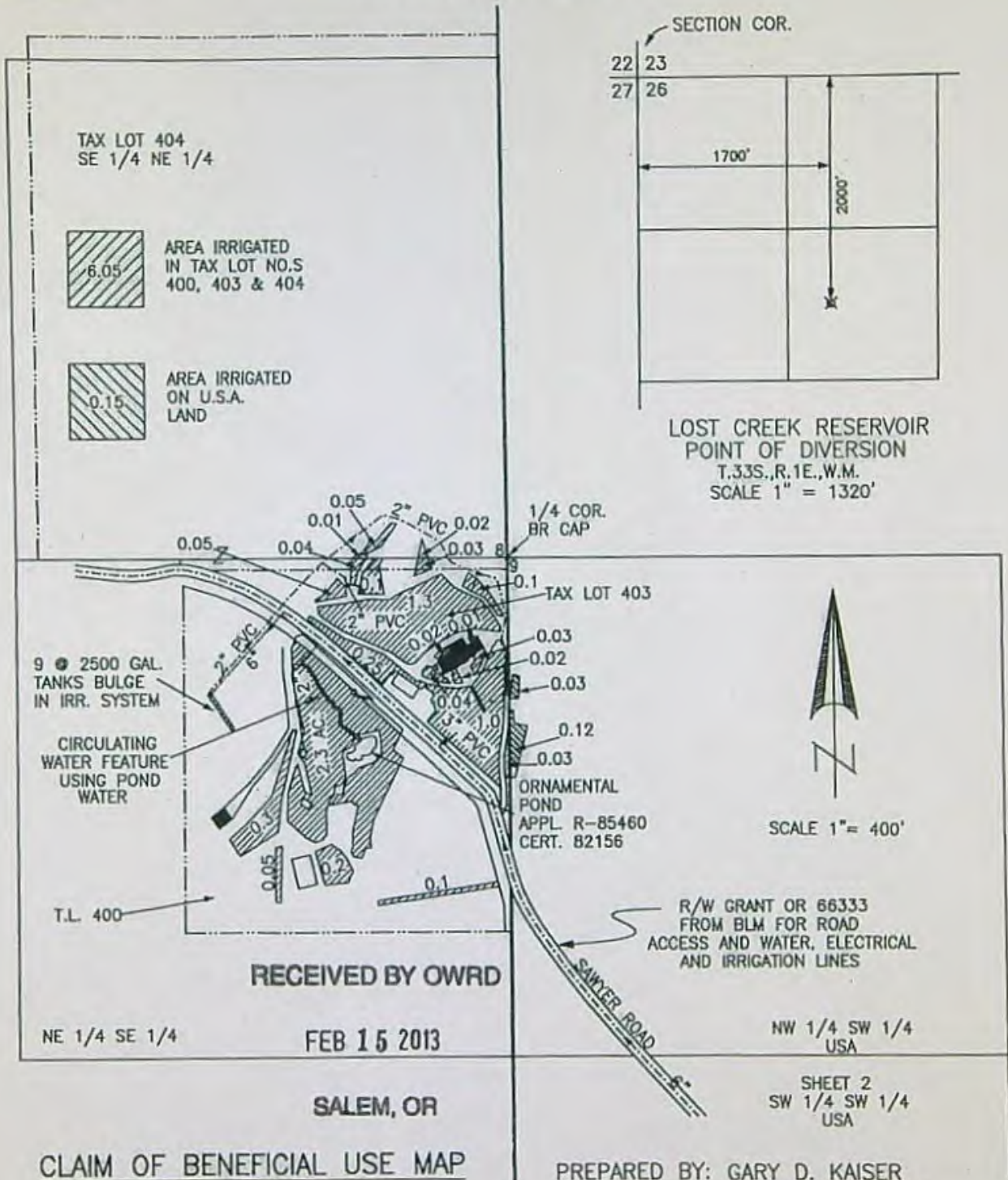
T.34S.,R.1W.,W.M.

SHEET 1 OF 4

Jackson County, Oregon

Tax Lot No. 341W08 - 400, 403 & 404

ROGUE RIVER BASIN



CLAIM OF BENEFICIAL USE MAP

APPLICATION No. S-84706
PERMIT No. S-53818

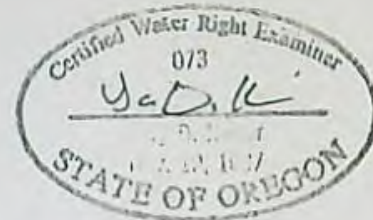
FOR: SCOTT VALLEY BANK
P.O. BOX 69
YREKA, CA 96097

PREPARED BY: GARY D. KAISER
KAISER SURVEYING
19440 HWY. 62
EAGLE POINT, OR. 97524

NOTE: MAP PREPARED FOR WATER RIGHT PURPOSES ONLY, NOT FOR PROPERTY BOUNDARY LOCATIONS.

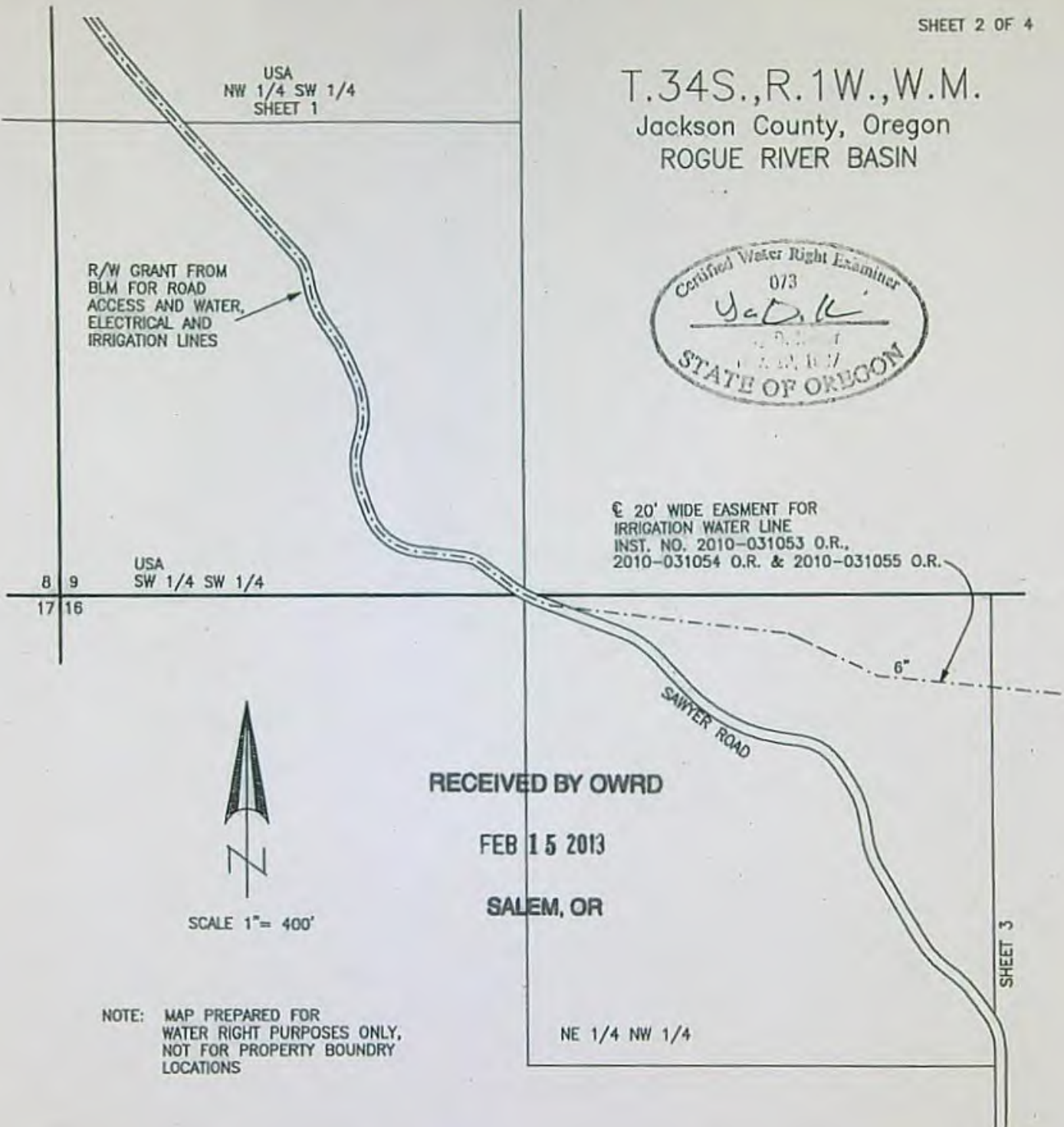
JANUARY 25, 2013

T.34S.,R.1W.,W.M.
Jackson County, Oregon
ROGUE RIVER BASIN



R/W GRANT FROM
BLM FOR ROAD
ACCESS AND WATER,
ELECTRICAL AND
IRRIGATION LINES

€ 20' WIDE EASMENT FOR
IRRIGATION WATER LINE
INST. NO. 2010-031053 O.R.,
2010-031054 O.R. & 2010-031055 O.R.



RECEIVED BY OWRD

FEB 15 2013

SALEM, OR

SCALE 1"= 400'

NOTE: MAP PREPARED FOR
WATER RIGHT PURPOSES ONLY,
NOT FOR PROPERTY BOUNDARY
LOCATIONS

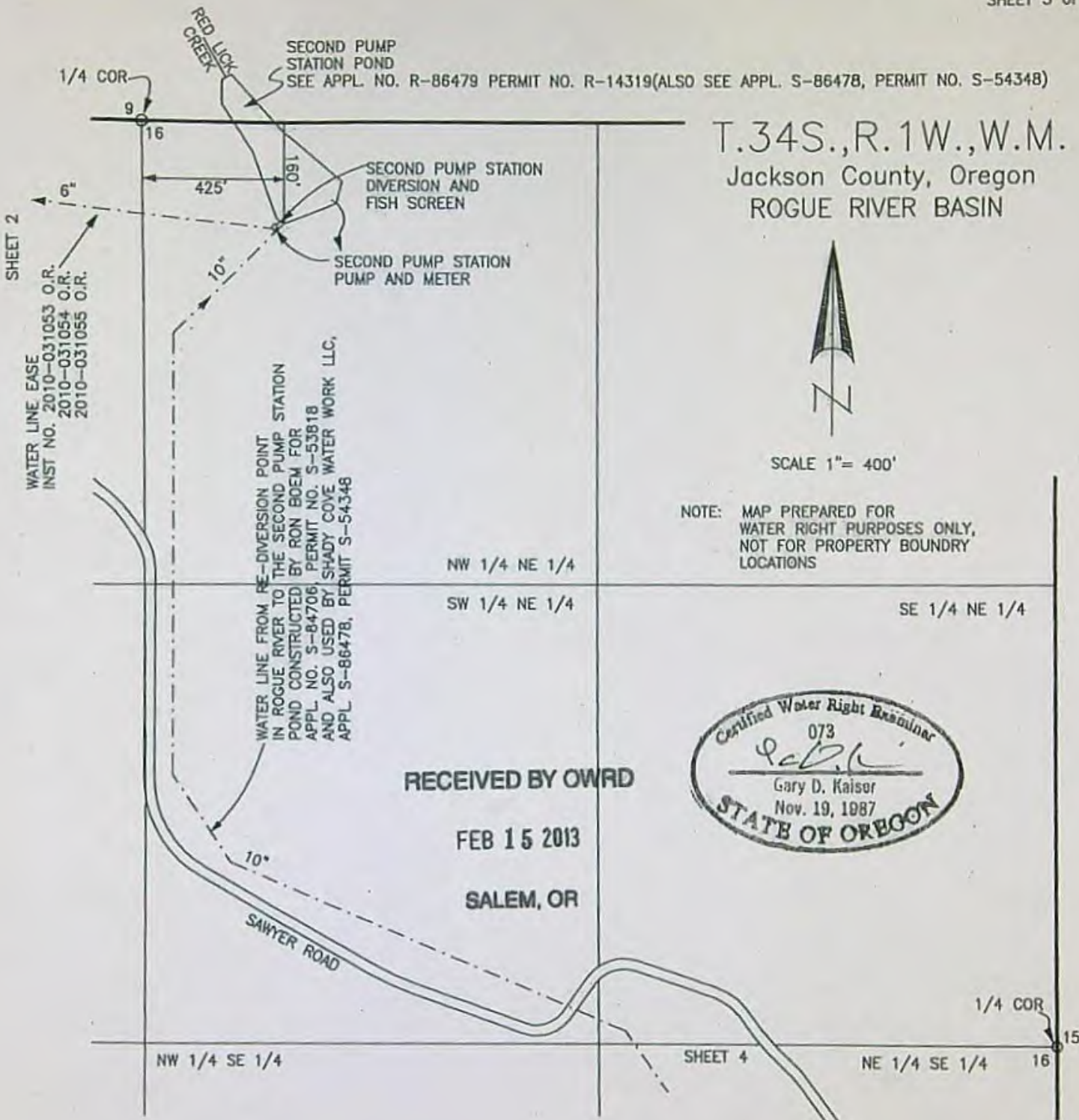
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PERMIT No. S-53818

FOR: SCOTT VALLEY BANK
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PREPARED BY:
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JANUARY 25, 2013



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SALEM, OR



CLAIM OF BENEFICIAL USE MAP

APPLICATION No. S-84706
PERMIT No. S-53818

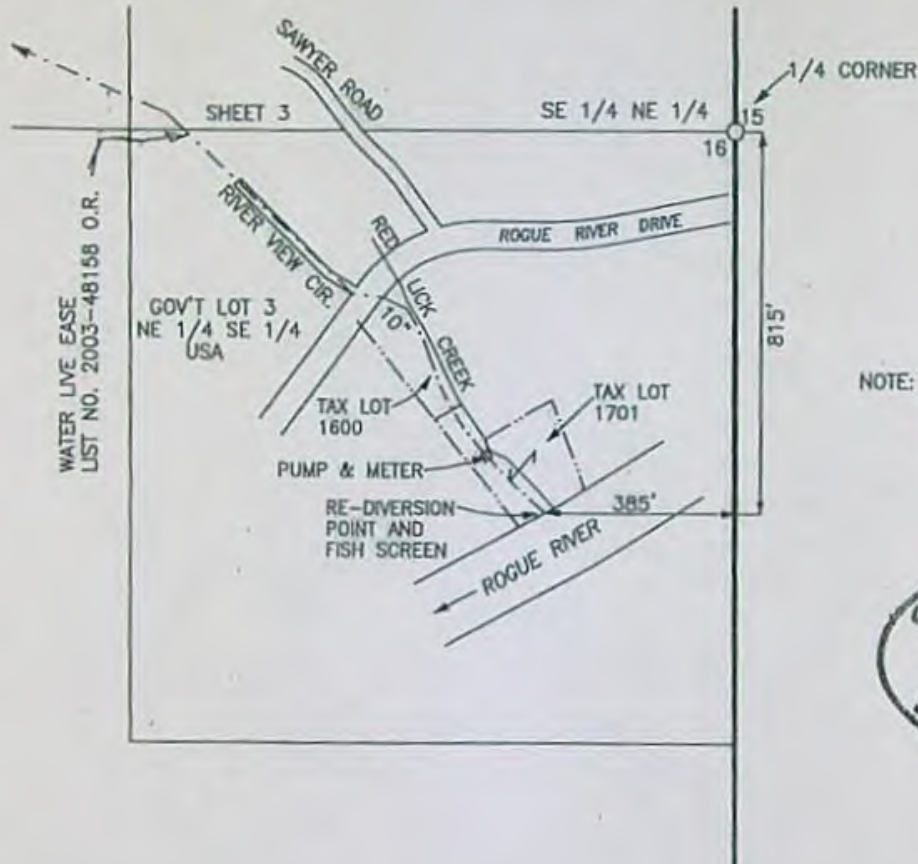
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JANUARY 25, 2013

T.34S.,R.1W.,W.M.
Jackson County, Oregon
ROGUE RIVER BASIN

SHEET 4 OF 4



SCALE 1" = 400'

NOTE: MAP PREPARED FOR
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LOCATIONS



RECEIVED BY OWRD

FEB 15 2013

SALEM, OR

CLAIM OF BENEFICIAL USE MAP

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PERMIT No. S-53818

FOR: SCOTT VALLEY BANK
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GARY D. KAISER
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19440 HWY. 62
EAGLE POINT, OR. 97524

JANUARY 25, 2013

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number S-84706

Final Order

Application History

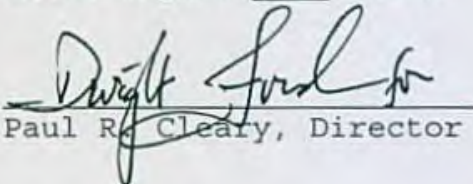
On APRIL 11, 2001, RON BOEHM submitted an application to the Department for a water use permit. The Department issued a Proposed Final Order on June 18, 2002. The protest period closed August 2, 2002, and no protest was filed.

The proposed use would not impair or be detrimental to the public interest.

Order

Application S-84706 therefore is approved as proposed by the Proposed Final Order, and Permit 53818 is issued as limited by the conditions proposed by the Proposed Final Order.

DATED August 22, 2002


Paul R. Cleary, Director

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

This statement of judicial review rights does not create a right to judicial review of this order, if judicial review is otherwise precluded by law. Where no changes have been made to a Proposed Final Order on a water right application and no protests have been filed during the protest period, the final order is not subject to judicial review.

This document was prepared by Jerry Gainey. If you have any questions about any of the statements contained in this document I am the most likely the best person to answer your questions. You can reach me at 1-503-378-8455 extension 458.

If you have questions about how to file a protest or if you have previously filed a protest and want to know the status, please contact Renee Moulun. Her extension number is 239.

If you have other questions about the Department or any of its programs please contact our Water Rights Information Group at extension 201. Address all other correspondence to: Water Rights Section, Oregon Water Resources Department, 158 12th ST. NE Salem, OR 97301-4172, Fax: (503)378-2496

STATE OF OREGON

COUNTY OF JACKSON

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

RON BOEHM
PO BOX 697
SHADY COVE, OREGON 97539

(541) 878-2948

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: S-84706

SOURCE OF WATER: LOST CREEK RESERVOIR, CONSTRUCTED UNDER PERMIT R-8142,
A TRIBUTARY OF ROGUE RIVER

PURPOSE OR USE: IRRIGATION OF 257.33 ACRES

MAXIMUM VOLUME: 900.00 ACRE-FEET

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: APRIL 11, 2001

POINT OF DIVERSION LOCATION: NE $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 16, T34S, R1W, W.M.; 790
FEET SOUTH & 350 FEET WEST FROM NE CORNER, SECTION 16

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 4.5 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 23.8 ACRES
NW $\frac{1}{4}$ NE $\frac{1}{4}$ 23.8 ACRES
SW $\frac{1}{4}$ NE $\frac{1}{4}$ 32.4 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 40.0 ACRES
NE $\frac{1}{4}$ SE $\frac{1}{4}$ 14.9 ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$ 10.0 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 30.0 ACRES
SECTION 8
NW $\frac{1}{4}$ NE $\frac{1}{4}$ 32.6 ACRES
SW $\frac{1}{4}$ NE $\frac{1}{4}$ 32.9 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 5.0 ACRES

SE ¼ NW ¼ 11.3 ACRES
NE ¼ SE ¼ 0.63 ACRES
SECTION 16
TOWNSHIP 34 SOUTH, RANGE 1 WEST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

The use of water under this right is subject to the terms and conditions of contract No.029E101352, or a satisfactory replacement, between the Bureau of Reclamation and the applicant, a copy of which is on file in the records of the Water Resources Department.

The storage area of the bulge system shall not exceed 9 1/2 acre-feet and the height of the dam shall not exceed 10.0 feet.

The permittee shall not construct, operate or maintain any dam or artificial obstruction to fish passage in the channel of the subject stream without providing a fishway to ensure adequate upstream and downstream passage for fish. The applicant is hereby directed to contact an Oregon Department of Fish and Wildlife Fish Passage Coordinator, Portland, Oregon, before beginning construction of any in-channel obstruction.

The permittee shall install, maintain, and operate fish screening and by-pass devices as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the proposed diversion. The required screens and by-pass devices are to be in place, functional and approved by an ODFW representative prior to diversion of any water.

STANDARD CONDITIONS

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

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

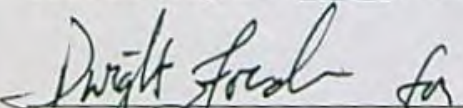
The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

The Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Complete application of the water to the use shall be made on or before October 1, 2006. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued August 22, 2002


Paul R. Cleary, Director
Water Resources Department

Application S-84706 Water Resources Department
Basin 15 Volume 2A INDIAN CR & MISC
Gaineyjw

PERMIT 53818
District 13

REAL ESTATE TRANSACTIONS: Pursuant to ORS 537.330, in any transaction for the conveyance of real estate that includes any portion of the lands described in this permit, the seller of the real estate shall, upon accepting an offer to purchase that real estate, also inform the purchaser in writing whether any permit, transfer approval order, or certificate evidencing the water right is available and that the seller will deliver any permit, transfer approval order or certificate to the purchaser at closing, if the permit, transfer approval order or certificate is available.

CULTURAL RESOURCES PROTECTION LAWS: Permittees involved in ground-disturbing activities should be aware of federal and state cultural resources protection laws. ORS 358.920 prohibits the excavation, injury, destruction or alteration of an archeological site or object, or removal of archeological objects from public and private lands without an archeological permit issued by the State Historic Preservation Office. 16 USC 470, Section 106, National Historic Preservation Act of 1966 requires a federal agency, prior to any undertaking to take into account the effect of the undertaking that is included on or eligible for inclusion in the National Register. For further information, contact the State Historic Preservation Office at 503-378-4168, extension 232.

PERMIT

MEMO - Proof to Satisfaction

Application #	S 84706	Permit #	S 53818	Permit Amendment (T-FILE)#	
WRD Reviewer (CW)	Breck EC	Date	Oct 2023		
WRD Peer Reviewer (PR)	J Shang	Date	Nov 2023		
Related Files:					

CW	PR	RESEARCH
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Organize: file in chronological Order; Pull following items from paper file:
		<input type="checkbox"/> CBU Report/Map <input checked="" type="checkbox"/> App (Permit) Map <input checked="" type="checkbox"/> Assignment <input checked="" type="checkbox"/> Extension <input type="checkbox"/> n/a <input type="checkbox"/> n/a <input type="checkbox"/> n/a <input type="checkbox"/> n/a
		<input type="checkbox"/> Fish Screen Doc <input type="checkbox"/> Pump Test <input type="checkbox"/> SWL (paper) <input type="checkbox"/> Water Use Charts <input type="checkbox"/> n/a <input type="checkbox"/> n/a
		<input type="checkbox"/> Permit Amendment <input type="checkbox"/> n/a
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Electronic Application Folder:
		<input checked="" type="checkbox"/> Create CBU folder <input checked="" type="checkbox"/> Create Work Packet folder
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Scan: Above documents into "CBU Folder"
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Save other docs electronically: save these in the Work Packet folder per naming conventions
		<input checked="" type="checkbox"/> Permit <input type="checkbox"/> Transfer Order <input type="checkbox"/> POU Report (conflict) <input type="checkbox"/> Water Use Report <input type="checkbox"/> n/a <input type="checkbox"/> n/a <input type="checkbox"/> n/a <input type="checkbox"/> n/a
		<input type="checkbox"/> SWL (GW) <input checked="" type="checkbox"/> OrMap Tax Lot Map <input checked="" type="checkbox"/> Ownership Report <input type="checkbox"/> BLM Map <input type="checkbox"/> n/a
		<input type="checkbox"/> PT Approve/Deny <input type="checkbox"/> Dam Safety <input type="checkbox"/> Mitigation <input type="checkbox"/> Others <input type="checkbox"/> n/a <input type="checkbox"/> n/a <input type="checkbox"/> n/a
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Search:
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> Interactive Mapper <input type="checkbox"/> AOI <input type="checkbox"/> Map and Tax Lot New Owner & Address: <input type="checkbox"/> n/a <input checked="" type="checkbox"/> n/a 341WilbDA1701
		Research Comments: Developed 6.05 ac. of primary irrigation

REVIEW OF CLAIM: Comments on Second Page

Required By Permit/Order	Complied Y/N	CONDITIONS	NOTES:
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> n/a	<input type="checkbox"/> Y <input type="checkbox"/> N	Fish Condition	Dec. 7 2009
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> n/a	<input type="checkbox"/> Y <input type="checkbox"/> N	Meter/Measuring Device	May 2003 - accomplished
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> n/a	<input type="checkbox"/> Y <input type="checkbox"/> N	Water Use Reporting	Water Use rep. ID 64065
<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> n/a	<input type="checkbox"/> Y <input type="checkbox"/> N	Pump Test	
<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> n/a	<input type="checkbox"/> Y <input type="checkbox"/> N	SWL (Month)	
<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> n/a	<input type="checkbox"/> Y <input type="checkbox"/> N	Dam Safety	
<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> n/a	<input type="checkbox"/> Y <input type="checkbox"/> N	Well Id	
<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> n/a	<input type="checkbox"/> Y <input type="checkbox"/> N	Other:	
<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> n/a	<input type="checkbox"/> Y <input type="checkbox"/> N	C-date 10.1.06 Ext C-date Oct. 11 2011	May 2004 - accomplished

REVIEW OF MAP: Yes No is a REVISED Map required?

CW	PR	Notes:
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Verify POA/POD Location
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Verify POU
<input type="checkbox"/>	<input type="checkbox"/>	POU clearly identified use type
<input type="checkbox"/>	<input type="checkbox"/>	DLC/GOV'T LOT

RUN CAPACITY CALCULATOR AND SAVE CALCS TO APPLICATION FOLDER:

POD/POA PERMIT	POD/POA CLAIM	PERMITTED RATE	CLAIM RATE	CALCULATED RATE	NOTES:
		900 AF	0.69 cfs	0.679	

DETERMINATION:

CW	PR	DOCUMENT	NOTES:
<input type="checkbox"/>	<input type="checkbox"/>	LETTER FOR CLARIFICATION	
<input type="checkbox"/>	<input type="checkbox"/>	DRAFT (PLEASE EXPLAIN)	
<input type="checkbox"/>	<input type="checkbox"/>	PROPOSED	
<input type="checkbox"/>	<input type="checkbox"/>	FINAL	
<input type="checkbox"/>	<input type="checkbox"/>	PROPOSED ORDER TO CANCEL	

FINAL CHECKS: Review your document; BEFORE printing proposed for Support

CW	PR	DID YOU CHECK?	NOTES:
<input type="checkbox"/>	<input type="checkbox"/>	DATA REVIEW	
		<input type="checkbox"/> POA/POD/DAM TABLES/DESCRIPTIONS	<input type="checkbox"/> PLACE OF USE TABLES, INCLUDING ACRES FOR GOV'T LOTS/DLC
<input type="checkbox"/>	<input type="checkbox"/>	SPELL CHECKED DOC	
<input type="checkbox"/>		CERT NUMBER ISSUED	CERT #

EXTRAS: BEFORE Printing your Final Certificate

CW	PR	DID YOU CHECK?	NOTES:
<input type="checkbox"/>	<input type="checkbox"/>	DATA REVIEW COMMENTS	
<input type="checkbox"/>	<input type="checkbox"/>	SPELL CHECKED DOC BEFORE FINAL CERTIFICATE PRINTED	

CASEWORKER REVIEW COMMENTS:

PEER REVIEWER COMMENTS:



United States Department of the Interior



BUREAU OF RECLAMATION
1150 North Curtis Road
Boise, ID 83706-1234

IN REPLY REFER TO:

CPN-6323
2.2.4.23

AUG 12 2020

CERTIFIED – RETURN RECEIPT REQUESTED

RECEIVED

AUG 17 2020

Scott Valley Bank
P.O. Box 69
Yreka, CA 96097

OWRD

Subject: Termination of Lost Creek Reservoir, Contract No. 139E101820, Rogue River Basin Project, Oregon

To Whom it May Concern:

This letter has been sent because your payment for annual water service is more than 120 days in arrears and collection efforts have been unsuccessful. As a result, we are terminating Contract No. 139E101820 with Scott Valley Bank.

As of July 30, 2020, no further assessments will be made by the United States under this contract.

If you have any questions, please contact Ms. Joy Kelley, Repayment Specialist at the above address, telephone (208) 378-5346, email jkelly@usbr.gov, or Gail McGarry, Program Manager (208) 378-5306 or emcgarry@usbr.gov.

Sincerely,

E. Gail McGarry
Program Manager
Reclamation Law Administration

Scanned into

S-84706 3/2/23

Diana B.

Caseworker Water Rights

INTERIOR REGION 9 • COLUMBIA-PACIFIC NORTHWEST

IDAHO, MONTANA*, OREGON*, WASHINGTON

* PARTIAL

cc: Water Rights Division
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271

Mr. Shavon Haynes
District 13 Watermaster
10 S. Oakdale, Room 106
Medford, OR 97501

U.S. Army Corps of Engineers
Attention: CENWP-EC-HR
P.O. Box 2946
Portland, OR 97208-2946

RECEIVED
AUG 17 2020
OWRD

Permit: S 53818 *																																																																																																																																																																																																									
<ul style="list-style-type: none"> ▶ Conflict Report ▶ POD Characteristics ▶ Water Availability <ul style="list-style-type: none"> ▶ ROGUE R > PACIFIC OCEAN - AB HQG CR ▶ POD: 1 ▶ IR Checklist 	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>Contact Information</p> <p>▶ Current contact information</p> <p>OWNER: ▶ RON BOEHM PO BOX 597 SHADY COVE, OR 97539</p> <p>OWNER: ▶ PREMIER WEST BANK PO BOX 40 MEDFORD, OR 97501</p> <p>OWNER: ▶ SCOTT VALLEY BANK PO BOX 69 YREKA, CA 96097</p> </td> <td style="width: 50%; vertical-align: top;"> <p>Documents <small>View all recent documents</small></p> <p>▶ Application: S 84706</p> <p>▶ Received: 4/11/2001</p> <p>▶ Permit: S 53818 document , paper map</p> <p>▶ Signature: 8/22/2002</p> <table border="1" style="width:100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th colspan="4" style="text-align: center;">Permit Workflow</th> </tr> <tr> <th>Action</th> <th>Date</th> <th>Result</th> <th>Completed By</th> </tr> </thead> <tbody> <tr> <td>Extension Application Received</td> <td>5/8/2006</td> <td></td> <td>ANN BEECE</td> </tr> <tr> <td>Extension Comment Period Ends</td> <td>5/16/2006</td> <td></td> <td>ANN BEECE</td> </tr> <tr> <td>▶ Completion Date [C Date]</td> <td>10/1/2006</td> <td></td> <td></td> </tr> <tr> <td>Extension PFO 315 Issued</td> <td>6/12/2007</td> <td>Propose to Approve</td> <td>KIM FRENCH</td> </tr> <tr> <td>Extension FO Issued</td> <td>8/9/2007</td> <td>Approved</td> <td>KIM FRENCH</td> </tr> <tr> <td>Extended Completion Date [Extension C Date]</td> <td>10/1/2011</td> <td></td> <td>KIM FRENCH</td> </tr> <tr> <td>CBU Received (Partial)</td> <td>2/15/2013</td> <td></td> <td>GARY DEAN KAISER</td> </tr> </tbody> </table> <p>▶ Related Documents</p> <p>▶ View right with Public Web Mapping</p> <p>▶ View right with Intranet Web Mapping</p> </td> </tr> <tr> <td colspan="2"> <p>Water Right Information</p> <p>Status: Non-Cancelled County: Jackson Basin: Rogue File Folder Location: Salem Contract: BOR 029E101352 Watermaster District: 13</p> </td> </tr> <tr> <td colspan="2"> <p>Point(s) of Diversion</p> <p>▶ POD 1 - LOST CREEK RESERVOIR > ROGUE RIVER</p> <p>▶ Description</p> <p>▶ Streamcode: 1516802315 LOST CR RES > ROGUE R</p> <p>▶ T-R-S-QQ: 34.00S-1.00W-16-NE SE</p> <p>▶ Location Description: 790 FEET SOUTH AND 350 FEET WEST FROM NE CORNER, SECTION 16</p> <p>▶ POD Rate</p> <table border="1" style="width:100%; 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<p>Place(s) of Use <small>Add Title any time</small></p> <p>▶ Use - IRRIGATION</p> <p>(Primary) - 257.33 acres; Priority Date: 4/11/2001</p> <table border="1" style="width:100%; border-collapse: collapse; margin-top: 5px;"> <thead> <tr> <th>T-R-S</th> <th>QQ</th> <th>DLC</th> <th>Gov't Lot</th> <th>Taxlot</th> <th>Acres</th> <th>Status</th> <th>Inchoate Info</th> <th>Remarks</th> </tr> </thead> <tbody> <tr><td>34.00S-1.00W-8</td><td>NE NE</td><td></td><td></td><td></td><td>23.8</td><td>NC</td><td></td><td></td></tr> <tr><td>34.00S-1.00W-8</td><td>NW NE</td><td></td><td></td><td></td><td>23.8</td><td>NC</td><td></td><td></td></tr> <tr><td>34.00S-1.00W-8</td><td>SW NE</td><td></td><td></td><td></td><td>32.4</td><td>NC</td><td></td><td></td></tr> <tr><td>34.00S-1.00W-8</td><td>SE NE</td><td></td><td></td><td></td><td>40.0</td><td>NC</td><td></td><td></td></tr> <tr><td>34.00S-1.00W-8</td><td>NE SE</td><td></td><td></td><td></td><td>14.9</td><td>NC</td><td></td><td></td></tr> <tr><td>34.00S-1.00W-8</td><td>SW SE</td><td></td><td></td><td></td><td>10.0</td><td>NC</td><td></td><td></td></tr> <tr><td>34.00S-1.00W-8</td><td>SE SE</td><td></td><td></td><td></td><td>30.0</td><td>NC</td><td></td><td></td></tr> <tr><td>34.00S-1.00W-16</td><td>NW NE</td><td></td><td></td><td></td><td>32.6</td><td>NC</td><td></td><td></td></tr> <tr><td>34.00S-1.00W-16</td><td>SW NE</td><td></td><td></td><td></td><td>32.9</td><td>NC</td><td></td><td></td></tr> <tr><td>34.00S-1.00W-16</td><td>SE NE</td><td></td><td></td><td></td><td>5.0</td><td>NC</td><td></td><td></td></tr> <tr><td>34.00S-1.00W-16</td><td>SE NW</td><td></td><td></td><td></td><td>11.3</td><td>NC</td><td></td><td></td></tr> <tr><td>34.00S-1.00W-16</td><td>NE SE</td><td></td><td></td><td></td><td>0.63</td><td>NC</td><td></td><td></td></tr> <tr> <td colspan="5">Sum of Acres:</td> <td>257.33</td> <td></td> <td></td> <td></td> </tr> </tbody> </table>		T-R-S	QQ	DLC	Gov't Lot	Taxlot	Acres	Status	Inchoate Info	Remarks	34.00S-1.00W-8	NE NE				23.8	NC			34.00S-1.00W-8	NW NE				23.8	NC			34.00S-1.00W-8	SW NE				32.4	NC			34.00S-1.00W-8	SE NE				40.0	NC			34.00S-1.00W-8	NE SE				14.9	NC			34.00S-1.00W-8	SW SE				10.0	NC			34.00S-1.00W-8	SE SE				30.0	NC			34.00S-1.00W-16	NW NE				32.6	NC			34.00S-1.00W-16	SW NE				32.9	NC			34.00S-1.00W-16	SE NE				5.0	NC			34.00S-1.00W-16	SE NW				11.3	NC			34.00S-1.00W-16	NE SE				0.63	NC			Sum of Acres:					257.33																																																																													
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[View Water Rights in same Family](#)
[Report Errors with Water Right Data](#)

Cancelled 12/1/2017

Permit: R 14327 CN

<ul style="list-style-type: none"> ▶ Conflict Report ▶ POD Characteristics ▶ Water Availability <ul style="list-style-type: none"> ▶ ROGUE R > PACIFIC OCEAN - AB HOG CR ▶ POD: 1 ▶ IR Checklist 	Contact Information	Documents <small>View all scanned documents</small>																																																	
	<ul style="list-style-type: none"> ▶ Current contact information <ul style="list-style-type: none"> OWNER: ▶ SCOTT VALLEY BANK PO BOX 69 YREKA, CA 96097 ▶ Prior contact information <ul style="list-style-type: none"> OWNER: ▶ R J BOEHM FAMILY TRUST ▶ RON BOEHM PO BOX 697 SHADY COVE, OR 97539 	<ul style="list-style-type: none"> ▶ Application: R 86516 <ul style="list-style-type: none"> ▶ Received: 2/17/2006 <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="4">Application Workflow</th> </tr> <tr> <th>Action</th> <th>Date</th> <th>Result</th> <th>Completed By</th> </tr> </thead> <tbody> <tr> <td>Application Filed</td> <td>2/22/2006</td> <td></td> <td></td> </tr> <tr> <td>▶ Alt-Reservoir Comment Period</td> <td>2/28/2006</td> <td></td> <td>JOHNNIE SKAUG</td> </tr> <tr> <td>Initial Review</td> <td>3/15/2006</td> <td></td> <td>JEANA EASTMAN</td> </tr> <tr> <td>Final Order</td> <td>9/21/2006</td> <td>Issued</td> <td>JEANA EASTMAN</td> </tr> <tr> <td>Permit Issued</td> <td>9/21/2006</td> <td>Issued</td> <td>JEANA EASTMAN</td> </tr> </tbody> </table> ▶ Permit: R 14327 document, paper map <ul style="list-style-type: none"> ▶ Signature: 9/21/2006 <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="4">Permit Workflow</th> </tr> <tr> <th>Action</th> <th>Date</th> <th>Result</th> <th>Completed By</th> </tr> </thead> <tbody> <tr> <td>Completion Date [C Date]</td> <td>10/1/2010</td> <td></td> <td>JEANA EASTMAN</td> </tr> </tbody> </table> ▶ Order(s) <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Order Origin</th> <th>Volume-Page</th> <th>Signature</th> <th>Description</th> </tr> </thead> <tbody> <tr> <td>▶ Special</td> <td>107-232</td> <td>12/1/2017</td> <td>CANCELLATION OF PERMIT R-14327</td> </tr> </tbody> </table> ▶ Related Documents <ul style="list-style-type: none"> ▶ View right with Public Web Mapping ▶ View right with Intranet Web Mapping 		Application Workflow				Action	Date	Result	Completed By	Application Filed	2/22/2006			▶ Alt-Reservoir Comment Period	2/28/2006		JOHNNIE SKAUG	Initial Review	3/15/2006		JEANA EASTMAN	Final Order	9/21/2006	Issued	JEANA EASTMAN	Permit Issued	9/21/2006	Issued	JEANA EASTMAN	Permit Workflow				Action	Date	Result	Completed By	Completion Date [C Date]	10/1/2010		JEANA EASTMAN	Order Origin	Volume-Page	Signature	Description	▶ Special	107-232	12/1/2017	CANCELLATION OF PERMIT R-14327
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<ul style="list-style-type: none"> ▶ POD 1 - RUNOFF > ROGUE RIVER <ul style="list-style-type: none"> ▶ Description <ul style="list-style-type: none"> ▶ Streamcode: 1516802170 UNN STR > ROGUE R ▶ T-R-S-QQ: 34.00S-1.00W-8-SW SE ▶ Location Description: NORTH 28 DEGREES 57 MINUTES 32 SECONDS EAST, 529 FEET FROM S1/4 CORNER, SECTION 8 ▶ POD Rate <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Max Rate (cfs)</th> <th>Rate (cfs)</th> <th>Max Volume (af)</th> <th>Volume (af)</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td>1.0</td> <td>1.0</td> </tr> </tbody> </table> ▶ MULTIPLE PURPOSE (Primary) <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Priority Date</th> <th>Max Rate (cfs)</th> <th>Rate (cfs)</th> <th>Max Volume (af)</th> <th>Volume (af)</th> <th>Rate/Acre</th> <th>Duty</th> <th>Start Date</th> <th>End Date</th> <th>Remarks</th> </tr> </thead> <tbody> <tr> <td>▶ 2/17/2006</td> <td></td> <td></td> <td>1.0</td> <td>1.0</td> <td></td> <td></td> <td>1/1</td> <td>5/31</td> <td></td> </tr> <tr> <td>2/17/2006</td> <td></td> <td></td> <td>1.0</td> <td>1.0</td> <td></td> <td></td> <td>12/1</td> <td>12/31</td> <td></td> </tr> </tbody> </table> ▶ Reservoir <ul style="list-style-type: none"> ▶ LOT 300 RESERVOIR <ul style="list-style-type: none"> ▶ Dam Location <ul style="list-style-type: none"> ▶ NORTH 28 DEGREES 57 MINUTES 32 SECONDS EAST, 529 FEET FROM S1/4 CORNER, SECTION 8 ▶ <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Volume (af)</th> <th>Dam Height (ft)</th> <th>Submerged Acres</th> </tr> </thead> <tbody> <tr> <td>1.0</td> <td></td> <td></td> </tr> </tbody> </table> 			Max Rate (cfs)	Rate (cfs)	Max Volume (af)	Volume (af)			1.0	1.0	Priority Date	Max Rate (cfs)	Rate (cfs)	Max Volume (af)	Volume (af)	Rate/Acre	Duty	Start Date	End Date	Remarks	▶ 2/17/2006			1.0	1.0			1/1	5/31		2/17/2006			1.0	1.0			12/1	12/31		Volume (af)	Dam Height (ft)	Submerged Acres	1.0							
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BJORK Mary F * WRD

From: BJORK Mary F * WRD
Sent: Tuesday, October 20, 2020 1:57 PM
To: Hollie Cannon (hcannon@waterrightsolutions.com)
Cc: BJORK Mary F * WRD
Subject: Application S-84706, Permit S-53818
Attachments: 84706-Premier West.pdf, 84706-Scott Valley Bank.pdf

Hi Hollie,

I'm in the office today and have taken a look at the referenced permit that we discussed yesterday in regards to assignments. It appears that Ron Boehm was correctly retained as a permit holder of record as only portions of the land were assigned from him to Scott Valley Bank and Premier West Bank.

I have imported the assignment maps to Wris as the second page of the requests, and am also including them here for your research.

Wris Data for Permit S-53818

https://apps.wrd.state.or.us/apps/wr/wrinfo/wr_details.aspx?snp_id=52049

Hope this helps,

Mary

Mary F. Bjork

Water Rights Program Analyst

725 Summer St NE, Suite A, Salem OR 97301 | Phone 503-986-0817



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



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

Request for Assignment

If for multiple rights, a separate form and fee for each right will be required.

I, Ron Boehm
 (Name of Applicant / Permit / Transfer Holder)

P.O. Box 697 Shady Cove OR 97539 (541) 531-2787
 (Mailing address) (City) (State) (Zip) (Phone #)

- ...hereby assign all my interest in and to application/permit/transfer;
- ...hereby assign all my interest in and to a portion of application/permit/transfer;
 (You must include a map showing the portion of the application/permit to be assigned.)
- ...hereby assign a portion of my interest in and to the entire application/permit/transfer;

Application # S-84706, Permit # S 53818; Transfer # _____

-OR-

GR Statement # _____, GR Certificate of Registration # _____

RECEIVED

as filed in the office of the Water Resources Director, to:

OCT 19 2009

Scott Valley Bank
 (Name of New Owner)

WATER RESOURCES DEPT
 SALEM, OREGON

P.O. Box 69 Yreka CA 96097 (530) 842-5701
 (Mailing address) (City) (State) (Zip) (Phone #)

NOTE: If there are other owners of the property described in this Application, Permit, Transfer or Certificate of Ground Water Registration, you must provide a list of all other owners' names and mailing addresses and attach it to this form.

I hereby certify that I have notified all other owners of the property described in this Application, Permit or Certificate of Registration of this request for assignment.

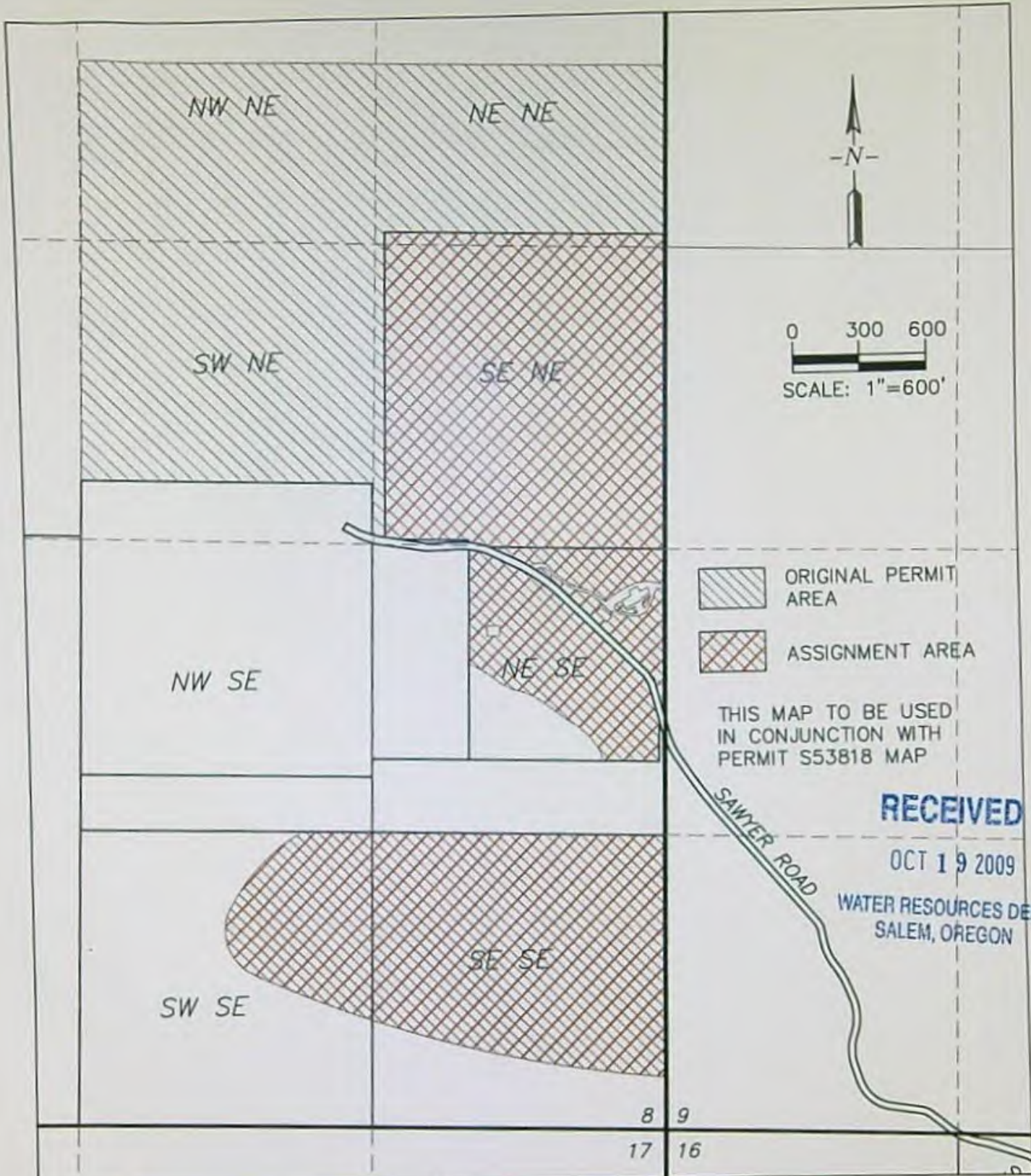
Witness my hand this 29 day of Sept, 2009.
 Applicant/Permit holder _____
 Applicant/Permit holder _____

ASSIGNMENT
 P.D. 10.19.2009

DO NOT WRITE IN THIS BOX

- This certifies assignment and record change at Oregon Water Resources Department effective 8:00a.m. on date of receipt at Salem, Oregon.
 - Fee receipt # 98281
 - For Director by Jerry Sauter, Program Analyst in Water Rights Division

The completed "Request for Assignment" form *must* be submitted to the Department along with a recording fee of \$50.



- ORIGINAL PERMIT AREA
- ASSIGNMENT AREA

THIS MAP TO BE USED
IN CONJUNCTION WITH
PERMIT S53818 MAP

RECEIVED

OCT 19 2009

WATER RESOURCES DEPT
SALEM, OREGON

PW Public Works
Management, Inc.
171 SOUTH SECOND ST, CENTRAL POINT, OR 97520
(541) 665-5233

JOE STRAHL, P.E. AND C.W.R.E. (541) 301-2946
JEFF BALLARD, P.E. (541) 301-1555
EVAN MALEPSY, P.E. AND C.W.R.E. (541) 621-2868

REQUEST FOR ASSIGNMENT PERMIT: S 53818

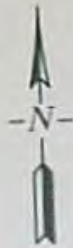
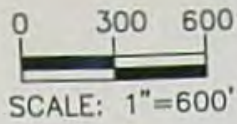
JULY 2009—Revised Aug. 2009 (#2)



RECEIVED

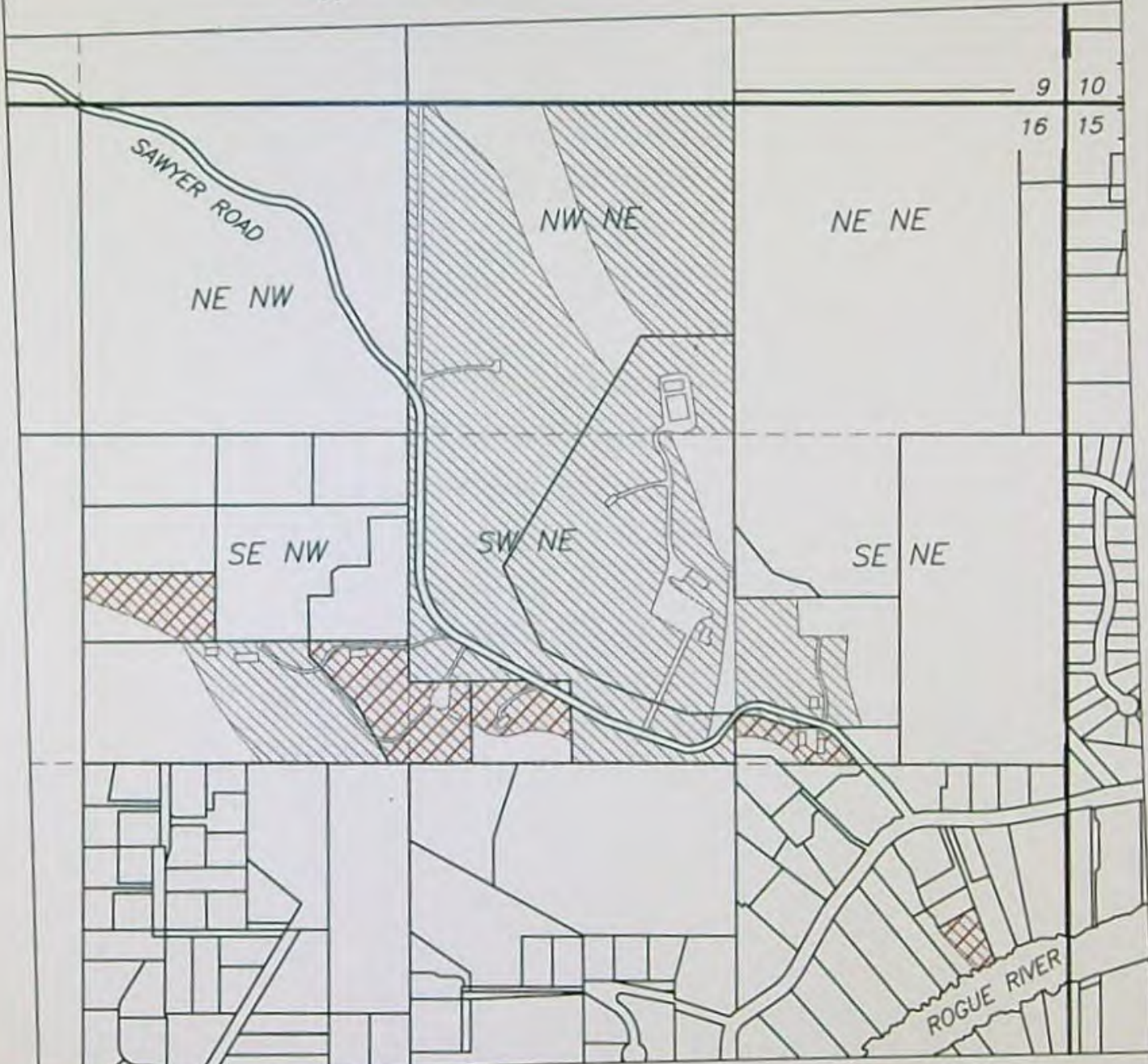
OCT 19 2009

WATER RESOURCES DEPT
SALEM, OREGON

THIS MAP TO BE USED
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PERMIT S53818 MAP



-  ORIGINAL PERMIT AREA
-  ASSIGNMENT AREA



PW Public Works
Management, Inc.

171 SOUTH SECOND ST, CENTRAL POINT, OR 97520
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REQUEST FOR ASSIGNMENT
PERMIT: S 53818

JULY 2009—Revised Aug. 2009 (#2)

2 OF 2



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

Request for Assignment

If for multiple rights, a separate form and fee for each right will be required.

I, Ron Boehm
(Name of Applicant / Permit / Transfer Holder)

P.O. Box 697 Shady Cove OR 97539 (541) 531-2787
(Mailing address) (City) (State) (Zip) (Phone #)

- checkboxes for assigning interest: all my interest, a portion, or entire application/permit/transfer

Application # S-84706, Permit # S 53818; Transfer #
-OR-
GR Statement #, GR Certificate of Registration #

as filed in the office of the Water Resources Director, to:

PremierWest Bank
(Name of New Owner)

P.O. Box 40 Medford OR 97501 (541) 282-5289
(Mailing address) (City) (State) (Zip) (Phone #)

NOTE: If there are other owners of the property described in this Application, Permit, Transfer or Certificate of Ground Water Registration, you must provide a list of all other owners' names and mailing addresses and attach it to this form.

I hereby certify that I have notified all other owners of the property described in this Application, Permit or Certificate of Registration of this request for assignment.

Witness my hand this 29 day of Sept, 2009.
Applicant/Permit holder [Signature]
Applicant/Permit holder

O.K. REC'D IN PREMIAL
R.P.S. 10.07.09

DO NOT WRITE IN THIS BOX

- This certifies assignment and record change at Oregon Water Resources Department effective 8:00a.m. on date of receipt at Salem, Oregon.
- Fee receipt # 98110
- For Director by Jerry Sauter, Program Analyst in Water Rights Division [Signature]

The completed "Request for Assignment" form must be submitted to the Department along with a recording fee of \$50.

Last updated: June 1, 2007

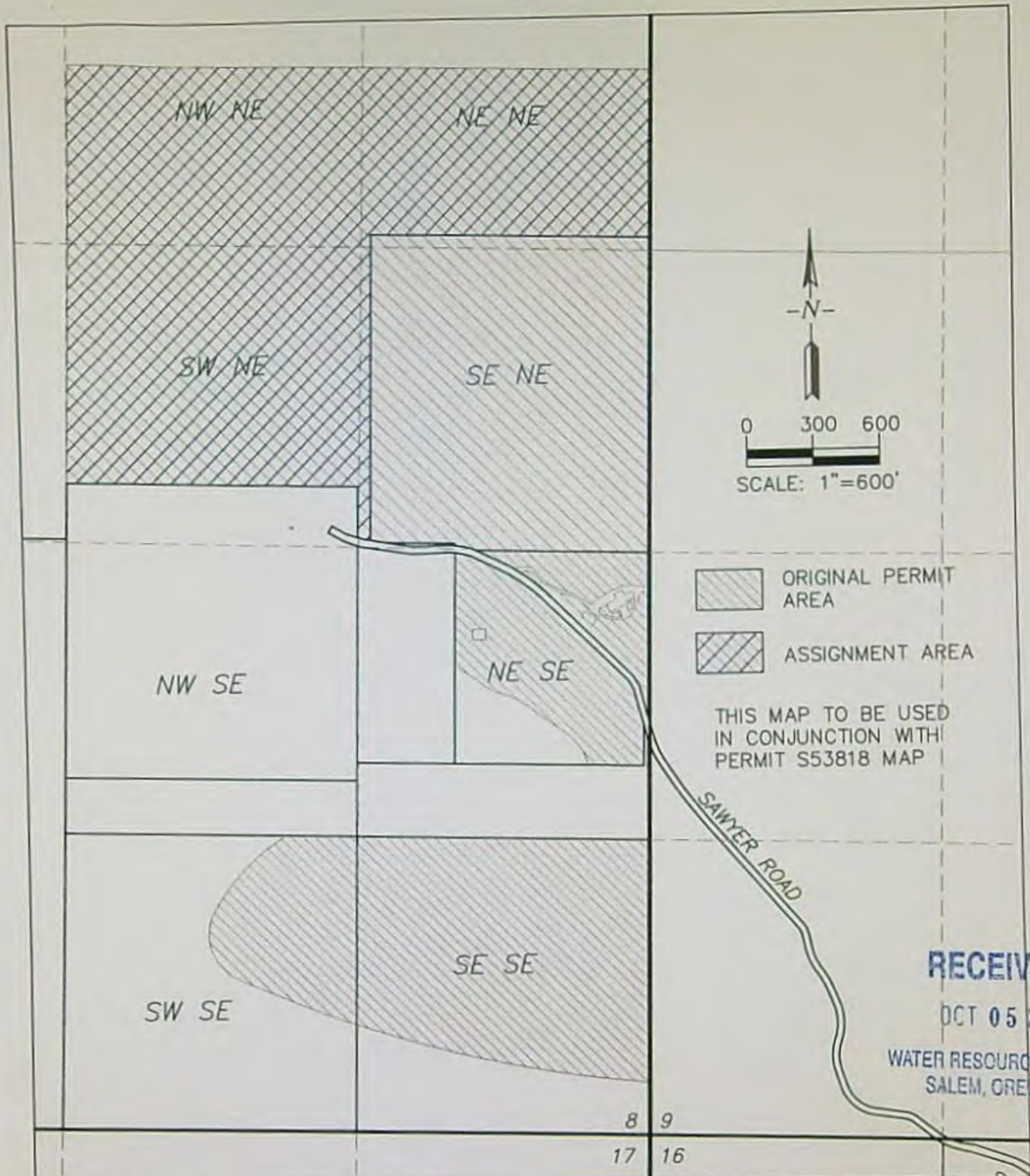
Request for Assignment/A



RECEIVED

WR

OCT 05 2009

WATER RESOURCES DEPT
SALEM, OREGON



-  ORIGINAL PERMIT AREA
-  ASSIGNMENT AREA

THIS MAP TO BE USED
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OCT 05 2009

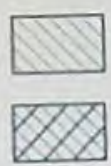
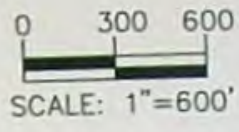
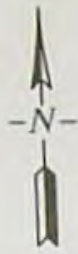
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SALEM, OREGON

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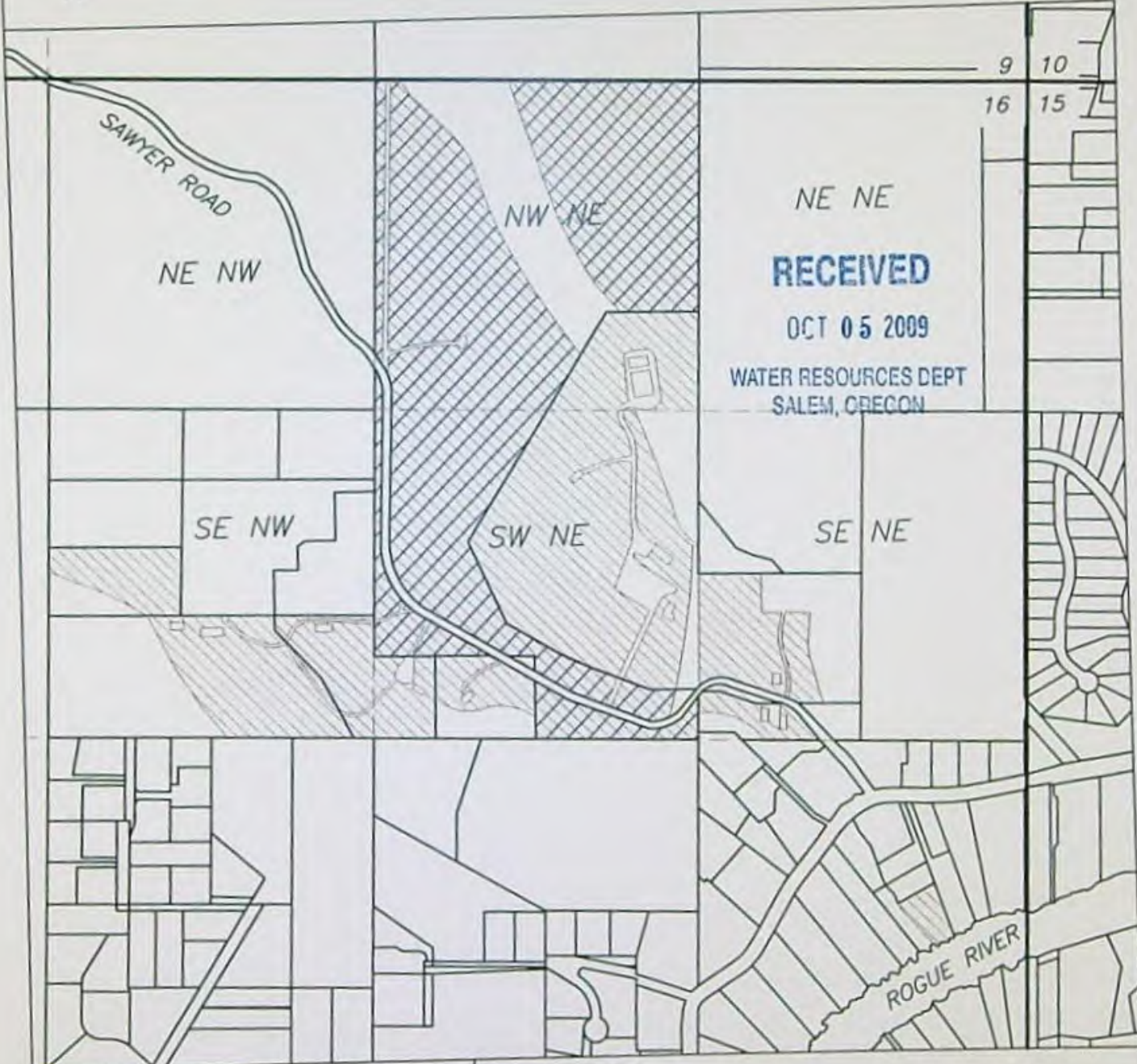
**REQUEST FOR ASSIGNMENT
PERMIT: S 53818**

AUGUST 2009



ORIGINAL PERMIT AREA
ASSIGNMENT AREA

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PERMIT S53818 MAP



RECEIVED
OCT 05 2009

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SALEM, OREGON

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171 SOUTH SECOND ST, CENTRAL POINT, OR 97520
(541) 665-5233
JOE STRAHL, P.E. AND C.W.R.E. (541) 301-2946
JEFF BALLARD, P.E. (541) 301-1555
EVAN MALEPSY, P.E. AND C.W.R.E. (541) 621-2868

REQUEST FOR ASSIGNMENT PERMIT: S 53818

AUGUST 2009

T.34S.,R.1W.,W.M.

Jackson County, Oregon
Tax Lot Nos. 341W 8 - 102, 300,
301, 400, 403 & 404

SHEET 2 OF 2

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MAR 26 2001

WATER RESOURCES DEPT.
SALEM, OREGON

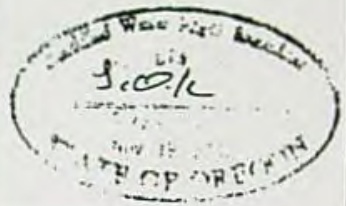
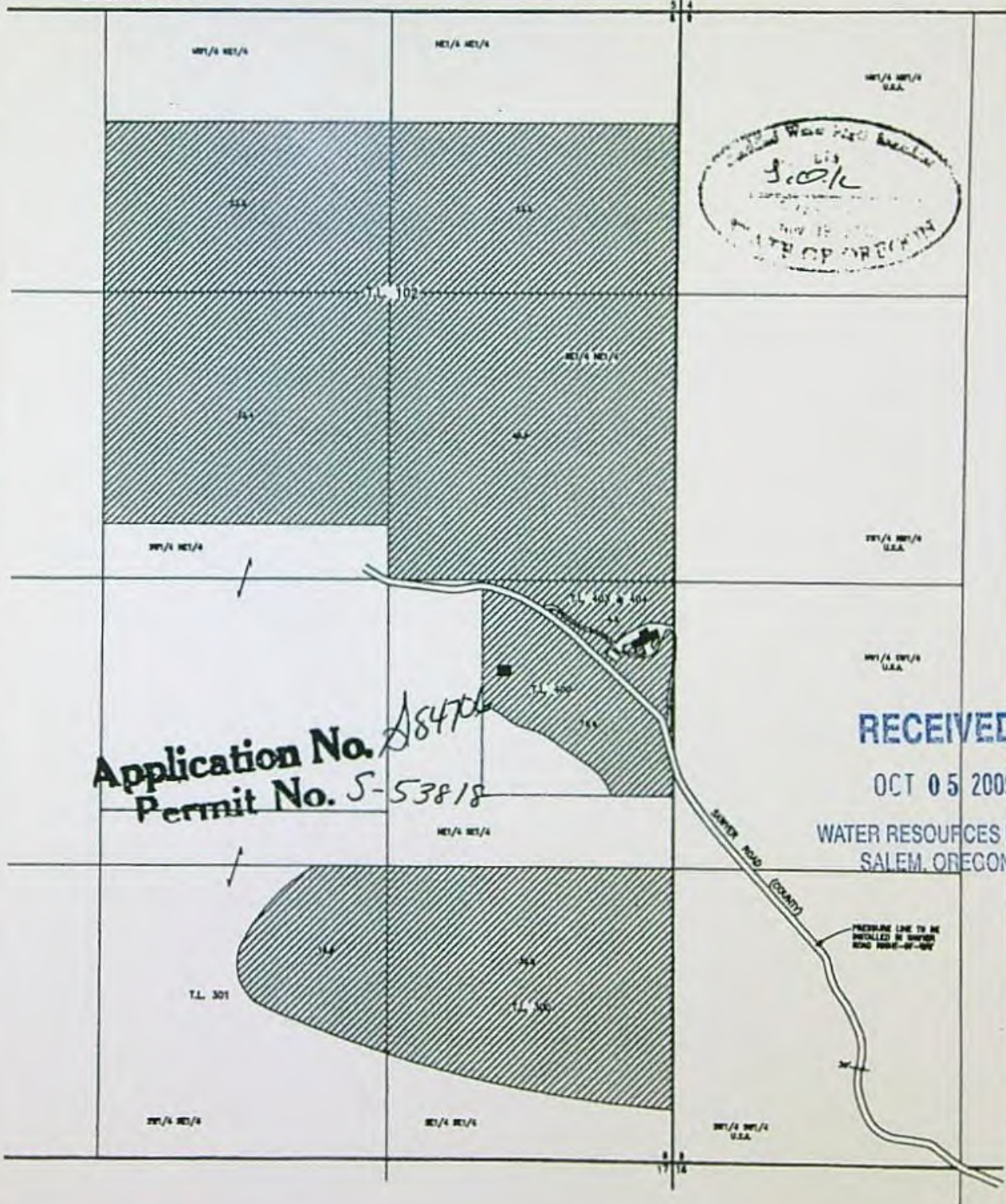
MAP TO ACCOMPANY AN
APPLICATION TO USE
SURFACE WATER

FOR:
Ron Boehm
P.O. Box 897
Shady Cove, OR. 97539

PREPARED BY:
Kaiser Surveying
19440 Highway 62
Eagle Point, OR. 97524

DATE:
March 19, 2001

NOTE: MAP PREPARED FOR
WATER RIGHT PURPOSES ONLY.
NOT FOR PROPERTY BOUNDARY
LOCATIONS.



Application No. 18476
Permit No. 5-53818

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OCT 05 2009

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SALEM, OREGON

PRESURF LINE TO BE
CONTROLLED BY SURFERS
RING PUMP-UP-BOAT



United States Department of the Interior

BUREAU OF RECLAMATION
Pacific Northwest Regional Office
1150 North Curtis Road, Suite 100
Boise, ID 83706-1234

S 84706
Ron Boehm

IN REPLY REFER TO:

PN-3324
WTR-4.00

SEP 09 2013

Scott Valley Bank
P.O. Box 69
Yreka, CA 96097

Subject: Contract for Rogue River Basin Water Service, Contract No. 139E101820, Lost Creek Reservoir, Oregon

Ladies and Gentlemen:

Enclosed for your records is a fully executed copy of Contract No. 139E101820, which provides water use for irrigation for the remainder of the 2013 irrigation season. The contract provides irrigation use of up to 27.225 acre-feet of stored water from the Rogue River Basin Project for the 40-year period from the date first written on the subject Contract.

In addition to the requirements outlined above and in Section 5 (d) of the subject contract, 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 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.

Because you are a contractor with the United States, we are required to obtain from you a taxpayer identifying number (social security number or employer identification number). We ask that you please complete the "Payee/Company Information" section of the enclosed form and return it to the above address (Attention: PN-1829).

If you have any contract questions, please contact Mr. Bill Parks at the above address, or telephone 208-378-5344. If you have any billing questions or questions regarding the enclosed form, please contact Ms. Susan Mansidor at the above address, or telephone 208-378-5112.

Sincerely,

Ryan M. Patterson
Program Manager
Repayment and Acreage Limitation

Enclosures

cc: See next page.

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cc: **Water Rights Division**
Oregon Water Resources Department
725 Summer Street N.E., Suite A
Salem, OR 97301-1271
(w/copy of contract)

Scott Valley Bank
c/o Dena L. Rizzardo
515 S. Broadway
Yreka, CA 96097
(w/encls)

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION

Rogue River Basin Project, Oregon

CONTRACT FOR WATER SERVICE

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UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION

Rogue River Basin Project, Oregon

CONTRACT FOR WATER SERVICE

THIS CONTRACT, made this 9th day of September, 2013, pursuant to section 9(e) of the Act of August 4, 1939 (53 Stat. 1187) and section 8 of the Act of December 22, 1944 (58 Stat. 887, 891) (which acts are commonly known and referred to as the Reclamation Laws), and the Flood Control Act of 1962 (76 Stat. 1173), between the UNITED STATES OF AMERICA, hereinafter referred to as the United States, represented by the Contracting Officer executing this contract, and **Scott Valley Bank**, hereinafter referred to as the Contractor;

WITNESSETH, THAT:

Explanatory Recitals

2. WHEREAS, The United States has constructed and operates Applegate and Lost Creek Reservoirs in the Rogue River Basin, Oregon, herein styled the Rogue River Basin Project, from which there is a flow of water that can be used for irrigation of land and other beneficial uses, which flow, as it has been developed or as it will be augmented, has been appropriated by the United States pursuant to the laws of Oregon for beneficial use under the Federal Reclamation Laws; and

3. WHEREAS, the Contractor owns land hereinafter described, for which a water supply from Lost Creek Reservoir is desired to be secured from the United States;

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NOW, THEREFORE, in consideration of the premises and the payment by the Contractor to the United States of the charges in the manner hereinafter provided, it is agreed:

Lands for Which Water is Released: Limitations on Diversions

4. The United States shall release each year to the Contractor during the irrigation season from April 1 to October 31, inclusive, water from the Rogue River Basin Project for the irrigation of land owned by the Contractor described as follows:

.08 acres, SE1/4 NE1/4, Section 8, T. 34 S., R. 1 W., W.M.
5.97 acres, NE1/4 SE1/4, Section 8, T. 34 S., R. 1 W., W.M.

Of the land described, not more than 6.05 acres are to be irrigated. The amount of water to be released hereunder shall be that quantity which may be applied beneficially in accordance with good usage in the irrigation of the land above described, up to a maximum diversion of 27.225 acre-feet of stored water annually, measured at the point of diversion of said water.

Payments for Water

5. (a) An annual payment of \$217.80 for the first irrigation season shall be made to the United States at the time of executing this contract, and subsequent annual payments of \$217.80 will be due on or before April 1 of each succeeding irrigation season in advance of water use. This payment will entitle the Contractor to divert up to a maximum of 27.225 acre-feet of stored water for irrigation of the lands described in Article 4 of this contract. The Contracting Officer will consider adjusting the water service payment downward based on information received from the Contractor, the State of Oregon, or other reliable sources as to the actual amount of stored water diverted each month by the Contractor during the irrigation season and on other factors in addition to the amount of stored water actually diverted, as deemed appropriate by the Contracting Officer. Any such adjustment will be determined and subtracted from the payment for the next

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year by the Contracting Officer: Provided, that for an adjustment to be made, information on the amounts of stored water diverted each month must be received in writing by the Contracting Officer by December 1 of that year.

(b) The annual charge set forth in (a) above is based on an initial rate of \$8 per acre-foot of stored water; Provided, that such annual charge shall as a minimum be the greater of either the product of \$2 multiplied by the number of acres described in Article 4 of this contract or \$50. From time to time, but not less often than once every 5 years, the rate per acre-foot of stored water and the minimum payment shall be reviewed by the Contracting Officer and revised, if necessary, by the United States for the irrigation water marketing program of the Rogue River Basin Project. Any revision by the Contracting Officer will apply only to future payments and shall be announced by written notice to the Contractor at least 3 months prior to the beginning of the irrigation season to which the new rate would be applicable.

(c) All payments from the Contractor to the United States under this contract shall be made by the medium requested by the United States. The required medium of payment may include checks, wire transfers, or other types of payment specified by the United States. Except when otherwise specified by the United States, all payments shall be made by check.

(d) Upon execution of the contract, the Contractor shall furnish the Contracting Officer with the Contractor's taxpayer's identification number (TIN). The purpose for requiring the Contractor's TIN is for collecting and reporting any delinquent amounts arising out of the Contractor's relationship with the United States.

(e) Payments required hereunder shall be made to the Bureau of Reclamation at the location described in Article 14 of this contract.

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Contract Administration Fee

6. (a) Upon execution of this contract, a \$100 fee for the preparation of this contract is due and payable by the Contractor to the United States.

(b) All future contract actions, including new contracts, contract amendments, supplements, and assignments will be charged a \$100 fee: Provided, that the fee shall be reviewed by the Contracting Officer and revised from time to time to cover costs to the United States.

Charges for Delinquent Payments

7. (a) The Contractor shall be subject to interest, administrative, and penalty charges on delinquent payments. If a payment is not received by the due date, the Contractor shall pay an interest charge on the delinquent payment for each day the payment is delinquent beyond the due date. If a payment becomes 60 days delinquent, in addition to the interest charge, the Contractor shall pay an administrative charge to cover additional costs of billing and processing the delinquent payment. If a payment is delinquent 90 days or more, in addition to the interest and administrative charges, the Contractor shall pay a penalty charge for each day the payment is delinquent beyond the due date, based on the remaining balance of the payment due at the rate of 6 percent per year. The Contractor shall also pay any fees incurred for debt collection services associated with a delinquent payment.

(b) The interest charge rate shall be the greater of the rate prescribed quarterly in the Federal Register by the Department of the Treasury for application to overdue payments or the interest rate of 0.5 percent per month. The interest charge rate will be determined as of the due date and remain fixed for the duration of the delinquent period.

(c) When a partial payment on a delinquent account is received, the amount received shall be applied first to the penalty charges, second to the administrative charges, third to the accrued interest, and finally to the overdue payment.

Release of Water

8. (a) Upon payment of the annual payment specified in subarticle 5(a) above, the United States will release water to the Contractor from the Rogue River Basin Project pursuant to this contract. No water shall be released if the Contractor is delinquent in payment of the required annual payment.

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(b) Water diverted pursuant to this contract shall be measured at the following point(s) of diversion in accordance with Oregon State law:

815 feet south and 385 feet west of east half corner of
Section 16, T. 34 S., R. 1 W., W.M.

The Contractor shall be wholly responsible for securing said water at that point and diverting, conveying, and utilizing it. The Contractor shall be required to conform its diversions and releases to the control of the stream as established by the appropriate State-appointed watermaster. The water to be diverted hereunder shall be measured by means of measuring or controlling devices satisfactory to the Contracting Officer. Such devices shall be furnished, installed, and maintained by and at the expense of the Contractor, but they shall be and remain at all times available for reading and monitoring by the United States or the watermaster whose representative may at all times have access to them over any lands of the Contractor. All losses of water from seepage, evaporation, or other cause, below said point of measurement, shall be borne by the Contractor.

(c) The Contractor shall maintain all fish screens used to divert stored water under this contract at all times in compliance with applicable guidelines from the Oregon Department of Fish & Wildlife and the National Marine Fisheries Service and remain available at all times for inspection by representatives of these agencies at no cost to the United States.

Special Conditions

9. (a) It is the responsibility of the Contractor to comply with the laws of the State of Oregon regarding the obtaining and perfecting of permits to divert water to the lands described in Article 4. Prior to executing this contract, the Contractor shall secure any easements from the Corps of Engineers which may be required for constructing facilities to divert and convey the stored water and provide written verification of such agreements to the Contracting Officer.

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The obligation of the United States to release water under this contract is subject to an operating plan for the Rogue River Basin Project determined in accordance with the law governing the project.

(b) If, at some future date, the Contracting Officer determines there is sufficient demand for irrigation water from the Rogue River Basin Project to justify the formation of an irrigation district, water supply company, or other water user organization, future water service may then be made contingent upon the establishment of such an organization. Under this condition, the Contractor will be notified at least 1 year in advance of the date this contract is terminated and continued water service to the lands described in Article 4 becomes dependent upon membership in the organization established for that purpose.

(c) In the interest of conservation and protection of environmental resources, from time to time, but not less often than once every 5 years, this contract shall be reviewed by the Contracting Officer. The terms and conditions of this contract may be modified, if deemed necessary by the Contracting Officer, to avoid or minimize impacts to candidate, listed or proposed threatened and endangered species, or other valuable natural resources. Any modification by the Contracting Officer shall be announced by written notice to the Contractor.

Term of Contract

10. This contract shall become effective as of the date first above written and will continue in effect for a period of 40 years unless sooner terminated in accordance with the provisions of Article 11 or by agreement of the parties hereto: Provided; that upon expiration of the 40-year term, renewals may be made by the Secretary of the Interior for successive periods not to exceed 40 years and under terms and conditions mutually agreeable to the parties hereto: Provided further; that the terms and conditions of each renewal shall be negotiated in light of

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circumstances prevailing at the time of renewal and agreed upon not later than 1 year prior to the expiration of the then existing contract.

Termination of Contract

11. This contract may be terminated and water service hereunder shall cease at the option of the United States or at any time if the Contractor is delinquent in payment of the water service charge for a period of 90 days or upon failure of the Contractor to abide by any notice, order, rule, or regulation of the United States or the State of Oregon now or hereafter established affecting water service hereunder.

Constraints on the Availability of Water (Water Shortages)

12. In its operation of the Project, the United States will use all reasonable means to guard against a Condition of Shortage in the quantity of water to be made available to the Contractor pursuant to this Contract. In the event the United States determines that a Condition of Shortage appears probable, the Contracting Officer will notify the Contractor of said determination as soon as practicable.

If there is a Condition of Shortage because of errors in physical operations of the Project, drought, other physical causes beyond the control of the United States, or actions taken by the Contracting Officer to meet current and future legal obligations, then no liability shall accrue against the United States or any of its officers, agents or employees for any damage, direct or indirect, arising there from.

Disclaimer

13. No provision of this contract, nor of any renewal thereof, nor the release of water hereunder will be construed to bind the United States after the expiration of this contract as the basis of a permanent water right. Because of possible fluctuations in reservoir surface elevations and downstream flows associated with the Rogue River Basin Project, the United States does not guarantee the availability of water at the point of the Contractor's diversion facilities as they may now be constructed or constructed hereafter. Further, the United States will not be held responsible for any acts or omissions of the Contractor's agents or of persons for whom water is released.

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Notices

14. Any notice, demand, or request authorized or required by this contract shall be deemed to have been given, on behalf of the Contractor, when mailed, postage prepaid, or delivered to the Program Manager, Repayment and Acreage Limitation, Pacific Northwest Region, Bureau of Reclamation, 1150 N. Curtis Road, Suite 100, Boise, ID 83706-1234, and on behalf of the United States, when mailed, postage prepaid, or delivered to Scott Valley Bank, P.O. Box 69, Yreka, CA 96097. The designation of the addressee or the address may be changed by notice given in the same manner as provided in this article for other notices.

General Provisions

15. The general provisions applicable to this contract are listed below. The full text of these general provisions is attached as Exhibit A and is hereby made a part of this contract.

- a. CHARGES FOR DELINQUENT PAYMENTS
- b. GENERAL OBLIGATION -- BENEFITS CONDITIONED UPON PAYMENT
- c. CONTINGENT UPON APPROPRIATION OR ALLOTMENT OF FUNDS
- d. OFFICIALS NOT TO BENEFIT
- e. CHANGES IN CONTRACTORS ORGANIZATION
- f. ASSIGNMENTS LIMITED -- SUCCESSORS AND ASSIGNS OBLIGATION
- g. BOOKS, RECORDS, AND REPORTS
- h. COMPLIANCE WITH FEDERAL RECLAMATION LAWS
- i. PROTECTION OF WATER AND AIR QUALITY
- j. WATER CONSERVATION
- k. EQUAL EMPLOYMENT OPPORTUNITY
- l. COMPLIANCE WITH CIVIL RIGHTS LAWS AND REGULATIONS
- m. PRIVACY ACT COMPLIANCE
- n. MEDIUM FOR TRANSMITTING PAYMENTS
- o. CONTRACT DRAFTING CONSIDERATIONS

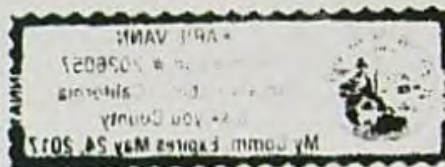
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IN WITNESS WHEREOF, the parties hereto have signed their names the day and year first above written.

SCOTT VALLEY BANK

Dena L. Rinardo, ARP/Relationship Banker
Name and Title



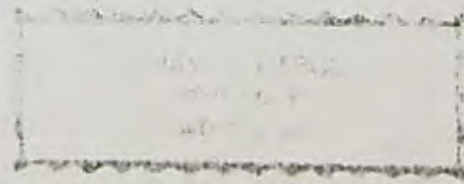
Attest:

By: [Signature] ARP/Relationship Banker
Signature and Title

UNITED STATES OF AMERICA

Ryan M. Patterson

Program Manager
Repayment and Acreage Limitation
PN Region
Bureau of Reclamation
1150 North Curtis Road, Suite 100
Boise, ID 83706-1234



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SALEM, OR

STATE OF California
: SS
County of Siskiyou

On this 2nd day of August, 2013, before me, a notary public, personally appeared Dena L. Rizzardo and _____ known to me to be the official(s) of **SCOTT VALLEY BANK** that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of said SCOTT VALLEY BANK for the uses and purposes therein mentioned, and on oath stated that he/she/they (*circle one*) is authorized to execute said instrument on its behalf.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal as of the day and year first above written.



(SEAL)

K. V.
Notary Public in and for the
State of California
Residing at: Yreka, California
My commission expires: May 24, 2017

STATE OF IDAHO)
: SS
County of Ada)

On this 9 day of September, 2013, personally appeared before me Ryan M. Patterson, known to me to be the official of the UNITED STATES OF AMERICA that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of said United States, for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal as of the day and year first above written.



Susan Hickman
Notary Public in and for the
State of IDAHO
Residing at: Meridian
My commission expires: 1-7-2016

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GENERAL PROVISIONS — ROGUE RIVER BASIN PROJECT

(a). The Contractor shall subject to interest, administrative, and penalty charges on delinquent payments. If a payment is not received by the due date, the Contractor shall pay an interest charge on the delinquent payment for each day the payment is delinquent beyond the due date. If a payment becomes 60 days delinquent, in addition to the interest charge, the Contractor shall pay an administrative charge to cover additional costs of billing and processing the delinquent payment. If a payment is delinquent 90 days or more, in addition to the interest and administrative charges, the Contractor shall pay a penalty charge for each day the payment is delinquent beyond the due date, based on the remaining balance of the payment due at the rate of 6 percent per year. The Contractor shall also pay any fees incurred for debt collection services associated with a delinquent payment.

GENERAL OBLIGATION--BENEFITS CONDITIONED UPON PAYMENT

(b). (1) The obligation of the Contractor to pay the United States as provided in this contract is a general obligation of the Contractor notwithstanding the manner in which the obligation may be distributed among the Contractor's water users and notwithstanding the default of individual water users in their obligation to the Contractor.

(2) The payment of charges becoming due pursuant to this contract is a condition precedent to receiving benefits under this contract. The Contractor shall not deliver water under the terms and conditions of this contract for lands or parties that are in arrears in the advance payment of water rates as levied or established by the Contractor.

CONTINGENT UPON APPROPRIATION OR ALLOTMENT OF FUNDS

(c). The expenditure or advance of any money or the performance of any obligation of the United States under this contract shall be contingent upon appropriation or allotment of funds. Absence of appropriation or allotment of funds shall not relieve the Contractor from any obligations under this contract. No liability shall accrue to the United States in case funds are not appropriated or allotted.

OFFICIALS NOT TO BENEFIT

(d). No Member of or Delegate to the Congress, Resident Commissioner, or official of the Contractor shall benefit from this contract other than as a water user or landowner in the same manner as other water users or landowners.

CHANGES IN CONTRACTOR'S ORGANIZATION

(e). While this contract is in effect, no change may be made in the Contractor's organization, by inclusion or exclusion of lands or by any other changes which may affect the respective rights, obligations, privileges, and duties of either the United States or the Contractor under this contract including, but not limited to, dissolution, consolidation, or merger, except upon the Contracting Officer's written consent.

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A - 1

ASSIGNMENT LIMITED--SUCCESSORS AND ASSIGNS OBLIGATION

(f). The provisions of this contract shall apply to and bind the successors and assigns of the parties hereto, but no assignment or transfer of this contract or any right or interest therein by either party shall be valid until approved in writing by the other party.

BOOKS, RECORDS, AND REPORTS

(g). The Contractor shall establish and maintain accounts and other books and records pertaining to administration of the terms and conditions of this contract, including the Contractor's financial transactions; water supply data; project operation, maintenance, and replacement logs; project land and rights-of-way use agreements; the water users' land-use (crop census), land-ownership, land-leasing, and water-use data; and other matters that the Contracting Officer may require. Reports shall be furnished to the Contracting Officer in such form and on such date or dates as the Contracting Officer may require. Subject to applicable Federal laws and regulations, each party to this contract shall have the right during office hours to examine and make copies of the other party's books and records relating to matters covered by this contract.

COMPLIANCE WITH FEDERAL RECLAMATION LAWS

(h). The parties agree that the delivery of irrigation water or use of Federal facilities pursuant to this contract is subject to Federal reclamation law, including but not limited to the Reclamation Reform Act of 1982 (43 U.S.C. 390aa *et seq.*), as amended and supplemented, and the rules and regulations promulgated by the Secretary of the Interior under Federal reclamation law.

PROTECTION OF WATER AND AIR QUALITY

(i). (1) Project facilities used to make available and deliver water to the Contractor shall be operated and maintained in the most practical manner to maintain the quality of the water at the highest level possible as determined by the Contracting Officer: *Provided, That* the United States does not warrant the quality of the water delivered to the Contractor and is under no obligation to furnish or construct water treatment facilities to maintain or improve the quality of water delivered to the Contractor.

(2) The Contractor shall comply with all applicable water and air pollution laws and regulations of the United States and the State of Oregon and shall obtain all required permits or licenses from the appropriate Federal, State, or local authorities necessary for the delivery of water by the Contractor; and shall be responsible for compliance with all Federal, State, and local water quality standards applicable to surface and subsurface drainage and/or discharges generated through the use of Federal or Contractor facilities or project water provided by the Contractor within the Contractor's Project Water Service Area.

(3) This article shall not affect or alter any legal obligations of the Secretary to provide drainage or other discharge services.

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WATER CONSERVATION

(j). Prior to the delivery of water provided from or conveyed through federally constructed or federally financed facilities pursuant to this contract, the Contractor shall develop a water conservation plan, as required by Section 210(b) of the Reclamation Reform Act of 1982 and 43 C.F.R. 427.1 (Water Conservation Rules and Regulations).

EQUAL EMPLOYMENT OPPORTUNITY

(k). During the performance of this contract, the Contractor agrees as follows:

(1) The Contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, disability, or national origin. The Contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex, disability, or national origin. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Contracting Officer setting forth the provisions of this nondiscrimination clause.

(2) The Contractor will, in all solicitations or advertisements for employees placed by or on behalf of the Contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, disability, or national origin.

(3) The Contractor will send to each labor union or representative of workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the Contracting Officer, advising the labor union or workers' representative of the Contractor's commitments under Section 202 of Executive Order 11246 of September 24, 1965, as amended (EO 11246), and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

(4) The Contractor will comply with all provisions of EO 11246, and of the rules, regulations, and relevant orders of the Secretary of Labor.

(5) The Contractor will furnish all information and reports required by EO 11246, and by the rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the Contracting Agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

(6) In the event of the Contractor's noncompliance with the nondiscrimination clauses of this contract or with any of such rules, regulations, or orders, this contract may be canceled, terminated or suspended in whole or in part and the Contractor may be declared ineligible for further Government contracts in accordance with procedures authorized in EO 11246, and such other sanctions may be imposed and remedies invoked as provided in EO 11246, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.

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(7) The Contractor will include the provisions of paragraphs (1) through (7) in every subcontract or purchase order unless exempted by the rules, regulations, or orders of the Secretary of Labor issued pursuant to Section 204 of EO 11246, so that such provisions will be binding upon each subcontractor or vendor. The Contractor will take such action with respect to any subcontract or purchase order as may be directed by the Secretary of Labor as a means of enforcing such provisions, including sanctions for noncompliance: *Provided, however*, that in the event the Contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction, the Contractor may request the United States to enter into such litigation to protect the interests of the United States.

COMPLIANCE WITH CIVIL RIGHTS LAWS AND REGULATIONS

(l). (1) The Contractor shall comply with Title VI of the Civil Rights Act of 1964 (Pub. L. 88-352; 42 U.S.C. § 2000d), the Rehabilitation Act of 1973 (Pub. L. 93-112, Title V, as amended; 29 U.S.C. § 791, et seq.), the Age Discrimination Act of 1975 (Pub. L. 94-135, Title III; 42 U.S.C. § 6101, et seq.), [Title II of the Americans with Disabilities Act of 1990 (Pub. L. 101-336; 42 U.S.C. § 12131, et seq.),] [Title III of the Americans with Disabilities Act of 1990 (Pub. L. 101-336; 42 U.S.C. § 12181, et seq.),]2 and any other applicable civil rights laws, and with the applicable implementing regulations and any guidelines imposed by the U.S. Department of the Interior and/or Bureau of Reclamation.

(2) These statutes require that no person in the United States shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving financial assistance from the Bureau of Reclamation on the grounds of race, color, national origin, disability, or age. By executing this contract, the Contractor agrees to immediately take any measures necessary to implement this obligation, including permitting officials of the United States to inspect premises, programs, and documents.

(3) The Contractor makes this agreement in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property discounts, or other Federal financial assistance extended after the date hereof to the Contractor by the Bureau of Reclamation, including installment payments after such date on account of arrangements for Federal financial assistance which were approved before such date. The Contractor recognizes and agrees that such Federal assistance will be extended in reliance on the representations and agreements made in this article and that the United States reserves the right to seek judicial enforcement thereof.

(4) Complaints of discrimination against the Contractor shall be investigated by the Contracting Officer's Office of Civil Rights.

PRIVACY ACT COMPLIANCE

(m). (1) The Contractor shall comply with the Privacy Act of 1974 (5 U.S.C. 552a) (Privacy Act) and the Department of the Interior rules and regulations under the Privacy Act (43 CFR 2.45 et seq.) in maintaining landholder certification and reporting records required to be submitted to the Contractor for compliance with Sections 206, 224(c), and 228 of the Reclamation Reform Act of 1982 (43 U.S.C. §§ 390ff, 390ww, and 390zz), and pursuant to 43 C.F.R. § 426.18.

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SALEM, OR

(2) With respect to the application and administration of the criminal penalty provisions of the Privacy Act (5 U.S.C. 552a(i)), the Contractor and the Contractor's employees who are responsible for maintaining the certification and reporting records referenced in (a) above and are considered to be employees of the Department of the Interior. See 5 U.S.C. 552a(m).

(3) The Contracting Officer or a designated representative shall provide the Contractor with current copies of the Interior Department Privacy Act regulations and the Bureau of Reclamation Federal Register Privacy Act System of Records Notice (Interior/WBR-31, Acreage Limitation) which govern the maintenance, safeguarding, and disclosure of information contained in the landholders' certification and reporting records.

(4) The Contracting Officer shall designate a full-time employee of the Bureau of Reclamation to be the System Manager responsible for making decisions on denials pursuant to 43 CFR 2.61 and 2.64 and amendment requests pursuant to 43 CFR 2.72. The Contractor is authorized to grant requests by individuals for access to their own records.

(5) The Contractor shall forward promptly to the System Manager each proposed denial of access under 43 CFR 2.64 and each request for amendment of records filed under 43 CFR 2.71; notify the requester accordingly of such referral; and provide the System Manager with information and records necessary to prepare an appropriate response to the requester. These requirements do not apply to individuals seeking access to their own certification and reporting forms filed with the Contractor pursuant to 43 CFR 426.18 unless the requester elects to cite the Privacy Act as authority for the request.

MEDIUM FOR TRANSMITTING PAYMENTS

(n). (1) All payments from the Contractor to the United States under this contract shall be by the medium requested by the United States on or before the date payment is due. The required method of payment may include checks, wire transfers, or other types of payment specified by the United States.

(2) Upon execution of the contract, the Contractor shall furnish the Contracting Officer with the Contractor's taxpayer's identification number (TIN). The purpose for requiring the Contractor's TIN is for collecting and reporting any delinquent amounts arising out of the Contractor's relationship with the United States.

CONTRACT DRAFTING CONSIDERATIONS

(o). This Contract has been, negotiated and reviewed by the parties hereto, each of whom is sophisticated in the matters to which this Contract pertains. Articles 1 through 15 of this Contract have been drafted, negotiated, and reviewed by the parties, and no one party shall be considered to have drafted the stated articles.

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SALEM, OR ^{A-5}

Certificate Issuance Processing Checklist

- _____ Map and COBU reviewed
- _____ Conflict check Any Conflicts? _____
- _____ Check for ownership

Check Area of Interest YES NO
Identified Party _____

Staff Recommendations:

- _____ Proof to the Satisfaction has been established to the full extent as described in the permit or transfer order.
- _____ Proof to the Satisfaction has been not been established to the full extent as described in the permit or transfer order and the right should be limited as follows: _____
- _____ Proof to the Satisfaction has not been established for the following reasons: _____
Proposed Actions:
Send letter requesting the following items/information: _____
Send letter recommending extension to cure deficiencies: _____

Can certificate be processed further?
_____ Yes

If "Yes":

_____ Proposed
_____ Final Certificate # _____

Mailing list:

Proposed:

Final:

Completion Checklist for Claims of Beneficial Use

Application # S-84706
Date Received 2/15/2013
CWRE Name Gary Keiser
File Marked yes
Oversized Map # _____
Reviewer C. D.

Transfer # _____
Claim Logged yes

Map Review:

- Map on polyester film (OAR 690-014-0170(1) & 310-0050(1)(b))
- Application & permit #; or transfer # (OAR 690-014-0100(1))
- Disclaimer (OAR 690-014-0170(5))
- North arrow (OAR 690-310-0050(2)(c))
- CWRE stamp and signature (OAR 690-014 & 310-0050)
- Appropriate scale (1" = 1320', 1" = 400', or the original full-size scale of the county assessor map) (014 & 310)
- Township, range, section, and tax lot numbers (OAR 690-310-0050(4))
- _____ Source illustrated if surface water (OAR 690-014-0170(3))
- _____ Point(s) of diversion or appropriation (illustrated) (OAR 690-014(4) & 690-310-0050)
- _____ Point(s) of diversion or appropriation (coordinates)(OAR 690-014(4) & 690-310-0050)
- _____ Conveyance structures illustrated (pump, pipelines, ditches, etc.) (OAR 690-310-0050)
- _____ Description of the location, in relation to the point of diversion or appropriation, of any fish screens, by-pass devices, and measuring devices required (OAR 690-014-0170(4))
- _____ Place of use (1/4 1/4, or projected 1/4 1/4 lines within DLCs, or Gov Lots; if irrigation, # of acres in each subdivision; if for domestic or human consumption, location of dwelling or spigot) (OAR 690-310-0050, 690-014, 690-380-6010)

Report Review:

- On form or format provided by the Department (OAR 690-014-0100(1))
- Application & permit #; or transfer # (OAR 690-014)
- Ownership information (OAR 690-014)
- Date of survey (OAR 690-014)
- Person interviewed (OAR 690-014)
- County (OAR 690-014)
- _____ Description of conveyances system (from POD to POU) (OAR 690-014-0100)
- _____ Source(s) of water (OAR 690-014-0100)
- _____ Place of use location (OAR 690-014-0100)
- _____ Type of use (OAR 690-014-0100)
- _____ Extent of use (OAR 690-014-0100)
- _____ Rate and Duty (OAR 690-014-0100)
- _____ Diversion rate for each use (OAR 690-014-0100)
- _____ Diversion works description (pump make, serial model, capacity, and description) (OAR 690-014-0100)
- _____ System capacity (OAR 690-014-0100)
 - _____ Calculated capacity of system (required)
 - _____ Measured amount of use (optional)
- _____ Permit/Transfer Final Order Conditions (OAR 690-014-0100)
 - _____ Time limits
 - _____ Initial water level measurements
 - _____ Annual static water level measurements
 - _____ Measurement, recording, and reporting
 - _____ Meter/measuring device
 - Water use reporting
 - Fish screening and/or by-pass
 - _____ Pump test (ground water)
 - _____ Other conditions
- _____ CWRE stamp and signature (OAR 690-014-0100)
- Signature(s) of permittee of transfer holder (OAR 690-014-0100)

DEF = deficient

N/A = Not Applicable

S:\groups\wr\certs\Resource Center\Forms_Checklists_Mailing Instructions\COBU Checklist 11-20-2012.rtf

**CLAIM OF
BENEFICIAL USE
for Surface Water Permits
claiming 0.1 cfs or less**



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

A fee of \$150 must accompany this form to be accepted for permits
with a priority date of July 9, 1987, or later. (ORS 536.050(1))

A separate form shall be completed for each permit.

In cases where a permit has been amended through the permit amendment process, a separate claim for the permit amendment is not required. Incorporate the permit amendment into the claim for the permit.

This form is subject to revision. **Begin each new claim** by checking for a new version of this form at:
http://www.wrd.state.or.us/OWRD/WR/cwre_info.shtml#.

The completion of this form is required by OAR 690-014-0100(1) and 690-014-0110(4).

Please type or print in dark ink. If this form is found to contain errors or omissions, it may be returned to you. **Every item must have a response.** If any requested information does not apply to the claim, insert "NA." **Do not delete or alter any section of this form unless directed by the form.** The Department may require the submittal of additional information from any water user or authorized agent.

If you have questions regarding the completion of this form, please call 503-986-0900 and ask for the Certificate Section.

The Department has a program that allows it to enter into a voluntary agreement with an applicant for expedited services. Under such an agreement, the applicant pays the cost to hire additional staff that would not otherwise be available. This program means a certificate may be issued in about a month. For more information on this program see http://www.wrd.state.or.us/OWRD/mgmt_reimbursement_authority.shtml.

SECTION 1

GENERAL INFORMATION

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1. File Information

APPLICATION # S- 84706	PERMIT # (IF APPLICABLE) S- 53818	PERMIT AMENDMENT # (IF APPLICABLE)
---------------------------	--------------------------------------	------------------------------------

SALEM, OR

2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME SCOTT VALLEY BANK		PHONE NO. 530-842-5701	ADDITIONAL CONTACT NO.	
ADDRESS P.O. Box 69				
CITY YREKA	STATE CA	ZIP 96097	E-MAIL	

If the current property owner is not the permit holder of record, it is recommended that an assignment be filed with the Department. **The COBU must be signed by each permit holder of record.**

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

PERMIT HOLDER OF RECORD SCOTT VALLEY BANK		
ADDRESS P.O. Box 69		
CITY YREKA	STATE CA	ZIP 96097

ADDITIONAL PERMIT HOLDER OF RECORD NA		
ADDRESS		
CITY	STATE	ZIP

4. Date of Site Inspection: 12-5-11 & 1-20-12

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

NAME	DATE	ASSOCIATION WITH THE PROJECT
JERRY SCHEFFLER	12-5-11	OWNER REPRESENTATIVE
RYAN VAUGHAN	12-5-11	GROUNDS KEEPER

6. County: JACKSON

DAVE URTON (HYDRO-FLUX, INC) 1-20-12 INSTALLER OF MAINLINES & PUMPS

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

**Mark "NA" if there are no owners of property not included in this claim

OWNER OF RECORD PREMIER WEST BANK		
ADDRESS P.O. Box 40		
CITY MEDFORD	STATE OR	ZIP 97501 (PHONE 541-282-5289)

ADDITIONAL OWNER OF RECORD		
ADDRESS		
CITY	STATE	ZIP

CURE NOTE: I WAS ONLY ASK TO SURVEY THE PORTION OF THE PERMIT ON THE SCOTT VALLEY BANK LAND

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SECTION 2
SYSTEM DESCRIPTION

A. Points of Diversion

1. POD source and, if from surface water, the tributary:

POD NAME OR NUMBER	SOURCE	TRIBUTARY
RE-DIVERSION POINT	LOST CREEK RESERVOIR	ROGUE RIVER
SECOND PUMP STATION DIV.	LOST CREEK RESERVOIR & SECOND PUMP STATION POND	ROGUE RIVER

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

POD NAME OR NUMBER	USES	IF IRRIGATION, LIST CROP TYPE	SEASON OR MONTHS WHEN WATER WAS USED	RATE OR VOLUME FOR USE (CFS, GPM, OR AF)
RE-DIVERSION POINT	IRRIGATION	LAWN & LANDSCAPE	MARCH 1 - OCT. 31	3.5 AF X 6.05 AC = 21.18 AF
Total Quantity of Water Used				21.18 AF

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

SEE PAGE 3-A

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

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LOST CREEK RESERVOIR WATER IS PUMPED FROM THE ROUGH RIVER AT THE RE-DIVERSION POINT BY A 75 HP TURBINE PUMP THROUGH AN O.D.F.W. APPROVED FISH SCREEN AND 200' OF BURIED 12" SUCTION PIPE TO THE PUMP. FROM THE PUMP WATER IS PUMPED THROUGH 4300' OF BURIED 10" CLASS 160 PVC PRESSURE MAIN LINE PIPE TO "SECOND PUMP STATION POND" LOCATED IN THE NW¹/₄ NE¹/₄ SECTION 16. SEE APPLICATION R-86479, PERMIT R-14319 FOR THIS POND. "SECOND PUMP STATION POND WAS" USED FOR A BULGE IN THE IRRIGATION SYSTEM IN LIEU OF THE PROPOSED BULGE POND SHOWN IN THE NE¹/₄ NW¹/₄ SECTION 16 ON THE APPLICATION MAP FOR PERMIT S-53818. THIS POND IS ALSO PART OF QUASI-MUNICIPAL PERMIT W. S-54348 IN THE NAME OF SHADY CREEK WATER WORKS, LLC. WATER IS PUMPED FROM "SECOND PUMP STATION POND" WITH A 75 HP TURBINE PUMP THROUGH AN O.D.F.W. APPROVED FISH SCREEN AND 30' OF BURIED 8" SUCTION PIPE TO THE PUMP. FROM THE PUMP WATER IS PUMPED THROUGH 5700' OF BURIED 6" DUCTILE IRON PIPE MAIN LUG TO 9 AT 2500 GAL. POLYETHYLENE TANKS SET IN TRENCH ON THE GROUND SURFACE. THESE TANKS ARE ALSO A BULGE IN THE IRRIGATION SYSTEM. WATER GRAVITY FLOWS FROM THE TANKS THROUGH 1301' OF BURIED 2" PVC PIPE MAIN LUG TO TWO 3/4 H.P. IN-LINE BOOSTER PUMP AND 120 GAL. PRESSURE TANK LOCATIONS WHICH RUN CONTROLLER NO. 0 AND NOS 5 THROUGH 13. WATER ALSO GRAVITY FLOWS FROM THE TANKS THROUGH 1420' OF BURIED 2" PVC PIPE MAIN LUG TO CONTROLLER NOS 1, 2, 3 & 4 LOCATED IN A CAVE. WATER TO THESE CONTROLLERS ARE GRAVITY FED, NO BOOSTER PUMP OR PRESSURE TANK. 466' OF THE BURIED 2" PVC MAIN LUG PIPE IS USED BY BOTH THE BOOSTER PUMP AND PRESSURE TANK PART OF THE SYSTEM AND THE JUST GRAVITY FED PART OF THE SYSTEM. FROM THESE 14 CONTROLLERS THERE IS A TOTAL OF 105 STATIONS AND FROM THESE STATIONS THERE IS A TOTAL OF 866 HEADS. ONLY 6.05 AC. WERE DEVELOPED LEAVING 251.28 AC. UNDEVELOPED AT THIS TIME. INFRASTRUCTURE IS ADEQUATE TO IRRIGATE THE UNDEVELOPED LAND. A NEW PERMIT USING THE EXISTING INFRASTRUCTURE MAY BE REQUIRED TO DO THIS.

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Faint, illegible text at the top of the page, possibly a header or introductory paragraph.

Handwritten or stamped text, possibly a date or reference number, located in the middle of the page.

[Redacted]		
[Redacted]	[Redacted]	Issue
[Redacted]		
[Redacted]	[Redacted]	10/29/2015

SECTION 2

SYSTEM DESCRIPTION (B through F)

Are there multiple PODs?

YES NO

If "YES" you will need to copy and complete Sections 2B through 2F for each POD.

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

SECOND PUMP STATION POINT
 SECOND PUMP STATION

B. Place of Use

Attach Claim of Beneficial Use map.

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

C. Diversion and Delivery System Information

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

1. Is a pump used?

YES NO

If "NO" items 2 through item 5 may be deleted.

2. Pump Information

SECOND PUMP STATION POINT

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)
AMERICAN TURBINE			TURBINE

3. Theoretical Pump Capacity

UNDER WATER IN WELL

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *IF A WELL, THE WATER LEVEL DURING PUMPING	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
75	255	8'	601'	0.420 CFS

4. Provide pump calculations:

$$\frac{7.04 \times 75}{8' + 601' + 648} = \frac{528}{1257} = 0.420$$

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

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)
36314180 GAC	36315415	5 MINUTES	1235 / 5 = 247 / 448.8 = 0.550 CFS

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

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6. Sprinkler Information

MOST AT ONE TIME

SIZE	OPERATING PSI	SPRINKLER OUTPUT (GPM)	TOTAL NUMBER OF SPRINKLERS	MAXIMUM NUMBER USED	TOTAL SPRINKLER OUTPUT (CFS)
DRIP		2 GPM	83	28	$2 \times 28 / 60 = 0.93 \text{ GPM} / 448.8 = 0.002 \text{ CFS}$
POP-UP & MICRO SET		1 GPM	328	16	$16 / 448.8 = 0.036 \text{ CFS}$
RAINFIAD 3500 & 5000		2 GPM	213	10	$20 / 448.8 = 0.045 \text{ CFS}$
RAINFIAD 3500 & 5000 #HUNTER S.R.		3 GPM	242	7	$21 / 448.8 = 0.047 \text{ CFS}$

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

7. Additional notes or comments related to the system:

THERE IS A TOTAL OF 14 CONTROLLER, 105 STATIONS AND 866 HEADS. SEE EXHIBIT NOS 2, 3 & 4 SHOWING NUMBER OF STATIONS PER EACH CONTROLLER AND NUMBER AND TYPE OF HEADS FOR EACH STATION.

D. Storage

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

YES NO

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

If "YES" is it a: Storage Tank

YES NO

Bulge in System / Reservoir SECOND PUMP STATION POND

YES NO

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

2. Storage Tank:

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

3. Bulge in System / Reservoir: SEE APPL. R-86179 PERMIT R-14319

RESERVOIR NAME OR NUMBER (CORRESPOND TO MAP)	APPROXIMATE DAM HEIGHT	APPROXIMATE CAPACITY (IN ACRE FEET)
SECOND PUMP STATION POND	20' CREST TO TIE	9.0 AF.

E. Gravity Flow Pipe

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

1. Does the system involve a gravity flow pipe?

YES NO

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

2. Complete the table:

PIPE SIZE	PIPE TYPE	"C" FACTOR	AMOUNT OF FALL	LENGTH OF PIPE	SLOPE	COMPUTED RATE OF WATER FLOW (IN CFS)
2"	PVC	150	136'	1420'	S=0.0958	0.1631 CFS

3. Provide calculations:

$AREA \text{ OF PIPE 12 FEET} = (\frac{1}{2})^2 \times 3.1416 = 0.0069 \times 3.1416 = 0.0218 \text{ S.F.}$
 $PERIMETER \text{ OF PIPE 12 FEET} = 2/\frac{1}{2} \times 3.1416 = 0.5236'$
 $HYDRAULIC \text{ RADIUS 12 FEET (R)} = \frac{A}{w.p.} = \frac{0.0218}{0.5236} = 0.0417$
 $V = 1.31 \times 150 \times 0.0417^{0.63} \times 0.0958^{0.54} = 196.5 \times 0.1349 \times 0.2818 = 7.4810$
 $CFS = AREA \times V = 0.0218 \times 7.4810 = 0.1631$

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6. Sprinkler Information

SIZE	OPERATING PSI	SPRINKLER OUTPUT (GPM)	TOTAL NUMBER OF SPRINKLERS	MAXIMUM NUMBER USED	TOTAL SPRINKLER OUTPUT (GFS)

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

7. Additional notes or comments related to the system:

D. Storage

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

YES NO

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

If "YES" is it a: Storage Tank

YES NO

Bulge in System / Reservoir

YES NO

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

2. Storage Tank:

MATERIAL (CONCRETE, FIBERGLASS, METAL, ETC.)	CAPACITY (IN GALLONS)	ABOVE GROUND OR BURIED
POLYETHYLENE	9 x 2500 = 22,500 GALS	ABOVE

3. Bulge in System / Reservoir:

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

E. Gravity Flow Pipe

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

1. Does the system involve a gravity flow pipe?

YES NO

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

2. Complete the table:

PIPE SIZE	PIPE TYPE	"C" FACTOR	AMOUNT OF FALL	LENGTH OF PIPE	SLOPE	COMPUTED RATE OF WATER FLOW (IN GFS)

3. Provide calculations:

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NA 4. If an actual measurement was taken, provide the following:

DATE OF MEASUREMENT	WHO MADE THE MEASUREMENT	MEASUREMENT METHOD	MEASURED QUANTITY OF WATER (IN CFS)

Attach measurement notes.

NA **F. Gravity Flow Canal or Ditch**

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

1. Provide description and calculations if necessary:

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SECTION 3 CONDITIONS

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

1. Time Limits:

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

	DATE FROM PERMIT	DATE ACCOMPLISHED*	DESCRIPTION OF ACTIONS TAKEN BY WATER USER TO COMPLY WITH THE TIME LIMITS
ISSUANCE DATE	AUG. 22, 2002		
BEGIN CONSTRUCTION (A)		MAY, 2003	INSTALL RIVER PUMP, FISH SCREW AND METER --- FEED PUMP STATION POND PUMP, FISH SCREW AND METER AND COMMENCE INSTALLING MAIN LINES
COMPLETE CONSTRUCTION (B)		MAY, 2004	DEVELOPED 6.05 AC. OF IRRIGATION AROUND RESIDENCE LEAVING 251.28 AC. UNDEVELOPED BUT WITH ADEQUATE INFRASTRUCTURE
COMPLETE APPLICATION OF WATER (C)	*C DATE 10-1-06 TIME EXTENSION DATE 10-1-11	MAY, 2009	INSTALLED TO SUPPLY IRRIGATION WATER TO THE UNDEVELOPED CROP WATER BENEFICIAIY APPLIED TO 6.05 AC

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

2. Is there an extension final order(s)?

(YES) NO

3. Measurement Conditions:

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

(YES) NO

If "NO", items 3b through 3f relating to this section may be deleted.

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

b. Has a meter been installed?

(YES) NO

c. Meter Information

POD NAME OR #	MANUFACTURER	SERIAL #	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED	
RE-DIVERSION POINT	SAFTFLOWERS CO. DIGITAL	1500	WORKING	47237650 GAL	MAY, 2003	RIVER
SECUR PUMP STA.	SAFTFLOWERS CO. DIGITAL		WORKING	36314180	MAY, 2003	

If a meter has been installed, items 3d through 3f relating to this section may be deleted.

d. If a meter has not been installed, has a suitable measuring device been installed and approved by the Department?

YES NO

CURRENT METER READING TAKEN IN JANUARY, 2012

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e. If "YES", provide a copy of the letter approving the device, if available. If the letter is not available provide the name and title of the Water Resources Department employee approving the measuring device, and the approximate date of the approval:

NA

NAME	TITLE	APPROXIMATE DATE

f. Measurement Device Description

DEVICE DESCRIPTION	CONDITION (WORKING OR NOT)	DATE INSTALLED

4. Recording and reporting conditions

a. Is the water user required to report the water use to the Department?

YES NO

If "NO", item 4b relating to this section may be deleted.

b. Have the reports been submitted?

YES NO

METHOD OF SUBMITTING REPORT (PAPER OR ELECTRONIC)	WATER USER REPORTING ID
PAPER ORIGINALS & CURRENTLY ELECTRONIC	64065

If the reports have not been submitted, attach a copy of the reports if available.

5. Fish Screening

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

YES NO

If "NO", items 5b through 5e relating to this section may be deleted.

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

b. Has the fish screening been installed?

YES NO

c. When was the fish screening installed?

DATE	BY WHOM	
FAILED MAY 2003	HYDRU-FLW, IUC	REDIVERSION AT ROGUE RIVER
DEC. 7, 2009	HYDRU-FLW, IUC	

Reminder: If the permit or transfer final order was issued on or after February 1, 2011, the fish screen is required to be approved by the Oregon Department of Fish and Wildlife regardless of the rate of diversion.

d. If the diversion involves a pump and the total diversion rate of all rights at the point of diversion is less than 225 gpm (0.5 cfs):

- Has the self-certification form previously been submitted to the Department? NA YES NO
- If not, go to <http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml>, complete and attach a copy of the self-certification form to this claim, and send a copy of it to the Oregon Department of Fish and Wildlife (ODFW).

Reminder: Failure to submit evidence of a timely installed fish screen may result in an unfavorable determination. The ODFW self certification form needs to have been previously submitted or be attached to this form.

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e. If "YES", provide a copy of the letter approving the device, if available. If the letter is not available provide the name and title of the Water Resources Department employee approving the measuring device, and the approximate date of the approval:

NAME	TITLE	APPROXIMATE DATE

f. Measurement Device Description

DEVICE DESCRIPTION	CONDITION (WORKING OR NOT)	DATE INSTALLED

4. Recording and reporting conditions

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

If "NO", item 4b relating to this section may be deleted.

b. Have the reports been submitted? YES NO

METHOD OF SUBMITTING REPORT (PAPER OR ELECTRONIC)	WATER USER REPORTING ID

If the reports have not been submitted, attach a copy of the reports if available.

5. Fish Screening

a. Are any points of diversion required to be screened to prevent fish from entering the point of diversion? YES NO

If "NO", items 5b through 5e relating to this section may be deleted.

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

b. Has the fish screening been installed? YES NO

c. When was the fish screening installed?

DATE	BY WHOM
MAY 2003	HYDRO-FLUW LLC.

SECOND PUMP STATION POINT

Reminder: If the permit or transfer final order was issued on or after February 1, 2011, the fish screen is required to be approved by the Oregon Department of Fish and Wildlife regardless of the rate of diversion.

d. If the diversion involves a pump and the total diversion rate of all rights at the point of diversion is less than 225 gpm (0.5 cfs):

- Has the self-certification form previously been submitted to the Department? NA YES NO
- If not, go to <http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml>, complete and attach a copy of the self-certification form to this claim, and send a copy of it to the Oregon Department of Fish and Wildlife (ODFW).

Reminder: Failure to submit evidence of a timely installed fish screen may result in an unfavorable determination. The ODFW self certification form needs to have been previously submitted or be attached to this form.

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e. If the diversion does **not** involve a pump or the total diversion rate of all rights at the point of diversion is 225 gpm (0.5 cfs) or greater:

- Has the ODFW approval been previously submitted? NA YES **NO**
- If not, contact and work with ODFW to ensure compliance. To demonstrate compliance, provide signed documentation from ODFW. A form is available at <http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml>

Reminder: Failure to submit evidence of a timely installed fish screen may result in an unfavorable determination. In order to receive a favorable approval, the ODFW/WRD "Fish Screen Inspection" form needs to have been previously submitted or be attached to this form.

6. By-pass Devices

a. Are any points of diversion required to have a by-pass device to prevent fish from entering the point of diversion? YES **NO**

If "NO", items 6b and 6c relating to this section may be deleted.

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

b. Have by-pass devices been installed? YES NO

c. Describe the diversion works as related to whether a by-pass device is installed or unnecessary:

(Provide a letter from ODFW indicating the device is approved or is unnecessary. If there is no letter from ODFW, explain whether or not a by-pass device is necessary.)

DESCRIPTION (I.E. "ODFW HAS APPROVED THE BY-PASS DEVICE" OR "NO BY-PASS DEVICE IS NECESSARY BECAUSE THERE IS A DIRECT DIVERSION FROM THE STREAM VIA A PUMP ON RIVER LEFT STREAM BANK WITH FOOT VALVE DESCENDING DIRECTLY INTO NATURAL POOL.") IN ADDITION, YOU MAY ATTACH PHOTOS TO THIS CLAIM.	IF INSTALLED (DATE)	IF INSTALLED, BY WHOM

7. Other conditions required by permit, permit amendment final order, or extension final order

a. Was the water user required to restore the riparian area if it was disturbed? YES **NO**

b. Other conditions? YES **NO**

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

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SECTION 4 VARIATIONS

Include a description of variations from the permit, permit amendment final order, or extension final order. (i.e. "The permit allowed three points of diversion. The water user only developed one of the points." or "The permit allowed 40.0 acres of irrigation. The water user only developed 10.0 acres.")

THE PERMIT ALLOWED 257.33 ACRES OF IRRIGATION. THE WATER USER ONLY DEVELOPED 6.05 ACRES.
 NOTE: THE EXISTING INFRASTRUCTURE IS ADEQUATE TO SUPPLY IRRIGATION TO THE UNDEVELOPED LAND AT A FUTURE TIME. A NEW PERMIT USING THIS INFRASTRUCTURE MAY BE REQUIRED TO DO THIS. APPROX. 130 AC. UNDEVELOPED ON SCOTT VALLEY BANK LAND AND APPROX. 120 AC. UNDEVELOPED ON PREMIER WEST BANK LAND.

SECTION 5 ATTACHMENTS

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

ATTACHMENT NAME	DESCRIPTION
BENEFICIAL USE MAPS	SHEET NOS 1, 2, 3 & 4 PREPARED BY CURVE
EXHIBIT NO. 1 (MAP)	MAP PREPARED BY CURVE SHOWING IRRIGATED AREA SYSTEM DETAILS
EXHIBIT NOS. 2, 3 & 4	SHEETS SHOWING CONTROLLER NUMBER-NUMBER OF STATIONS PER CONTROLLER AND NUMBER AND TYPE OF HEADS PER STATION
O.D.F.W. FISH SCREEN LETTER	LETTER FROM O.D.F.W. REGARDING BOTH FISH SCREENS
LETTER TO BUREAU OF REC.	LETTER TO BUREAU OF RECLAMATION IN ROSE REQUESTING CHANGE IN CONTRACT TO BUY LOST CREEK RESERVOIR WATER

SECTION 6 CLAIM SUMMARY

POD NAME OR #	MAXIMUM RATE AUTHORIZED BY PERMIT	CALCULATED THEORETICAL RATE BASED ON SYSTEM	AMOUNT OF WATER MEASURED <i>PUMP UNIT</i>	USE	# OF ACRES ALLOWED BY PERMIT	# OF ACRES DEVELOPED
<i>RE DIVERSION POINT</i>	3.217 CPS	0.679 CPS	<i>BUILDING</i>	IRR.	257.33	6.05
<i>SECOND PUMP STATION DIVERSION</i>	3.217 CPS	0.420	0.550	IRR.	257.33	6.05

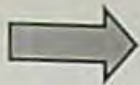
SECTION 7 CLAIM OF BENEFICIAL USE MAP

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

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

A LIKOU DTM 30 TOTAL STATION WAS USED TO MEASURE THE SURVEY TIE (COORDINATES) OF THE 2 DIVERSION POINTS, IRRIGATION LINES, MAIN LINE LOCATIONS, PUMP-MOTOR-FISH SCREEN LOCATIONS AND LOCATION OF IMPROVEMENTS.
 GPS WAS USED TO MEASURE LIFT.

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Map Checklist

Please be sure that the map you submit includes ALL the items listed below.
(Reminder: Incomplete maps and/or claims may be returned.)

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

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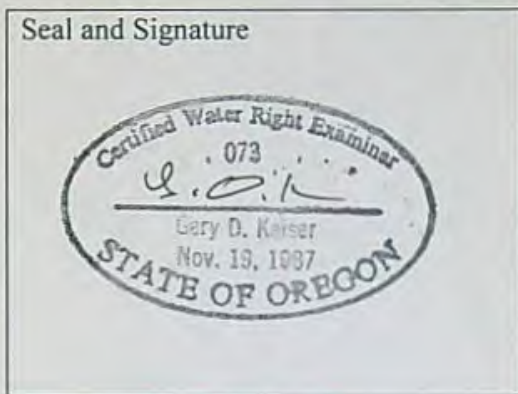
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**SECTION 8
SIGNATURES**

CWRE Statement, Seal and Signature

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



CWRE NAME <i>GARY D. KAISER</i>		PHONE NO. <i>541-878-8348</i>	ADDITIONAL CONTACT NO.	
ADDRESS <i>19440 Hwy 62</i>				
CITY <i>EAGLE POINT</i>	STATE <i>OR</i>	ZIP <i>97524</i>	E-MAIL	

Permit Holder's of Record Signature or Acknowledgement

This Claim of Beneficial Use must be signed by each permit or transfer holder of record.

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

SIGNATURE	PRINT OR TYPE NAME	DATE
<i>[Handwritten Signature]</i>	<i>Dena Rizzardo</i>	<i>2/12/13</i>
<i>Relationship Banking officer 530-842-6141 ext. 211</i>		

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SALEM, OR



Oregon

John A. Kitzhaber, MD, Governor

Department of Fish and Wildlife

Rogue Watershed District Office

1495 East Gregory Road

Central Point OR 97502

(541) 826-8774

(541) 826-8776

dfw.state.or.us

February 22, 2012



Scott Valley Bank
PO Box 697
Yreka, CA 96097

To whom it may concern,

Regarding WRD water right permit S-53818, ODFW has determined that the requirements for fish screening at the two point-of-diversions have been met, and that bypasses are not required. ODFW has also determined that a fishway is not required.

Sincerely,

Rich Kilbane
SW Field Coordinator
Fish Screening and Passage Program

(541) 826-8774 ext. 243

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Cc: Gary Kaiser



January 28, 2013

Bill Parks
U.S. Bureau of Reclamation
Att. PN-3324
1150 North Curtis Road
Boise, ID 83706-1234

Dear Mr. Parks:

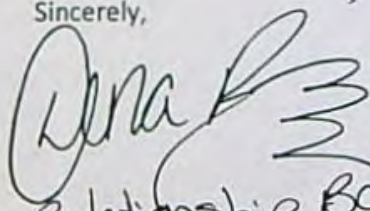
I am writing to request an amendment to my Lost Creek Reservoir Water Service contract No. 029E101352 that allows the irrigation use of up to 900.00 acre-feet of stored water from Lost creek Reservoir for the irrigation of 257.33 acres of primary irrigation. This allows 3.5 acre-feet of irrigation for each acre each year. My Oregon Water Resources Application Number is S-84706 and my Permit Number is S-53818; prior to recent assignments this permit was in the name of Ron Boehm.

I have only developed 6.05 acres of primary irrigation. I am requesting my contract be amended (or a new contract be issued – however it needs to be done) to allow up to 27.23 acre feet of irrigation use per year; 4.5 acre-feet per acre per year for 6.05 acres.

Find enclosed a check for \$100.00 for your contract administration fee and also find copies of my Claim of Beneficial Use maps as submitted to Oregon State Water Resources with my claim.

Thank you for your help with this matter.

Sincerely,

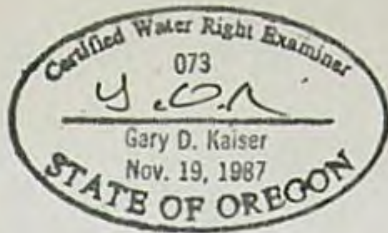

Relationship Banking officer
530-842-6141 ext. 211

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cc: Oregon State Water Resources
Gary D. Kaiser, CWRE



MAP SHOWING THE CONTROLLER NUMBER AND THE NUMBER OF EACH STATION UNDER THAT CONTROLLER. ALSO SHOWS BOOSTER PUMP AND PRESSURE TANK LOCATIONS AND THE CAVE LOCATION HOUSING CONTROLLER NOS. 1, 2, 3 & 4 WHICH ARE GRAVITY OPERATED. ALSO SHOWS 2" BURIED MAIN LINE.

EXHIBIT NO.1
APPL. NO. S-84706
P. NO. S-53818

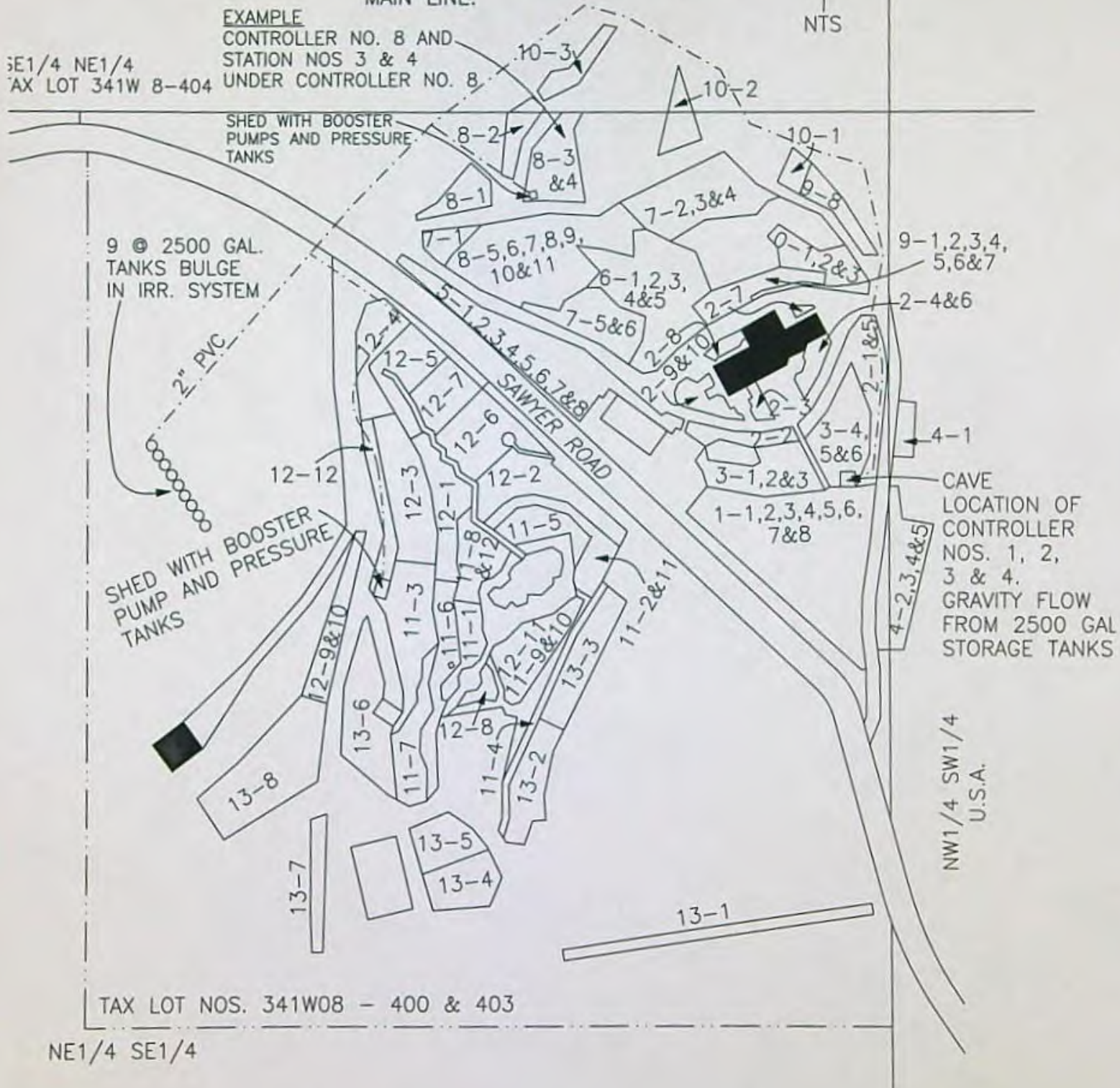


Exhibit 2: Showing controller number and number of stations per each controller and number and type of heads for each station.

Controller No.	Station No.	Number and Type of Heads
0	1	7 - Rainbird 5000 SR - 2 GPM
	2	10 - 1800 pop-ups - 15' side strips
	3	9 - 1800 pop-ups - 12' half nozzles
1	1	10 - 1800 pop-ups - 12' half nozzles
	2	7 - Rainbird 5000 - 2 GPM
	3	8 - Rainbird 3500 - 2 GPM
	4	14 - 1800 pop-ups - 10' half nozzles
	5	13 - 1800 pop-ups - 12' half nozzles
	6	14 - 1800 pop-ups - 8' quarter nozzles
	7	8 - Rainbird 5000 - 2 GPM
	8	8 - Rainbird 5000 - 2 GPM
2	1	11 - 1800 pop-ups - 12' half nozzles
	2	11 - 1800 pop-ups - 12' half nozzles
	3	10 - 1800 pop-ups - 12' half nozzles
	4	9 - 1800 pop-ups - 12' half nozzles
	5	9 - Rainbird 3500 - 2 GPM
	6	9 - 1800 pop-ups - 12' half nozzles
	7	4 - 1800 pop-ups - 10' half nozzles and 10 micro jets
	9	12 - micro jets
	10	16 - 1800 pop-ups - 10' half nozzles
	3	1
2		4 - Rainbird 3500 - 2 GPM and 3 1800 pop-ups - 15' half nozzles
3		10 - 1800 pop-ups - 15' half nozzles
4		7 - 1800 pop-ups - 15' half nozzles
5		5 - 1800 pop-ups - 12' half nozzles
6		13 - 1800 pop-ups - 12' half nozzles
4	1	3 - Rainbird 5000 S.R. 3 GPM
	2	5 - Rainbird 5000 S.R. 2 GPM
	3	4 - Rainbird 3500 S.R. 2 GPM
	4	3 - Rainbird 3500 S.R. 3 GPM and 3 full nozzle pop-ups
	5	3 - Rainbird 3500 S.R. 3 GPM
5	1	2 - half pop-ups & 15 2 GPH drips
	2	5 - center strip pop-ups & 2 Rainbird 5000 2 GPM
	3	10 - Rainbird 5000 S.R. 2 GPM
	4	10 - pop-ups half nozzles
	5	7 - Rainbird 5000 2 GPM
	6	3 - Rainbird 5000 3 GPM
	7	8 - Rainbird 3500 2 GPM
	8	7 - Rainbird 3500 2 GPM

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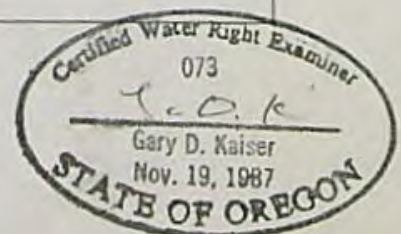


Exhibit 3: Showing controller number and number of stations per each controller and number and type of heads per each station.

Controller No.	Station No.	Number and Type of Heads
6	1	8 – Rainbird 3500 S.R. 2 GPM
	2	6 – Rainbird 5000 S.R. 2 GPM
	3	6 – Rainbird 3500 S.R. 2 GPM
	4	1 – Rainbird 3500 S.R. 3 GPM and 6 – micro jets full nozzles
	5	9 – Rainbird pop-ups center strip nozzles
7	1	6 – Rainbird 3500 3 GPM
	2	6 – Rainbird 3500 3 GPM and 12 pop-ups half nozzles
	3	3 – Rainbird 3500 3 GPM & 10 micro jets full heads
	4	4 – Rainbird 3500 2 GPM & 3 Rainbird 5000 3 GPM
	5	6 – Rainbird 3500 3 GPM
	6	6 – Rainbird 5000 3 GPM
8	1	4 – Rainbird 5000 S.R. 3 GPM
	2	5 – Rainbird 5000 S.R. 3 GPM
	3	7 – Rainbird 5000 S.R. 3 GPM
	4	4 - pop-ups half nozzles and 5 Rainbird 5000 S.R. 2 GPM
	5	10 – Rainbird 3500 2 GPM
	6	10 – Rainbird 5000 2 GPM
	8	8 – Rainbird 3500 2 GPM
	9	6 – Rainbird 5000 3 GPM
	10	6 – Rainbird 5000 3 GPM
	11	7 – Rainbird 5000 2 GPM
	9	1
2		5 Hunter stream rotors 3 GPM
3		7 Hunter stream rotors 3 GPM
4		3 Hunter S.R. 3 GPM and 3 Rainbird pop-ups full nozzles
5		7 Hunter S.R. 3 GPM
7		9 Rainbird pop-ups half nozzles
8		7 Rainbird 5000 S.R. 3 GPM
10		1
	2	4 Hunter S.R. 3 GPM
	3	2 pop-ups 15' half nozzles and 5 Hunter S.R. 3 GPM

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Exhibit 4: Showing controller number and number of stations per each controller and number and type of heads per each station.

Controller No.	Station No.	Number and Type of Heads
11	1	6 – Rainbird 5000 S.R. 3 GPM
	2	6 – Rainbird 5000 S.R. 3 GPM
	3	7 – Rainbird 5000 S.R. 3 GPM
	4	7 – Rainbird 5000 S.R. 3 GPM
	5	6 – Rainbird 5000 S.R. 3 GPM
	6	7 – Rainbird 5000 S.R. 3 GPM
	7	4 – Rainbird 5000 S.R. 3 GPM
	8	7 – Rainbird 5000 S.R. 3 GPM
	9	6 – Rainbird 5000 S.R. 3 GPM
	10	6 – Rainbird 5000 S.R. 3 GPM
	11	5 – Rainbird 5000 S.R. 3 GPM
	12	5 – Rainbird 5000 S.R. 3 GPM
12	1	7 – Rainbird 5000 S.R. 3 GPM
	2	9 – Rainbird 5000 S.R. 2 GPM
	3	6 – Rainbird 5000 S.R. 3 GPM
	4	6 – Rainbird 5000 S.R. 3 GPM
	5	5 – Rainbird 5000 S.R. 3 GPM
	6	7 – Rainbird 5000 S.R. 3 GPM
	7	6 – Rainbird 5000 S.R. 3 GPM
	8	6 – Rainbird 5000 S.R. 3 GPM
	9	7 – Rainbird 5000 S.R. 2 GPM
	10	6 – Rainbird 5000 S.R. 3 GPM
	11	6 – Rainbird 5000 S.R. 3 GPM
	12	7 – Rainbird 5000 S.R. 2 GPM
13	1	18 – 2 GPH drippers
	2	6 – Rainbird 5000 2 GPM
	3	6 – Rainbird 5000 2 GPM
	4	7 – Rainbird 5000 2 GPM
	5	6 – Rainbird 5000 3 GPM
	6	6 – Rainbird 5000 2 GPM
	7	7 – Rainbird 5000 2 GPM
	8	11 – Rainbird 1800 pop-ups half nozzles

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SALEM, OR





Oregon

John A. Kitzhaber, MD, Governor

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

February 20, 2013

SCOTT VALLEY BANK
P.O. BOX 69
YREKA CA 98097

On February 15, 2013 the Water Resources Department received the Claim of Beneficial Use (COBU) for the following file(s):

Application S-84706 Permit S-53818

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

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

Customer Service phone: (503) 986-0801

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

Your receipt is enclosed.

Cc: file

S- 84706



United States Department of the Interior



BUREAU OF RECLAMATION
Pacific Northwest Region
1150 North Curtis Road, Suite 100
Boise, Idaho 83706-1234

IN REPLY REFER TO:
PN-3324
WTR-4.00

JUN 09 2010

RECEIVED

JUN 11 2010

WATER RESOURCES DEPT
SALEM, OREGON

Shady Cove Waterworks, LLC
c/o Mr. Rich Hieb
60 N. 4th Street
Central Point, OR 97502

Subject: Successor in Interest to Lost Creek Water Service Contract No. 029E101352,
Rogue River Basin Project, Oregon

Dear Mr. Hieb:

Enclosed for your records is a fully executed copy of the document for the subject contract recognizing Shady Cove Waterworks, LLC as the successor in interest to Contract No. 029E101352, formerly with Ron Boehm.

Thank you for completing the subject document. If you have any contract questions, please contact Mr. Bill Parks at the above address or by telephone at 208-378-5344. If you have billing questions, please contact Ms. Corinne Whitmore at 208-378-5055.

Sincerely,

Ryan M. Patterson
Program Manager
Repayment and Acreage Limitation

Enclosure

cc: Water Rights Division
Oregon Water Resources Department
725 Summer Street NE., Suite A
Salem, OR 97301-1271

U.S. Army Corps of Engineers
Attention: CENWP-EC-HR
P.O. Box 2946
Portland, OR 97208-2946

Mr. Larry Menteer
District 13 Watermaster
10 S. Oakdale, Room 106
Medford, OR 97501
(w/copy of encl to each)

Mr. Michael R. Crouse
National Marine Fisheries Service
1201 NE. Lloyd Blvd., Suite 1100
Portland, OR 97232

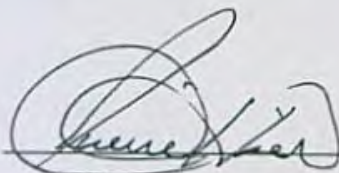
RECOGNITION OF SUCCESSORS IN INTEREST TO ROGUE RIVER BASIN PROJECT
WATER SERVICE CONTRACT NO. 029E101352

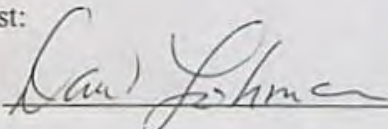
WHEREAS, the United States of America entered into a contract on May 14, 2002, Contract No. 029E101352, with Ron Boehm for an irrigation water supply from Lost Creek Reservoir for use on lands owned by the Contractor; and

WHEREAS, an authorized representative for the Shady Cove Waterworks, LLC states that it is a legal entity which, for the purpose of diverting water under said contract and delivering it upon request, represents the owners of the land to which water was to be provided under said contract and requests that Shady Cove Waterworks, LLC be recognized as the successor in interest to this contract (at mailing address: Shady Cove Waterworks, LLC, c/o Public Works Management, 60 N. 4th Street, Central Point, OR 97502);

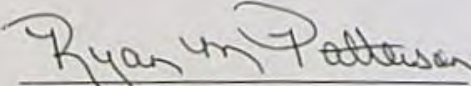
NOW, THEREFORE, all rights and interest in Contract No. 029E101352 dated May 14, 2002, for an irrigation water supply not to exceed 900 acre-feet annually are hereby recognized to be held by Shady Cove Waterworks, LLC. This contract action is effective only upon the approval thereof by the United States of America as provided in General Provisions, Article f. of said May 14, 2002, contract.

SHADY COVE WATERWORKS, LLC

By: 
Title: M. MUNCH

Attest:
By: 
Title: Counsel for Shady Cove Waterworks, LLC

The above contract action is hereby approved:


Program Manager
Repayment and Acreage Limitation
PN Region
Bureau of Reclamation
1150 N. Curtis Road, Suite 100
Boise, ID 83706-1234

Date: 06/09/10

RECEIVED
JUN 11 2010
WATER RESOURCES DEPT
SALEM, OREGON

Tiffany Goetz

From: Cheryl Adams [cjadams@embarqmail.com]
Sent: Tuesday, November 17, 2009 06:23
To: Tiffany Goetz
Subject: last years water log

We are needing a copy of last years water log for permit # s53818.Or atleast the last number logged.Any chance you could email us a copy of that so we can get this years caught up? Thank You ,Lehman Adams

cjadams@embarqmail.com

Kerry Kavanagh

From: Kerry Kavanagh
Sent: Tuesday, November 10, 2009 2:18 PM
To: cjadams@embarqemail.com
Cc: Kerry Kavanagh
Subject: FW: Water Use Reporting (Online Utility & Water Use Form Links)

Hi Lehman and Cheryl,

Please see instructions below from Tiffany Goetz about how to enter water use reporting online.

Please call me to discuss.

Kerry

Kerry Kavanagh
Application Caseworker
Water Rights Section
Oregon Water Resources Department
725 Summer St. NE Suite A
Salem, OR 97301
(503) 986-0816

From: Tiffany Goetz
Sent: Tuesday, November 10, 2009 1:05 PM
To: Kerry Kavanagh
Subject: FW: Water Use Reporting (Online Utility & Water Use Form Links)

Hello _____,

If you would like to view or add data, you can log into the account by visiting the following link. You can also navigate to this page by locating the Water Use Reporting link under Featured Links when you visit our web site (<http://www.wrd.state.or.us/>). By clicking the link below, your browser will open a new page where you will be able to log in with your User ID and Password by entering your User ID number (29966) in both the user ID and password fields. Once you are logged in, you will be allowed to view or add data for a particular diversion. The data will be displayed below when you click the select link. You may view your data at your convenience, however reporting (adding) data is limited to the period of time from October 1st through March 31st every year. For example the current reporting period is for water year 2009 (Oct. 2008 – Sep. 2009), and reporting will be available for this time between now and 3/31/2010. We encourage you to submit your water use data via our online utility and to use the *Monthly Water Use Forms* for record keeping purposes.

Provided below is the direct link to the **Water Use Reporting Online Utility** so you can submit your water use data:
http://apps2.wrd.state.or.us/apps/wr/wateruse_entry/login.aspx?ReturnUrl=%2fapps%2fwr%2fwateruse_entry%2fDefault.aspx

Provided below is the link to the **2010 Monthly Water Use Form** for record keeping purposes:
<http://www1.wrd.state.or.us/pdfs/waterusereporting10.pdf>

If you have any questions about water use reporting, or if you have trouble logging in please don't hesitate to call

11/10/2009

me.

Regards,

>< Tiffany Goetz ><

Assistant Hydrographer
Oregon Water Resources Dept
North Mall Office Building
725 Summer St SE, Suite A
Salem, Oregon 97301
Front Desk: 503-986-0900
Direct Line: 503-986-0822
E-mail: Tiffany.R.Goetz@wrд.state.or.us

11/10/2009

Herb Mosgar

From: Jane Hagan [jhagan@inrpower.com]

Sent: Monday, October 26, 2009 10:45 AM

To: Herb Mosgar

Cc: Alyssa Mucken

Subject: Permit S 53818

Your email address was given to me by Alyssa Mucken as someone who could help with a request I have for documentation. On your website, I found a request for assignment (dtd 9/29/09) in connection with the subject permit. The form mentioned a map that is to be included with the form due to the type of assignment requested; however, the map was not available on the website that I could find.

Can you either send me a copy of the map or direct me to where I might find it myself?

Thanks.

Jane Hagan
Shady Cove, OR

New Owner Input

Applications	Permits	Certificates	Claims	Transfers	Orders (vol/page)	Decreets (vol/page)
S 84706	S 53818					

snp id	wr type	wr status	Valid?	snp origin	snp status	Priority Date	Permit date	Cert date	Bsn nbr	T	TC	R	RC	S	QQ	Q
52049	SW	NC	Yes	PR	AC	4/11/2001	8/22/2002		15	34.00	S	1.00	W	16	NE	SE
pod loc id	pod #	GW Logid	Well Tag-Log	W Tag-Well	wu rpt id	user id	pod: source, type, status	meter	rcd	wu rpt wu	swl	pmp	tst	status		
47695	1				63178	29966	RS ST NC	Y	Y	Y	N					

WRIS location **Get Well Log** In gw master In wells.shp Horiz Err GW Xy Source
 790 FEET SOUTH & 350 FEET WEST FROM NE CORNER, SECTION 16

WRIS pod name Water Use Rptq facility name GW Owners Well Name GW GIS location by GW GIS Loc Source
 LOST CREEK RESERVOIR

user_id 29966 pump test pod_id wu_report_id 63178
 prev user_id prev pt pod_id

All PODs on this water right (by snp_id):

user_id	pod nbr	Logid	TRS	QQ	Q	Legal location
29966	1		34.00S 1.00W16	NE	SE	790 FEET SOUTH & 350 FEET WEST FROM NE CORNER, SECTION 16

- GW Master
- Data Input Forms
- Perm
- Pump Test Compliance
- POD Correlation Forms
- Same Well
- Pump Test Report
- Owner Input Form
- Find pods w as cur
- Permit Condition Report
- POD Status
- Find pods v userid as
- Show Permitted Use
- POD Name
- Water Use Report
- Water Right on WEB

Create new owner (new userid) using WRIS owner data
 Check owner file first!
 Go to Owners File

WUR Report WRIS Logids
 user_id 29966 29966
 user_id_password 29966
 wur_report_id 63178
 directory_id 124549
 lgcy_userid

Current Owner (from Groundwater Owners File):

Name f / l R. KIM SHORT
 Other
 Company SHADY COVE WATER WORKS LLC, c/o R K SHORT &
 Street 1 425 WEST THIRD AVENUE
 Street 2
 City / st / zip EUGENE OR 97401 USA
 Ph Home Ph Cell
 Ph FAX 541-954-0071 Ph Company 541-343-3086
 Email rkshort@rshort.com
 Owner Comment new contact for Shady Cove via email 1/12/2009 - ammm
 1/13/2009 Last pump test owner update:

Water Use Report Owner:

R. KIM SHORT
 SHADY COVE WATER WORKS LLC, C/O R K SHORT & ASSOCIATES, INC
 425 WEST THIRD AVENUE
 EUGENE OR 97401 USA
 Ph Cell
 541-954-0071 Ph Company 541-343-3086
 rkshort@rkshort.com
 Last update date: 1/13/2009 07:47:04.623 LANE
 Last update user: OWRD\muckenam

*Printed 11-10-09
 by Tiffany Goetz*

Current WRIS Owners:

user_id	name_first	name_last	name_company	name_other	street1	city	zip	last_update
RON	BOEHM				PO BOX 697	SHADY COVE	OR 97539	10/9/2009 09:08
			PREMIER WEST BANK		PO BOX 40	MEDFORD	OR 97501	10/9/2009 08:38

2009

Oregon Water Resources Department
 October 2009 through September 2010
 Monthly Water Use Form

USER-ID _____

2010

Facility Report ID						
October - 2009						
November - 2009						
December - 2009						
January - 2010						
February - 2010						
March - 2010						
April - 2010						
May - 2010						
June - 2010						
July - 2010						
August - 2010						
September - 2010						
TOTAL *						

* Describe the units of measurement as G (gallons), KG (thousand gallons), MG (million gallons), CF (cubic feet), MCF (million cubic feet), or AF (acre-feet)

Describe the method of measurement used: _____ If used for irrigation, total number of acres irrigated: _____

I certify this information is true and accurate to the best of my knowledge.

Signature _____ Title _____ Reporting Entity _____ Date _____

Name _____ Mailing Address _____ Phone Number _____

Please complete and mail to: Oregon Water Resources Department; Water Use Reporting Program;
 725 Summer Street NE, Suite A; Salem, OR 97301-1266.

2008

Oregon Water Resources Department
October 2008 through September 2009
Monthly Water Use Form

USER-ID _____

2009

Facility →					
Report ID →					
October - 2008					
November - 2008					
December - 2008					
January - 2009					
February - 2009					
March - 2009					
April - 2009					
May - 2009					
June - 2009					
July - 2009					
August - 2009					
September - 2009					
TOTAL *					

* Describe the units of measurement as G (gallons), KG (thousand gallons), MG (million gallons), CF (cubic feet), MCF (million cubic feet), or AF (acre-feet)

Describe the method of measurement used: _____ If used for irrigation, total number of acres irrigated: _____

I certify this information is true and accurate to the best of my knowledge.

Signature _____ Title _____ Reporting Entity _____ Date _____

Name _____ Mailing Address _____ Phone Number _____

Please complete and mail to: Oregon Water Resources Department; Water Use Reporting Program;
725 Summer Street NE, Suite A; Salem, OR 97301-1266.

Water Use Reporting

Introduction

ORS 537.099 requires that federal and state agencies, cities, counties, schools, irrigation districts and other special districts report water use on an annual basis. Since 1990, many new permits have required water meters to be installed and annual reports to be submitted to the state.

For more information contact: tiffany_r.goetz@wrdd.state.or.us or phone: 503-986-0822.

Data and Reports

[Submit your monthly water use data](#) - We encourage you to submit your data online using this form. Online reporting for the 2009 water year is available from October 1, 2009 thru March 31, 2010.

[View water use reports for governmental entities](#) - This page contains water use reports filed by governmental entities since 1989. Select an entity from the list to view a listing of the entity's points of diversion with water use reports for each point of diversion. If the message *No Records found for that search criteria* appears, either the entity did not report on that diversion or there was no use from that diversion.

Forms

[Click here](#) to obtain water use reporting forms.



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

Request for Assignment

If for multiple rights, a separate form and fee for each right will be required.

I, Ron Boehm
(Name of Applicant / Permit / Transfer Holder)

P.O. Box 697 Shady Cove OR 97539 (541) 531-2787
(Mailing address) (City) (State) (Zip) (Phone #)

- checkboxes for assigning all my interest, a portion of interest, or entire interest

Application # S-84706 Permit # S 53818 Transfer #
-OR-
GR Statement # GR Certificate of Registration #

as filed in the office of the Water Resources Director, to:

PremierWest Bank
(Name of New Owner)

P.O. Box 40 Medford OR 97501 (541) 282-5289
(Mailing address) (City) (State) (Zip) (Phone #)

NOTE: If there are other owners of the property described in this Application, Permit, Transfer or Certificate of Ground Water Registration, you must provide a list of all other owners' names and mailing addresses and attach it to this form.

I hereby certify that I have notified all other owners of the property described in this Application, Permit or Certificate of Registration of this request for assignment.

Witness my hand this 29 day of Sept 2009
Applicant/Permit holder [Signature]
Applicant/Permit holder

O.K. ALL 16 N DAETAL
[Signature] 10.07.2009

DO NOT WRITE IN THIS BOX

- This certifies assignment and record change at Oregon Water Resources Department effective 8:00a.m. on date of receipt at Salem, Oregon.
- Fee receipt # 98110
- For Director by Jerry Sauter, Program Analyst in Water Rights Division [Signature]

The completed "Request for Assignment" form must be submitted to the Department along with a recording fee of \$50.

Last updated: June 1, 2007

Request for Assignment/1

RECEIVED

WR

OCT 05 2009

WATER RESOURCES DEPT
SALEM, OREGON



Oregon

Theodore R. Kulongoski, Governor

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

October 8, 2009

Huycke, O'Connor, Jarvis & Lohman, LLP
Attn: David H. Lohman
823 Alder Creek Drive
Medford, Oregon 97504

Reference: Application R-86479, Permit R-14319 – Application S-84706, Permit S-53818

Regarding Application R-86479, Permit R-14319 the assignment from Ron Boehm to PremierWest Bank has been recorded in the records of the Water Resources Department.

Regarding Application S-84706, Permit S-53818 the partial assignment from Ron Boehm to PremierWest Bank has been recorded in the records of the Water Resources Department.

Our records have been changed accordingly and the original request is enclosed. Receipt number 98110 covering the recording fee of \$100 is also enclosed.

Please review the permits to be familiar with the conditions and timelines contained in the permits. These conditions and timelines will have to be met before a Certificate of Water Right can be issued.

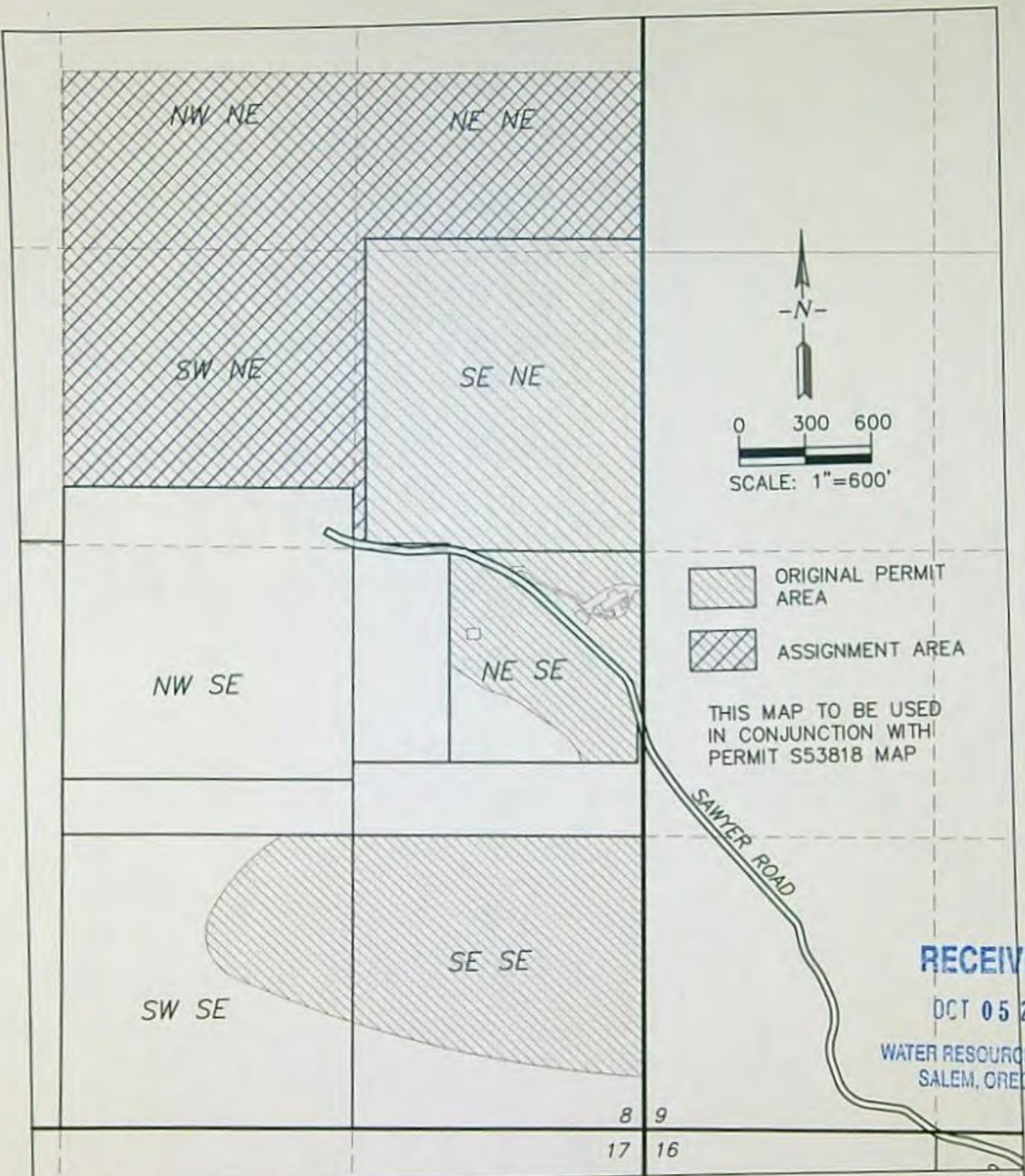
Sincerely,



Jerry Sauter
Water Rights Program Analyst

Enclosure: Receipt 98110

cc: Watermaster 13
Ron Boehm
PremierWest Bank
Data Center, OWRD (Complete Copy of Assignment Request)
Hydrographics
File





-  ORIGINAL PERMIT AREA
-  ASSIGNMENT AREA

THIS MAP TO BE USED
IN CONJUNCTION WITH
PERMIT S53818 MAP

RECEIVED

DCT 05 2009

WATER RESOURCES DEPT
SALEM, OREGON

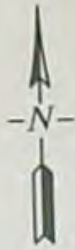
8 9
17 16

PW Public Works
Management, Inc.
171 SOUTH SECOND ST, CENTRAL POINT, OR 97520
(541) 665-5233
JOE STRAHL, P.E. AND C.W.R.E. (541) 301-2946
JEFF BALLARD, P.E. (541) 301-1555
EVAN MALEPSY, P.E. AND C.W.R.E. (541) 621-2868

**REQUEST FOR ASSIGNMENT
PERMIT: S 53818**

AUGUST 2009

1 OF 2



0 300 600
SCALE: 1"=600'

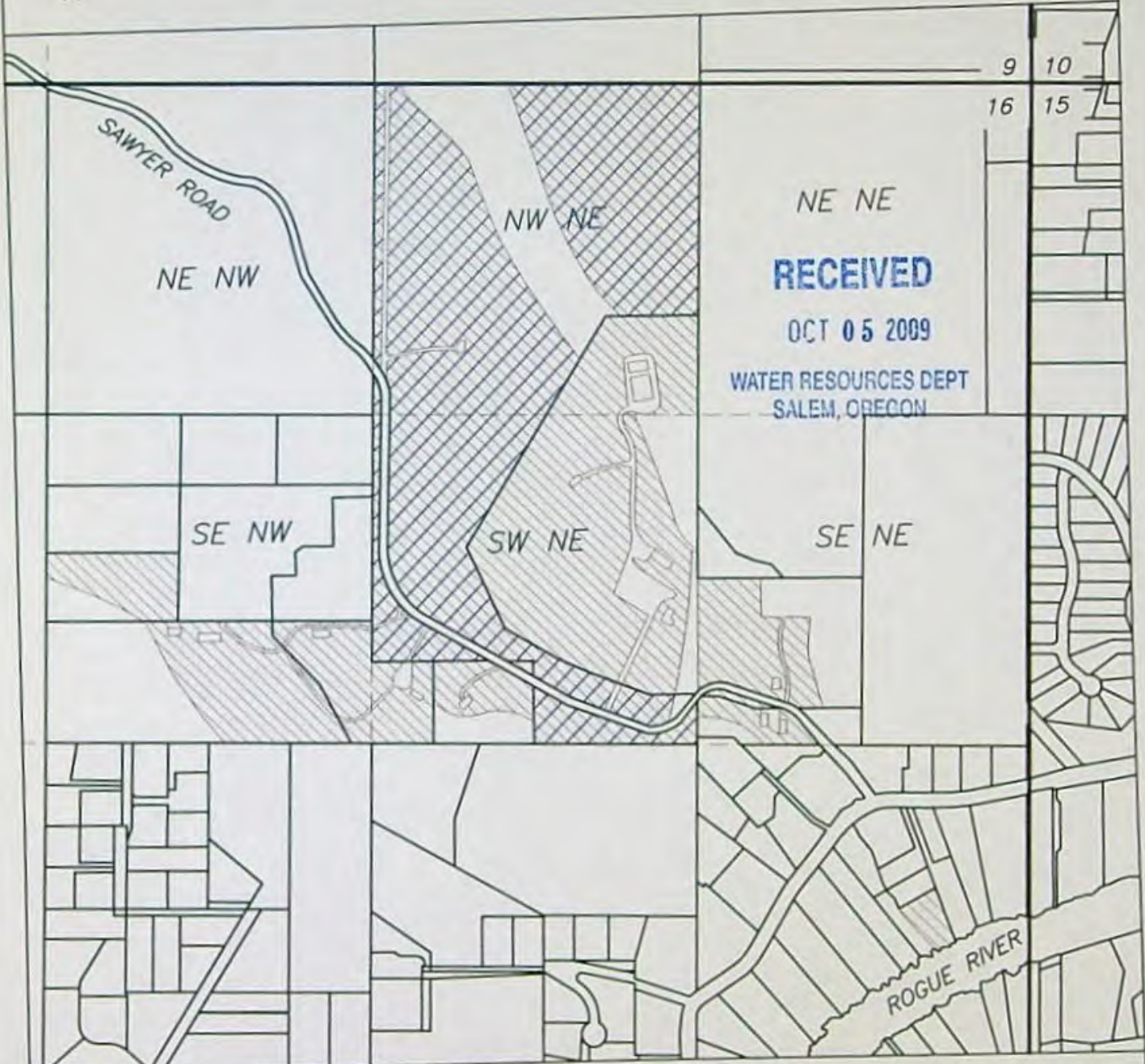


ORIGINAL PERMIT
AREA



ASSIGNMENT AREA

THIS MAP TO BE USED
IN CONJUNCTION WITH
PERMIT S53818 MAP



PW Public Works
Management, Inc.

171 SOUTH SECOND ST, CENTRAL POINT, OR 97520
(541) 665-5233

JOE STRAHL, P.E. AND C.W.R.E. (541) 301-2946
JEFF BALLARD, P.E. (541) 301-1555
EVAN MALEPSY, P.E. AND C.W.R.E. (541) 621-2868

**REQUEST FOR ASSIGNMENT
PERMIT: S 53818**

AUGUST 2009

2 OF 2

Attachment to Request for Assignment
Permit: S 53818

Additional property owners described in Permit:

Scott Valley Bank
P.O. Box 69
Yreka, CA 96097

Walker Study Center
20462 Sawyer Road
Shady Cove, OR 97539

New Hope, LLC
388 State Street, Suite 420
Salem, OR 97301

RECEIVED

OCT 05 2009

WATER RESOURCES DEPT
SALEM, OREGON

T.34S.,R.1W.,W.M.
Jackson County, Oregon
Tax Lot Nos. 341W 18 - 200, 400, 500, 501,
804 & 806, 341W 180A - 200 & 1701

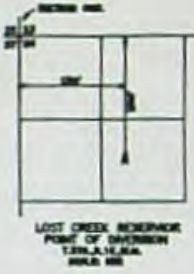
MAP TO ACCOMPANY AN
APPLICATION TO USE
SURFACE WATER

PREPARED BY:
Gary D. Kellum
19440 Highway 82
Eagle Point, OR 97524

NOTE: MAP PREPARED FOR
WATER RIGHT PURPOSES ONLY.
NOT FOR PROPERTY BOUNDARY
LOOKING.

FOR:
Ron Boehm
P.O. Box 697
Shady Cove, OR 97538

DATE:
March 18, 2001

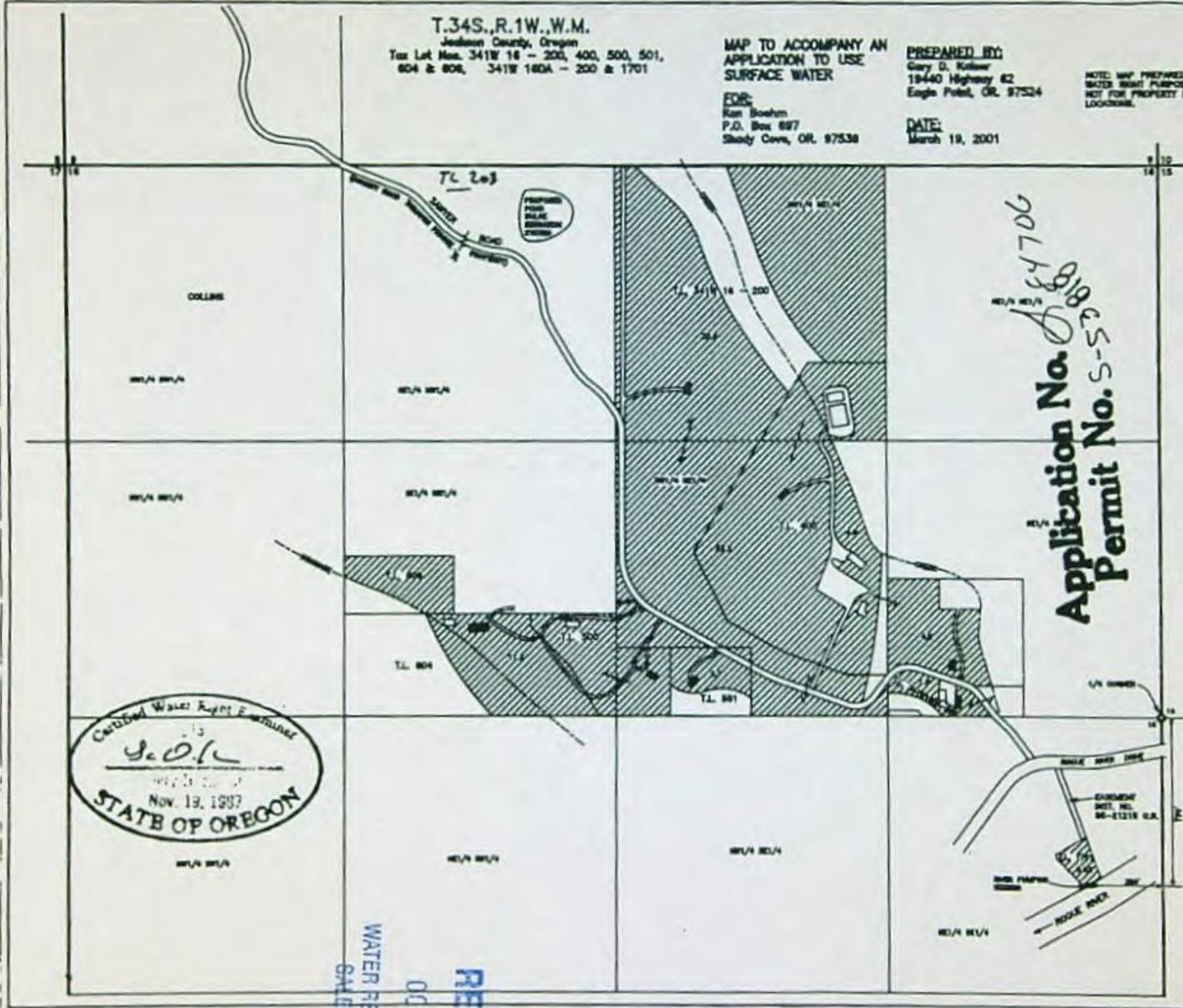


RECEIVED
MAR 26 2001
WATER RESOURCES DEPT.
SALEM, OREGON

2001-11-17-06
818-55-35
Application No.
Permit No.



RECEIVED
OCT 05 2009
WATER RESOURCES DEPT
SALEM, OREGON



T.34S.,R.1W.,W.M.

Jackson County, Oregon
Tax Lot Nos. 341W 8 - 102, 300,
301, 400, 403 & 404

SHEET 2 OF 2

RECEIVED

MAR 26 2001

WATER RESOURCES DEPT.
SALEM, OREGON

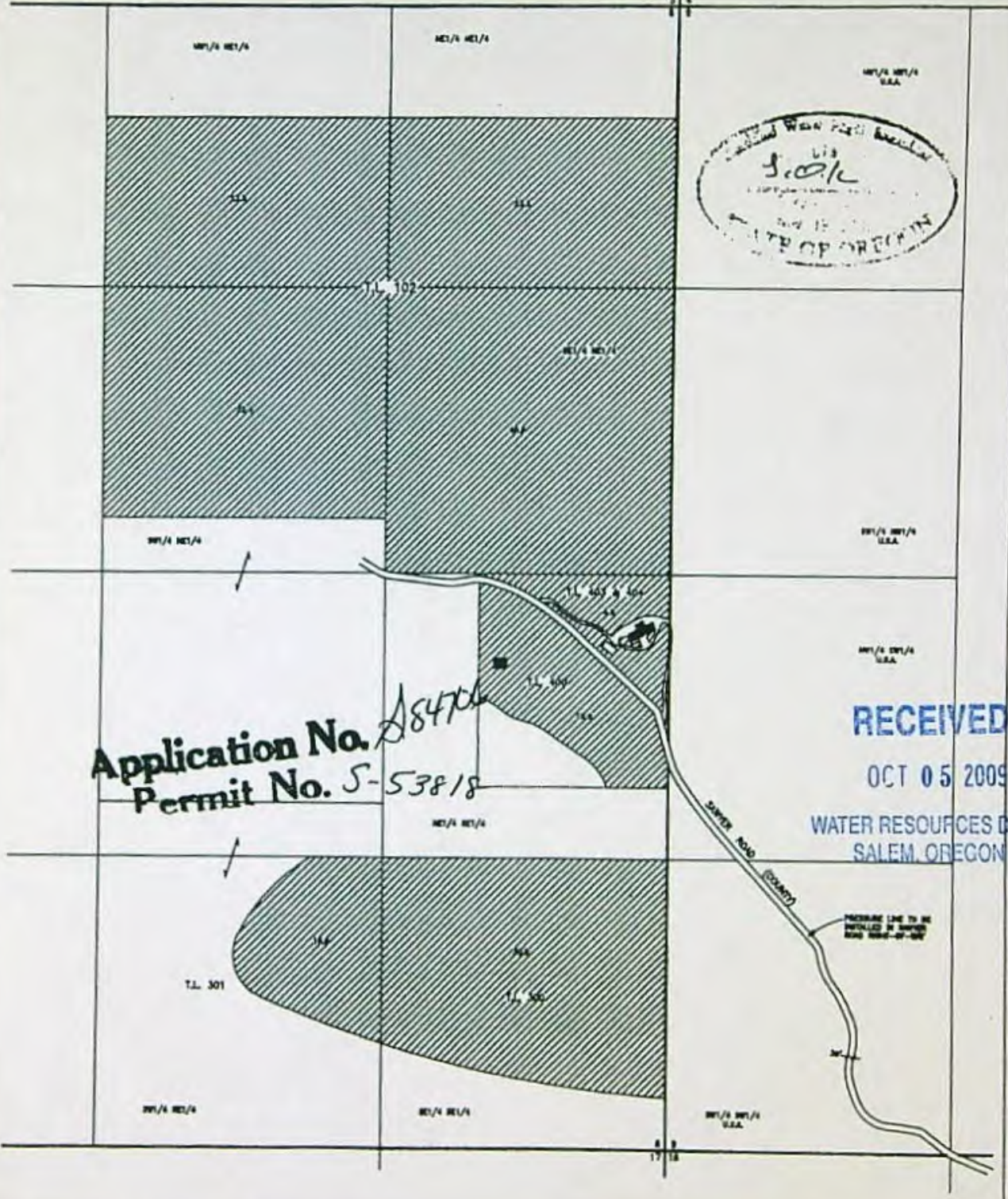
MAP TO ACCOMPANY AN
APPLICATION TO USE
SURFACE WATER

FOR:
Ron Boehm
P.O. Box 897
Shady Cove, OR. 97539

PREPARED BY:
Kaiser Surveying
18440 Highway 82
Eagle Point, OR. 97524

DATE:
March 18, 2001

NOTE: MAP PREPARED FOR
WATER RIGHT PURPOSES ONLY.
NOT FOR PROPERTY BOUNDARY
LOCATIONS.



Application No. 184706
Permit No. 5-53818

RECEIVED

OCT 05 2009

WATER RESOURCES DEPT.
SALEM, OREGON

PERMITS ARE TO BE
MAINTAINED IN SHARED
BOX 897-897



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

Request for Assignment

If for multiple rights, a separate form and fee for each right will be required.

I, Ron Boehm
 (Name of Applicant / Permit / Transfer Holder)

P.O. Box 697 Shady Cove OR 97539 (541) 531-2787
 (Mailing address) (City) (State) (Zip) (Phone #)

- ...hereby assign all my interest in and to application/permit/transfer;
- ...hereby assign all my interest in and to a portion of application/permit/transfer;
 (You must include a map showing the portion of the application/permit to be assigned.)
- ...hereby assign a portion of my interest in and to the entire application/permit/transfer;

Application # S-84706, Permit # S 53818; Transfer # _____

-OR-

GR Statement # _____, GR Certificate of Registration # _____

RECEIVED

as filed in the office of the Water Resources Director, to:

OCT 19 2009

Scott Valley Bank
 (Name of New Owner)

WATER RESOURCES DEPT
 SALEM, OREGON

P.O. Box 69 Yreka CA 96097 (530) 842-5701
 (Mailing address) (City) (State) (Zip) (Phone #)

NOTE: If there are other owners of the property described in this Application, Permit, Transfer or Certificate of Ground Water Registration, you must provide a list of all other owners' names and mailing addresses and attach it to this form.

I hereby certify that I have notified all other owners of the property described in this Application, Permit or Certificate of Registration of this request for assignment.

Witness my hand this 29 day of Sept, 2009.

Applicant/Permit holder [Signature]

Applicant/Permit holder _____

ASSIGNED PERMIT
 P.S. 10.19.2009

DO NOT WRITE IN THIS BOX

- This certifies assignment and record change at Oregon Water Resources Department effective 8:00a.m. on date of receipt at Salem, Oregon.
 - Fee receipt # 90281
 - For Director by Jerry Sauter, Program Analyst in Water Rights Division [Signature]

The completed "Request for Assignment" form *must* be submitted to the Department along with a recording fee of \$50.



Oregon

Theodore R. Kulongoski, Governor

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

October 20, 2009

Scott Valley Bank
P.O. Box 69
Yreka, California 96097

Reference: Application R-86516, Permit R-14327 – Application S-84706, Permit S-53818

Regarding Application R-86516, Permit R-14327, the assignment from Ron Boehm, Boehm Family Trust to Scott Valley Bank has been recorded in the records of the Water Resources Department.

Regarding Application S-84706, Permit S-53818, the partial assignment from Ron Boehm to Scott Valley Bank has been recorded in the records of the Water Resources Department.

Our records have been changed accordingly and the original requests are enclosed. Receipt number 98281 covering the recording fee of \$150 is also enclosed.

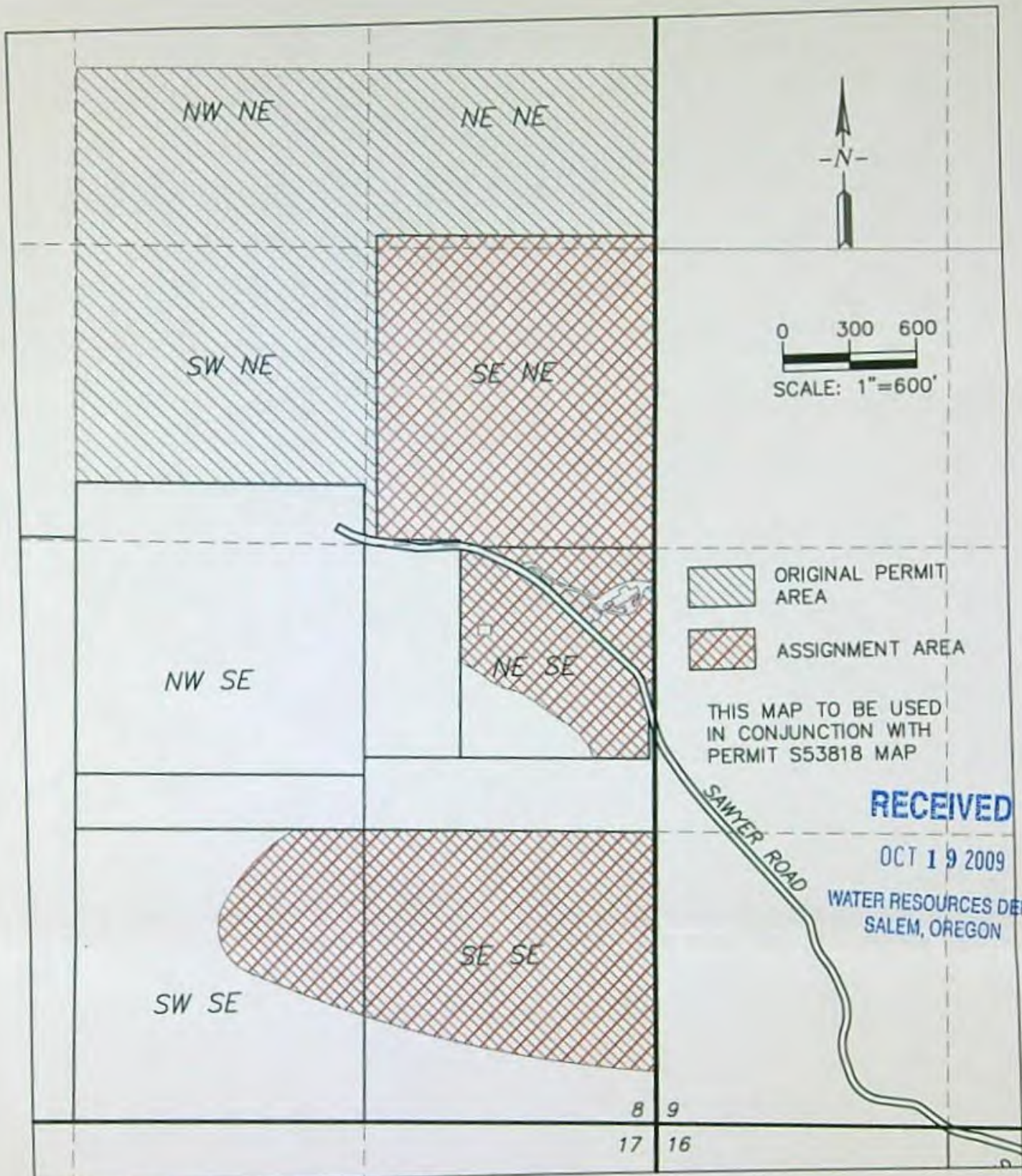
Please review the permit to be familiar with the conditions and timelines contained in the permit. These conditions and timelines will have to be met before a Certificate of Water Right can be issued.



Sincerely,

Jerry Sauter
Water Rights Program Analyst

Enclosure: Receipt 98281

cc: Watermaster 13
Ron Boehm
Premier West Bank
Data Center, OWRD (Complete Copy of Assignment Request)
Hydrographics
File



-  ORIGINAL PERMIT AREA
-  ASSIGNMENT AREA

THIS MAP TO BE USED
IN CONJUNCTION WITH
PERMIT S53818 MAP

RECEIVED
OCT 19 2009
WATER RESOURCES DEPT
SALEM, OREGON

PW Public Works
Management, Inc.
171 SOUTH SECOND ST, CENTRAL POINT, OR 97520
(541) 665-5233

JOE STRAHL, P.E. AND C.W.R.E. (541) 301-2946
JEFF BALLARD, P.E. (541) 301-1555
EVAN MALEPSY, P.E. AND C.W.R.E. (541) 621-2868

REQUEST FOR ASSIGNMENT PERMIT: S 53818

JULY 2009—Revised Aug. 2009 (#2)

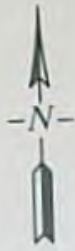
RECEIVED

OCT 19 2009

WATER RESOURCES DEPT
SALEM, OREGON

THIS MAP TO BE USED
IN CONJUNCTION WITH
PERMIT S53818 MAP

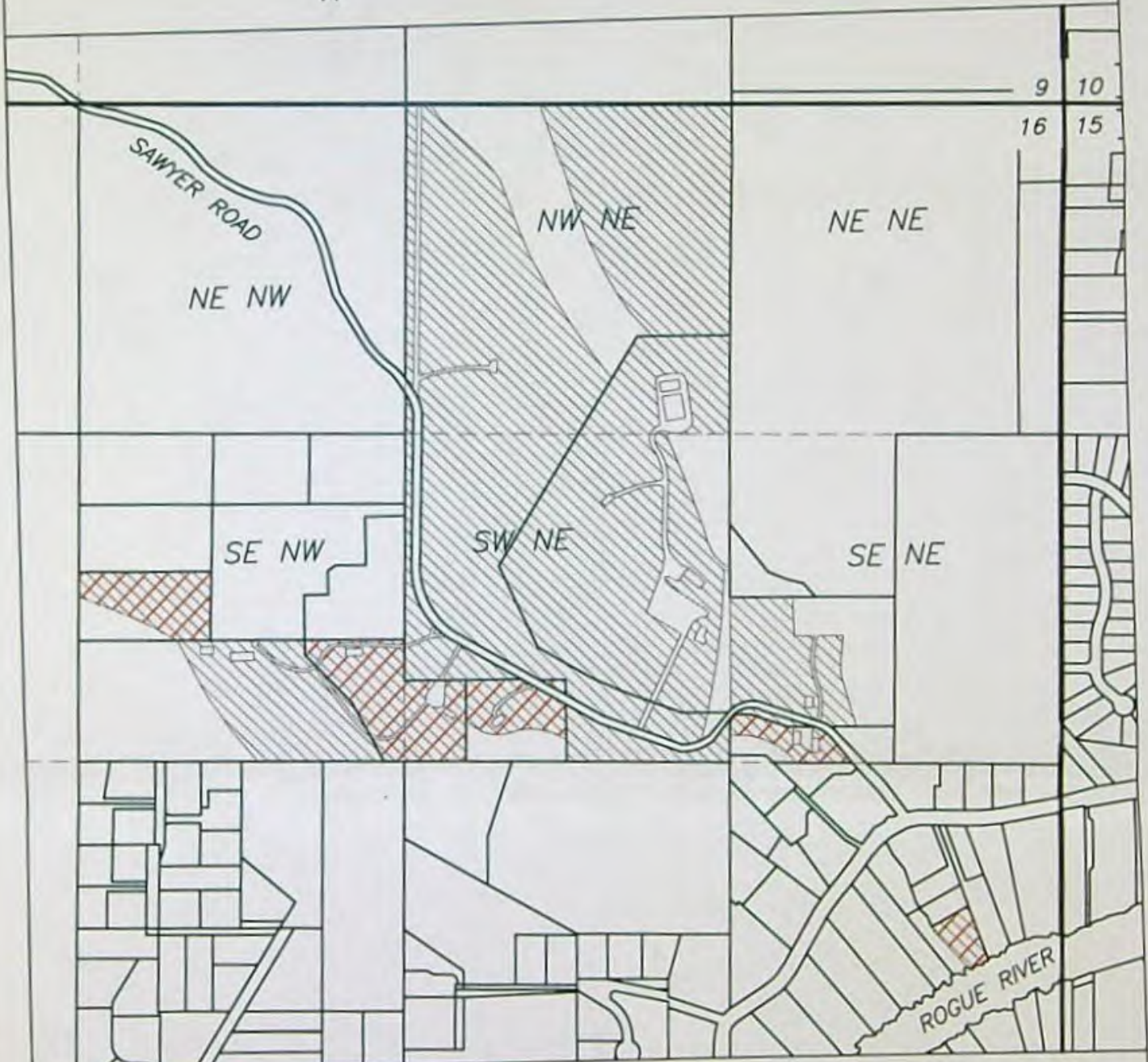
0 300 600
SCALE: 1"=600'



ORIGINAL PERMIT
AREA



ASSIGNMENT AREA



PW Public Works
Management, Inc.

171 SOUTH SECOND ST, CENTRAL POINT, OR 97520
(541) 665-5233

JOE STRAHL, P.E. AND C.W.R.E. (541) 301-2946
JEFF BALLARD, P.E. (541) 301-1555
EVAN MALEPSY, P.E. AND C.W.R.E. (541) 621-2868

REQUEST FOR ASSIGNMENT PERMIT: S 53818

JULY 2009-Revised Aug. 2009 (#2)

2 OF 2

Attachment to Request for Assignment
Permit: S 53818

Additional property owners described in Permit:

PremierWest Bank
Contact: Steve Grden
P.O. Box 40
Medford, OR 97501

Walker Study Center
20462 Sawyer Road
Shady Cove, OR 97539

New Hope LLC
388 State St, Suite 420
Salem, OR 97301

RECEIVED

OCT 19 2009

WATER RESOURCES DEPT
SALEM, OREGON

T.34S.,R.1W.,W.M.

Jackson County, Oregon
Tax Lot Nos. 341W 8 - 102, 300,
301, 400, 403 & 404

SHEET 2 OF 2

RECEIVED

MAR 26 2001

WATER RESOURCES DEPT.
SALEM, OREGON

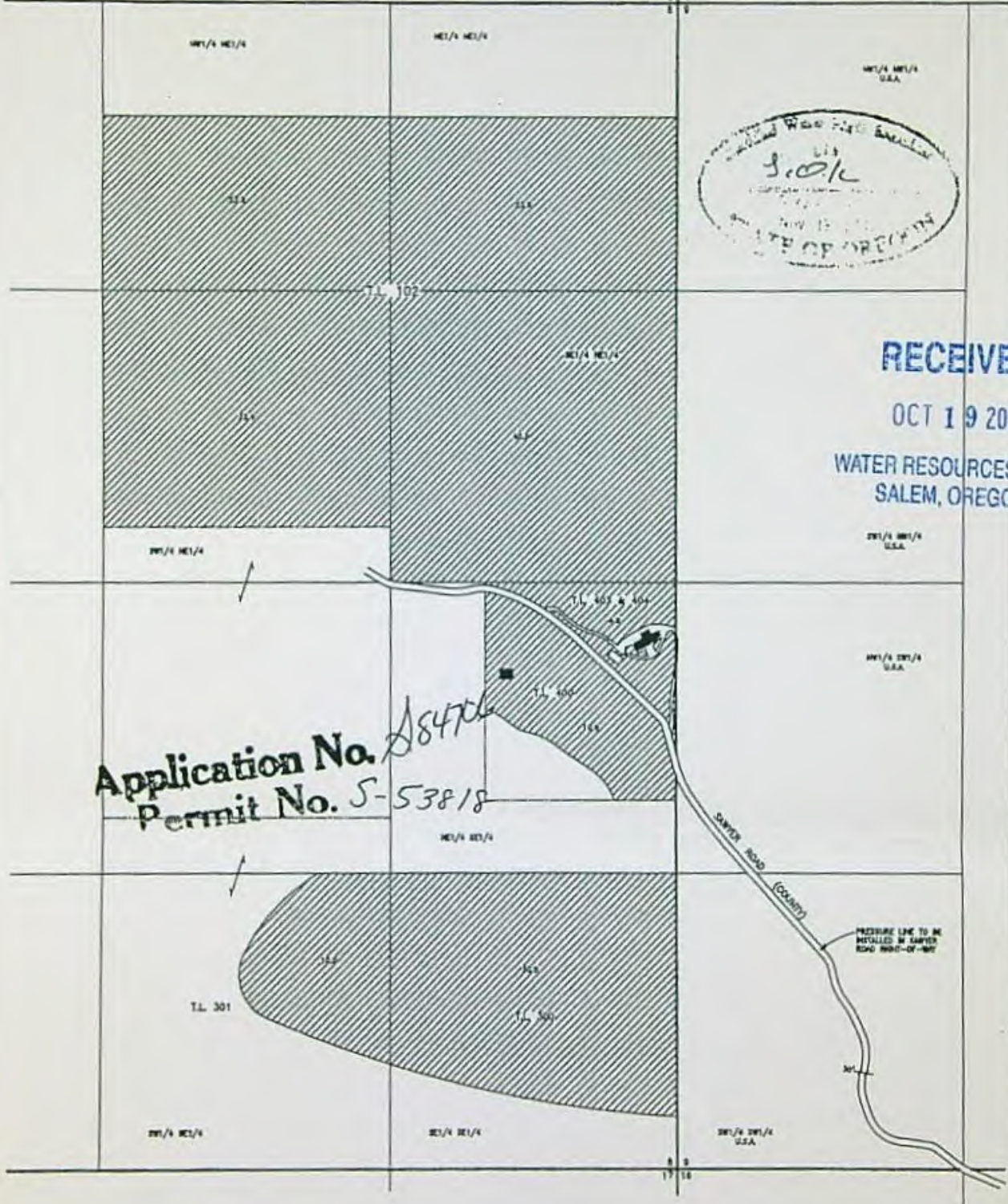
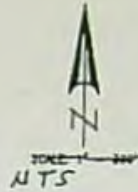
MAP TO ACCOMPANY AN
APPLICATION TO USE
SURFACE WATER

FOR:
Ron Boehm
P.O. Box 897
Shedy Cove, OR. 97539

PREPARED BY:
Kalar Surveying
19440 Highway 82
Eagle Point, OR. 97524

DATE:
March 19, 2001

NOTE: MAP PREPARED FOR
WATER RIGHT PURPOSES ONLY,
NOT FOR PROPERTY BOUNDARY
LOCATIONS.



Application No. *AS4700*
Permit No. *S-53818*

RECEIVED

OCT 19 2009

WATER RESOURCES DEPT.
SALEM, OREGON

TIMMIE,

I DO NOT BELIEVE THAT AN ASSIGNMENT IS NEEDED FOR THE BOEHM PERMITS. I THINK THAT MR. SHORT THROUGH HIS BUSINESS IS HANDLING THE REPORTING, ETC. FOR MR. BOEHM. MR. SHORT AND HIS BUSINESS IS ALSO THE MANAGING MEMBER FOR SHADY COVE WATER WORKS ASSOCIATION. MR. BOEHM IS STILL INVOLVED AND ACTIVELY SEEKING EXTENSIONS.

<u>Applications</u>	<u>Permits</u>
S-84706	S-53818
S-86478	S-54348
R-86479	R-14319
G-16710	G-16281

7/6/09

TIMMIE,

I DO NOT BELIEVE THAT AN ASSIGNMENT IS
NEEDED FOR THE BOEHM PERMITS. I THINK
THAT MR. SHORT THROUGH HIS BUSINESS IS
HANDLING THE REPORTING, ETC. FOR MR. BOEHM.
MR. SHORT AND HIS BUSINESS IS ALSO THE
MANAGING MEMBER FOR SHADY COVE WATER
WORKS ASSOCIATION. MR. BOEHM IS STILL
INVOLVED AND ACTIVELY SEEKING EXTENSIONS.

<u>Applications</u>	<u>Permits</u>
S-84706	S-53818
S-86478	S-54348
R-86479	R-14379
G-16710	G-16281

7/6/09

It appears from your email that reports are due for the three permits that you referenced in your email. I've spoken with the Foreman for Shady Cove Water Works and understand that he has the information required for the reports and can complete the reports once we have the forms. Please send the forms to my office and I will have them completed and returned.

If you have any questions please feel free to contact me via email or telephone at the numbers below.

R. Kim Short
541-343-3086 Office Direct Line
541-954-0071 Cellular

From: Alyssa Mucken [mailto:muckenam@wrd.state.or.us]
Sent: Friday, January 09, 2009 9:37 AM
To: rkshort@rkshort.com
Subject: Contact Information for Shady Cove Water Works regarding Water Rights

Hi Mr. Short,

I received information that the contact for Shady Cove Water Works may have changed and that you may be the contact person. There are 3 water right permits that have been issued to Shady Cove Water Works LLC and/or Ron Boehm within the last few years that have various water use reporting and water level reporting requirements. Each year, the Water Resources Department sends reminder letters and forms to Permit holders that hold permits with such requirements.

Currently, we are sending these letters and forms to Shady Cove Water Works LLC @ 10 Crater Lake Ave, Suite 21 in Medford, OR 97504. I've since learned that this address may not be correct. Can you tell me if we should be sending them somewhere else?

The Permits that contain reporting requirements are:

Permit G-16281 (issued Jan 2008 for the use of 3 wells)
Permit S-53818 (issued Aug 2006 for the use of water from Lost Creek Reservoir)
Permit S-54348 (issued Nov 2006 for the use of water from the Second Pump Station Pond and Lost Creek Reservoir).

If there are other permits in which contact information needs to be changed, please let me know. Because I'm the coordinator for Water Use Reporting, I'm only interested in straightening out the contact for the above Permits. But certainly, it would be nice to correct the contact information for any water right related to Shady Cove Water Works.

Thank you for any help you can provide.

Sincerely,

Alyssa Mucken

Alyssa Mucken
Water Measurement Specialist
Oregon Water Resources Department

1/14/2009

Alyssa Mucken

From: R. Kim Short [rkshort@rkshort.com]
Sent: Wednesday, January 14, 2009 3:16 PM
To: Alyssa Mucken
Subject: RE: Contact Information for Shady Cove Water Works regarding Water Rights

Alyssa,

That would be great. I can review the information and disburse it to the staff as needed.

Kim

From: Alyssa Mucken [mailto:muckenam@wrđ.state.or.us]
Sent: Tuesday, January 13, 2009 8:39 AM
To: R. Kim Short
Subject: RE: Contact Information for Shady Cove Water Works regarding Water Rights

I've placed a copy of the 07/08 reminder letter/form in the mail. You will also find a form for the upcoming water year. I've updated both our Water Use Reporting database and our Water Level Reporting database with the new contact and address.

One more thing: do you want *any and all correspondence* from our Department regarding the three permits listed below to be sent to this new mailing address and contact? For example, we have other sections that occasionally mail items (Water Rights) as well as a Water Rights database viewable online that displays owner/contact information.

-Alyssa

Alyssa Mucken
Water Measurement Specialist
Oregon Water Resources Department
725 Summer Street, Suite A
Salem, Oregon 97301
503-986-0837

From: R. Kim Short [mailto:rkshort@rkshort.com]
Sent: Monday, January 12, 2009 5:38 PM
To: Alyssa Mucken
Subject: RE: Contact Information for Shady Cove Water Works regarding Water Rights

Dear Ms. Mucken,

Thank you for your email regarding the water permits and reporting requirements. I am the new Managing Member for Shady Cove Water Works, LLC. Please change your records to send all notices, information and forms for reporting to my office at the address below:

R. Kim Short, Managing Member
Shady Cove Water Works, LLC C/O
R K Short & Associates, Inc.
425 West Third Avenue
Eugene, OR 97401

MEMO TO FILE S-84706

Upon issuance of certificate, the POD may be incorrect as listed on the permit. There are two points of diversion - the reservoir and the point the water is taken out of the stream.

Jerry Gainey

Oregon Water Resources Department
Water Rights Division

Water Rights Application
Number S-84706

Final Order
Extension of Time for Permit Number S-53818

Appeal Rights

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

Application History

The Department issued Permit S-53818 on August 22, 2002. The permit called for complete application of water to beneficial use by October 1, 2006. On May 8, 2006, Ron Boehm submitted to the Department an Application for Extension of Time for Permit S-53818. In accordance with OAR 690-315-0050(2), on June 12, 2007, the Department issued a Proposed Final Order proposing to extend the time to fully apply water to beneficial use to October 1, 2011. The protest period closed July 27, 2007, in accordance with OAR 690-315-0060(1). No protest was filed.

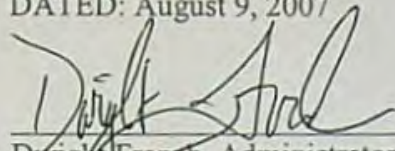
At time of issuance of the Proposed Final Order the Department concluded that, based on the factors demonstrated by the applicant, the permit may be extended subject to no additional conditions.

The applicant has demonstrated good cause for the permit extension pursuant to ORS 537.230, 539.010(5) and OAR 690-315-0040(2).

Order

The extension of time for Application S-84706, Permit S-53818, therefore, is approved. The deadline for applying water to full beneficial use is extended to October 1, 2011.

DATED: August 9, 2007



Dwight French, Administrator of
Water Rights and Adjudications
for
Phillip C. Ward, Director

-
- If you have any questions about statements contained in this document, please contact Kim French at (503) 986-0813.
 - If you have other questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at (503) 986-0900
-

Mailing List for Extension FO Copies

Note: Include a copy of the "Important Notice" document along with the original copy of the Final Order being sent to the permit holder.

FO Date: August 9, 2007

Copies Mailed

Application S-84706
Permit S-53818

By: MS
On: 8/9/07

Original mailed to permit holder

Ron Boehm
PO Box 697
Shady Cove, OR 97539

Copies sent to:

1. WRD - App. File S-84706/ Permit S-53818
2. WRD - Watermaster District 13, Larry Menteer
3. WRD - SWR Regional Manager, Bruce Sund
4. WRD- Ken Stahr
5. WRD - Support Staff, Salem...*Permit record update*

Fee paid as specified under ORS 536.050 to receive copy:

6. None

Receiving via e-mail (10 AM day of signature date)

7. None

CASEWORKER: KRF

Summary of Proposed Final Order for Extension of Time

The Department proposes to:

- grant an extension of time to apply water to full beneficial use from October 1, 2006 to October 1, 2011.

ACRONYM QUICK REFERENCE

Department – Oregon Department of Water Resources
PFO – Proposed Final Order

Units of Measure

cfs – cubic feet per second
gpm – gallons per minute
AF – acre-feet

AUTHORITY

Generally, see **ORS 537.230** and **OAR Chapter 690 Division 315**.

ORS 537.230(1) and (3) provide in pertinent part that the Oregon Water Resources Department (Department) may, for good cause shown, order an extension of time within which irrigation or other works shall be completed or the right perfected. In determining the extension, the Department shall give due weight to the considerations described under **ORS 539.010(5)** and to whether other governmental requirements relating to the project have significantly delayed completion of construction or perfection of the right.

ORS 539.010(5) provides in pertinent part that the Water Resources Director, for good cause shown, may extend the time within which the full amount of the water appropriated shall be applied to a beneficial use. This statute instructs the Director to consider: the cost of the appropriation and application of the water to a beneficial purpose; the good faith of the appropriator; the market for water or power to be supplied; the present demands therefore; and the income or use that may be required to provide fair and reasonable returns upon the investment.

OAR 690-315-0040 provides in pertinent part that the Water Resources Department shall make findings to determine if an extension of time may be approved to complete construction and/or apply water to full beneficial use.

FINDINGS OF FACT

Background

1. Permit S-53818 was granted by the Department on August 22, 2002. The permit authorizes the use of up to 900.0 AF of water from the Lost Creek Reservoir (constructed under Permit R-8142), a tributary of Rogue River, for irrigation of 257.33 acres. The permit specified complete application of water was to be made on or before October 1, 2006.
2. The permit holder submitted an "Application for Extension of Time" to the Department on May 8, 2006 requesting the time to apply water to full beneficial use under the terms of Permit S-53818 be extended from October 1, 2006 to October 1, 2011. This is the first permit extension requested for Permit S-53818.
3. Notification of the Application for Extension of Time for Permit S-53818 was published in the Department's Public Notice dated May 16, 2006. No public comments were received regarding the extension application.

Review Criteria [OAR 690-315-0040]

The time limits to complete construction and/or apply water to full beneficial use may be extended if the Department finds that the permit holder has met the requirements set forth under OAR 690-315-0040. This determination shall consider the applicable requirements of ORS 537.230¹, 537.248² and/or 539.010(5)³.

Complete Extension of Time Application [OAR 690-315-0040(1)(a)]

4. On May 8, 2006, the Department received a completed Application for Extension of Time and the fee required by ORS 536.050 from the permit holder.

Start of Construction [OAR 690-315-0040(1)(b) and 690-315-0040(5)]

5. Senate Bill 300 (1999 legislation) eliminates the requirement that holders of new surface water and ground water permits start construction on water projects within one year after the Department issues the permit. Senate Bill 300 applies to any application for a permit filed after October 23, 1999.

Duration of Extension [OAR 690-315-0040(1)(c)]

Under OAR 690-315-0040(1)(c), in order to approve an extension of time for water use permits the Department must find that the time requested is reasonable and the applicant can complete the project within the time requested.

¹ORS 537.230 applies to surface water permits only.

²ORS 537.248 applies to reservoir permits only.

³ORS 539.010(5) applies to surface water and ground water permits.

6. As of May 8, 2006, the remaining work to be completed consists of completing construction of the water system and complete application of water to beneficial use.
7. Given the amount of development left to occur, the Department has determined that the permit holder's request to have until October 1, 2011, to accomplish the application of water to beneficial use under the terms of Permit S-53818 is both reasonable and necessary.

Good Cause [OAR 690-315-0040(1)(d)]

The Department's determination of good cause shall consider the requirements set forth under OAR 690-315-0040(2).

Reasonable Diligence of the Appropriator [OAR 690-315-0040(2)(a)]

The Department's determination of reasonable diligence shall consider the requirements set forth under OAR 690-315-0040(3)(a-d). In accordance with OAR 690-315-0040(3), the Department shall consider, but is not limited to, the following factors when determining whether the applicant has demonstrated reasonable diligence in previous performance under the permit:

Amount of Construction [OAR 690-315-0040(3)(a)]

8. The following construction was completed within the time allowed in the permit or previous extension:
 - a. Prior to October 1, 2006, construction of the water system had begun.
 - b. Work was accomplished (specified in the Application for Extension of Time) during the original development time frame under Permit S-53818.

Beneficial Use of Water [OAR 690-315-0040(3)(b)]

9. The following beneficial use was made of the water during the permit or previous extension time limits:
 - a. Since the issuance of Permit S-53818 on August 22, 2002, the permit holder has used 65 AF of water from the Lost Creek Reservoir (constructed under Permit R-8142), a tributary of Rogue River for irrigation of 20 acres.

Compliance with Conditions [OAR 690-315-0040(3)(c)]

10. The water right permit holder's conformance with the permit or previous extension conditions.
 - a. The Department has considered the permit holder's compliance with conditions, and has identified the following concerns: (1) the permit holder has not yet obtained written documentation from the Oregon Department of Fish and Wildlife

approving the existing fish screens, and (2) annual reports of the amount of water used each month have not been received by the Department.

- b. Failure to comply with permit conditions constitutes illegal use of water. In order to legally perfect the use of water under this permit, the permit holder must demonstrate that all conditions of the permit have been satisfied.

Financial Investments [OAR 690-315-0040(3)(d)]

11. Financial investments made toward developing the beneficial water use.
 - a. As of May 8, 2006, the permit holder has invested approximately \$500,000, which is 38 percent of the total projected cost for complete development of this project. The permit holder anticipates an additional \$800,000 investment is needed for the completion of this project.

Cost to Appropriate and Apply Water to a Beneficial Purpose [OAR 690-315-0040(2)(b)]

12. As of May 8, 2006, the permit holder has invested approximately \$500,000 which is 38 percent of the total projected cost for complete development of this project. The permit holder anticipates an additional \$800,000 investment is needed for the completion of this project.

Good Faith of the Appropriator [OAR 690-315-0040(2)(c)]

13. The Department has found good faith of the appropriator under Permit S-53818.

The Market and Present Demands for Water [OAR 690-315-0040(2)(d-e)]

The Department's determinations of market and present demand for water or power to be supplied shall consider the requirements set forth under OAR 690-315-0040(4)(a-f). In accordance with OAR 690-315-0040(4), the Department shall consider, but is not limited to, the following factors when determining the market and the present demand for water or power to be supplied:

14. The amount of water available to satisfy other affected water rights and scenic waterway flows; special water use designations established since permit issuance, including but not limited to state scenic waterways, federal wild and scenic rivers, serious water management problem areas or water quality limited sources established under 33 U.S.C. 1313(d); or the habitat needs of sensitive, threatened or endangered species, in consultation with the Oregon Department of Fish and Wildlife [OAR 690-315-0040(4)(a-c)].
 - a. The amount of water available to satisfy other affected water rights and scenic waterway flows was determined at the time of issuance of Permit S-53818; furthermore, water availability for other affected water rights and scenic waterway flows after the permit was issued is determined at such time that such

application for a new water right is submitted. Lost Creek Reservoir (constructed under Permit R-8142) is a tributary of Rogue River. Rogue River is located above a state scenic waterway, but is not within a federal scenic waterway. It is located within an area ranked "moderate" for stream flow restoration needs as determined by the Department in consultation with the Oregon Department of Fish and Wildlife, and is located within a Sensitive, Threatened or Endangered Fish Species Area as identified by the Department in consultation with Oregon Department of Fish and Wildlife. Rogue River is not listed by the Department of Environmental Quality as a water quality limited stream.

15. Economic investment in the project to date [OAR 690-315-0040(4)(d)].
 - a. As of May 8, 2006, the permit holder has invested approximately \$500,000.
16. Other economic interests dependent on completion of the project [OAR 690-315-0040(4)(e)].
 - a. None have been identified.
17. Other factors relevant to the determination of the market and present demand for water and power [OAR 690-315-0040(4)(f)].
 - a. None have been identified.

Fair Return Upon Investment [OAR 690-315-0040(2)(f)]

18. Use and income from the permitted water development results in reasonable returns upon the investment made to date.

Other Governmental Requirements [OAR 690-315-0040(2)(g)]

19. Delay in the development of this project was not caused by any other governmental requirements.

Unforeseen Events [OAR 690-315-0040(2)(h)]

20. Unforeseen events extended the length of time needed to fully develop and perfect Permit S-53818, caused mainly by the magnitude of this project proving to be much more than expected. Design, scheduling of contractors, construction to include installation of miles of pipe have taken longer than was originally anticipated.

CONCLUSIONS OF LAW

1. The applicant is entitled to apply for an extension of time to complete construction and/or completely apply water to the full beneficial use pursuant to ORS 537.630(1).

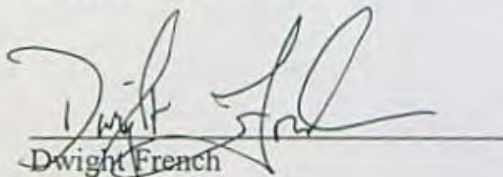
2. The applicant has submitted a complete extension application form and the fee specified in ORS 536.050, as required by OAR 690-315-0040(1)(a).
3. The applicant complied with begin actual construction timeline requirements pursuant to ORS 537.630 as required by OAR 690-315-0040(1)(b) and OAR 690-315-0040(5).
4. Full application of water to beneficial use can be accomplished by October 1, 2011⁴, as required by OAR 690-315-0040(1)(c).
5. The Department has considered the reasonable diligence and good faith of the appropriator, the cost to appropriate and apply water to a beneficial purpose, the market and present demands for water to be supplied, the financial investment made and fair and reasonable return upon the investment, the requirements of other governmental agencies, and unforeseen events over which the permit holder had no control, whether denial of the extension will result in undue hardship to the applicant and whether there are no other reasonable alternatives for meeting water use needs, any other factors relevant to a determination of good cause, and has determined that the applicant has shown that good cause exists for an extension of time to apply water to full beneficial use pursuant to OAR 690-315-0040(1)(d).

Proposed Order

Based upon the foregoing Findings of Fact and Conclusions of Law, the Department proposes to issue an order to:

extend the time to apply water to beneficial use under Permit S-53818 from October 1, 2006 to October 1, 2011.

DATED: June 12, 2007


Dwight French
Administrator
Water Rights & Adjudications Division

*If you have any questions,
please check the information
box on the last page for the
appropriate names and
phone numbers.*

Proposed Final Order Hearing Rights

1. Under the provisions of OAR 690-315-0100(1) and 690-315-0060, the applicant or any other person adversely affected or aggrieved by the proposed final order may protest and

⁴Pursuant to ORS 537.230(3), upon the completion of beneficial use of water allowed under the permit, the permittee shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permittee shall submit a map of the survey and the claim of beneficial use.

Mailing List for Extension PFO Copies

PFO Date: June 12, 2007

**Application S-84706
Permit S-53818**

Copies Mailed

By: MS
On: 6/12/07

Original mailed to Applicant:

Ron Boehm
PO Box 697
Shady Cove, OR 97539

Copies sent to:

1. WRD - App. File S-84706/ Permit S-53818
2. WRD - Watermaster District 13, Larry Menteeer

Fee paid as specified under ORS 536.050 to receive copy:

3. None

Receiving via e-mail (10 AM Tuesday of signature date)

4. None

CASEWORKER: KRF

Extension PFO Checklist for Other than Muni or Quasi-Municipal

Water Use Permits

(OAR 690-315-0010 through OAR 690-315-0060)

Application: S-84706 Permit: S-53818

Permittee's Name: RW BOEHM

Permittee's Mailing Address: PO BOX 697 SHADY CREEK, OR 97539

POD Location: Township 34S Range 1W Section 16 $\frac{1}{4}$ NESE

Drainage Basin: 15 - ROGUE County: JACKSON Watermaster District: 13

Date Permit was issued: 8-22-02 Priority Date: 4-11-01 Date of PN: 5-16-06

Source: LOST CREEK RESERVOIR, CONST UNDER PERMIT R-8142, TRIB OF ROGUE RIVER

Use: IRRIGATION OF 257.33 ACRES

"Q": 900.0 AF

Orig "A" Date: — Orig "B" Date: — Orig "C" Date: 10-1-06

Extension request received: 5-8-06 Last Authorized "B" Date: — Last Authorized "C" Date: —

Request Number (...1st, 2nd, 3rd): 1ST Proposed "B" Date: — Proposed C Date: 10-1-2011

Conditions of Permit:

Condition Met?	Condition Not Met?	Permit Condition
✓		INSTALL METER
	✓	ANNUAL WU REPORTS
✓		SUBJ. TO TERMS/CONDITIONS ^{CONTRACT NO. 029E101352}
		FISH SCREEN / BYPASS ODFW APPROVAL

Factors to consider in determining "Reasonable Diligence" [OAR 690-315-0040(3)]:

Yes No

Construction was completed within the time allowed in the permit or previous extension

Beneficial use made of the water during the permit or previous extension time limits

- Permit holder has beneficially used 65 cfs/gpm^{af} of the total permitted quantity of water on 20 acres

Water right permit holder conformed with the permit or previous extension conditions; and

Financial investments were made toward developing the beneficial water use.

- Permit holder has invested approximately 38 % of the total estimated cost to complete the project.

- Amount Invested to date: \$ 500,000 Estimated Remaining Cost: \$ 800,000

Has the applicant pursued perfection of the right in good faith and with reasonable diligence? Yes No

Determination of the market and the present demand for water or power to be supplied:

Ground Water Permits: Identify the closest surface water or localized water basin. _____
Is it located...
Surface Water Permits: Is the POD located... _____

- Yes No
- within or above a state scenic waterway? Source: OWRD "Areas Above State Scenic Waterways" Map
 - within a stream segment designated as a federal wild and scenic river? Source: www.rivers.gov/wildriverslist.html#or
 - within a critical or limited Ground Water Area? Name of area _____
 - in a waterbody listed on the DEQ Section 303(d) List of Water Quality Limited Areas? Date added to list _____
 - within a sensitive, threatened or endangered species area source: "/gisdata/dev/projects/salmon/div33map.aml"
 - within an area ranking low medium high (circle one) for stream flow restoration needs Source: OWRD "Streamflow Restoration Needs" Maps (by region)

Based on the written record, can the Department make a finding of "Good Cause" to approve the extension request?

Yes... "Good Cause" can be found. Approval of Extension Request
No ... "Good Cause" cannot be found. Denial of Extension Request

Conditions to be included in Extension PFO (if applicable)? Yes No

(NOTE: Check the file record for documentation to add a condition(s) at the extension stage.)
 5-year Progress Report Checkpoints (Years: _____)
 Other: _____

Footnote regarding Claim of Beneficial Use. Choose the appropriate language below and insert as a footnote in the PFO:

- COBU Requirement - Surface/Ground Water - on or prior to July 9, 1987**
"For permits applied for or received on or before July 9, 1987, upon complete development of the permit, you must notify the Department that the work has been completed and either: (1) Hire a water right examiner certified under ORS 537.798 to conduct a survey, the original to be submitted as required by the Water Resources Department, for issuance of a water right certificate; or (2) Continue to appropriate water under the water right permit until the Water Resources Department conducts a survey and issues a water right certificate under ORS 537.250 or 537.625."
- COBU Requirement - Surface Water - post July 9, 1987**
"Pursuant to ORS 537.230(3), upon the completion of beneficial use of water allowed under the permit, the permittee shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permittee shall submit a map of the survey and the claim of beneficial use."
- COBU Requirement - Ground Water - post July 9, 1987**
"Pursuant to ORS 537.630(3), upon the completion of beneficial use of water allowed under the permit, the permittee shall hire a certified water rights examiner to survey the appropriation. Within one year after the complete application of water to a beneficial use (or by the date allowed for the complete application of water to a beneficial use), the permittee shall submit a map of the survey and the claim of beneficial use."

NOTES:

Extension "PFO" Dates
Mailing / Issuance Date: 6/12/07 Protest Deadline Date: 7/27/07
Reviewer's Name: [Signature] Date: _____



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

May 16, 2006

REFERENCE: Application for Extension of Time

Dear Extension of Time Applicant:

The Water Rights Section has received your application for an extension of time for **APPLICATION FILE # S-84706 (PERMIT # S-53818)**. Your application will be reviewed in the near future. Following the review, you will receive a Proposed Final Order either approving or rejecting the extension of time request. A 45-day protest period begins upon issuance of the Proposed Final Order. After the protest period closes, a Final Order is issued.

If you have questions concerning your extension of time application, please contact Ann Reece at (503) 986-0808. For general information about the Water Resources Department, you may contact the Water Resources' Customer Service Group at (503) 986-0801 or you may access the Department's Internet home page at: "www.wrd.state.or.us".

Application # S-84706

Permit # S-53818

Route Slip ... Extension of Time

per Division 315 Rules... (Extensions received on July 1, 2001 or after)

◆ **WRIG...**

Money Received on: 5-8-06

◆ **Ann Reece...**

Extension Completeness:
(If NOT complete, send certified letter requesting add'l information.)

Add to tracking spreadsheet

If Extension Appl complete and \$250 fee submitted, route to...

◆ **Jonnine Skaug...**

Publish on Public Notice (initial 30-day comment): 5/16/06 JS
 Update "cdatewext.DB" Database:

In the "PNotice Date" field... Enter the date the Extension Application was published on the Public Notice.

In the "Ext Filed" field... Enter the date the Extension Application was received.

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **81329**

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

INVOICE # _____

RECEIVED FROM: White Oak Developments
BY: Investments, LLC

APPLICATION	5-84706
PERMIT	
TRANSFER	

CASH: CHECK: # 1234 OTHER: (IDENTIFY)

TOTAL REC'D \$ 250.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$ _____
OTHER: (IDENTIFY) \$ _____
0243 l/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS PCA-46111

0407 COPY & TAPE FEES \$ _____
0410 RESEARCH FEES \$ _____
0408 MISC REVENUE: (IDENTIFY) \$ _____
TC162 DEPOSIT LIAB. (IDENTIFY) \$ _____
0240 EXTENSION OF TIME \$ 250.00

WATER RIGHTS:

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

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR EXAM FEE \$ _____ 0219
LANDOWNER'S PERMIT \$ _____ 0220
OTHER (IDENTIFY) _____

RECORD FEE
\$ _____
\$ _____
LICENSE FEE
\$ _____
\$ _____

0536 TREASURY 0437 WELL CONST. START FEE

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

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

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

RECEIPT: **81329**

DATED: 5/8/06

BY: [Signature]

1. Did water system construction/well drilling begin within the time specified in the permit [yes/no]?
Yes

2. Has construction of diversion/appropriation works, distribution system, and use of water, if any, been accomplished consistent with the limitations and conditions of this permit [yes/no]?
No

A) Please describe how you have complied with each applicable permit condition (**NOTE: the instruction sheet for permit extension applications provides some direction as to what is an "applicable" condition at time of permit extension review**).

Meter installed

ODF&W has been contacted and will inspect fish screen and pond (pond has been in existence for many years).

Bureau of reclamation contract 029E101352 is current

B) If you have not complied with all applicable conditions, please explain the reasons why and indicate a date certain, in the near future, by which time you will be in compliance with applicable conditions.

Have not reported water use as we just discovered this requirement. We now have forms from OWRD and use by month will be reported for 2006 and subsequent years.

3. I have accomplished the following described works, purchases and installation of equipment necessary to the use of water under said permit:

A) Within the past year or, if a prior extension was authorized, during the last permit extension period:

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WATER RESOURCES DEPT
SALEM, OREGON

B) Prior to the past year or, if a prior extension was authorized, prior to the last extension period:
8.5 AF holding/settling pond constructed. 10 storage tanks (25,000 gal) installed. Electrical service to river pump and booster pump w/controls & valves installed. 75HP (975 gpm) turbine w/self cleaning fish screen installed at river pod. 75HP pressure controlled pump & 5HP submersible pump installed at holding pond. 1525' of 10" & 6330' of 6" ductile iron pipe installed. 3140' of 10" & 8100' of 3" PVC pipe installed. 14,500' of wire installed.

4. I have accomplished beneficial use of water under the permit to the extent of (amount of water used and acres irrigated):

A) Quantity of Water Used [in cubic feet per second (cfs) or gallons per minute (gpm) if using surface water or ground water.....and/or..... in acre-feet (af) if using stored water]:
About 65 AF

B) Number of Acres Irrigated (if an irrigation permit):
About 20

5. Cost of project to date \$500,000. Estimated remaining cost to complete the project \$800,000.

6. Please list the reasons why the project was not constructed, and/or water not beneficially used within permit time limits under the appropriate categories below. Please provide supporting information for each reason identified:

A) The project is of a size and scope that the original intent was to phase it in over a period longer than the timeframes allowed in the permit.
The magnitude of this project proved to be much more than anticipated. Design, scheduling of contractors, construction to include installation of miles of pipe have taken longer than was originally anticipated.

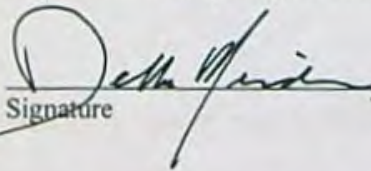
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MAY 08 2006
WATER RESOURCES DEPT
SALEM, OREGON

- B) Financing and/or cash-flow needs to develop the project precluded completion of the project within authorized timeframes.

- C) Good faith attempts to comply with permit conditions and/or to acquire permits from other agencies, or otherwise comply with government regulations, delayed completion of the project.

- D) Acts of God or other unforeseen events delayed full development of the water system and use of water.

I am the permittee, or have authorization from the permittee, to apply for an extension of time under this permit. I understand that false or misleading statements in this extension application are grounds for the Department to suspend processing of the request and/or reason to deny the extension.


Signature Della Anderson, Agent for
Ron S. Breen

5-5-06
Date

For an application to be complete, it must be accompanied with the required fee. See the Department's Fee Schedule at www.wrd.state.or.us or call (503) 986-0900.

MAIL COMPLETED APPLICATION *and* FEE TO:

WATER RIGHT PERMIT EXTENSIONS
WATER RESOURCES DEPARTMENT
725 SUMMER STREET NE, SUITE A
SALEM, OREGON 97301-1271

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**WATER RESOURCES DEPT
SALEM, OREGON**

Place a (✓) in the box if the item is satisfied	<p align="center">Division 315 - Other Than Muni or Quasi-Muni Extension of Time Application - Completeness Checklist OAR 690-315-0020</p>	
✓	The appropriate extension of time fee (as specified in ORS 536.050). \$100 - applications received prior to October 1, 2003 (\$250) applications received on or after October 1, 2003	[OAR 690-315-0020(3)]
✓	The name and mailing address of the water right permit holder(s);	[OAR 690-315-0020(3)(a)]
✓	The application number and the permit number for which an extension is requested;	[OAR 690-315-0020(3)(b)]
	If the water right permit holder receives delivery of the subject water right permit from a municipality, municipal corporation, or other special district, the applicant shall provide the name of the entity and evidence that a copy of the application for extension of time has been provided to the entity responsible for delivering the water; [OAR 690-315-0020(3)(c)]	
yes	Evidence of the actions taken to begin actual construction within the time period in the permit or previous extension: <ul style="list-style-type: none"> • "Actual construction" means physical work performed towards completion of the water system, which demonstrates both the present good faith of the water right permit holder and the water right permit holder's intention to complete the project with reasonable diligence; • "Actual construction" does not include planning a diversion system, formulating a business plan, securing financing, letting contracts, purchasing but not installing equipment, or surveying. [OAR 690-315-0020(3)(d)] 	
✓	Evidence of progress made toward completion of the water development and application to full beneficial use, which includes but is not limited to: [OAR 690-315-0020(3)(e)] <ul style="list-style-type: none"> • The annual accomplishments toward perfecting the water right under the terms and conditions of the permit, including the dates on which each condition contained in the relevant permit and any previous extension(s) was satisfied or the reason the condition was not satisfied; <i>meter annual water use records - no contract w/ OLM (yes) fish screen - contacting upfun</i> • The maximum rate of diversion, if any, made to date; and <i>6.5 AF of 900 (17%)</i> • If for irrigation, a listing by year of the number of acres irrigated each year since permit issuance, the total number of acres irrigated to date under the permit or previous extension, and a copy of the application map showing the acres irrigated. <i>20/257.33 (7%)</i> 	
	A description of financial expenditures made toward completion of the water development; <i>500,000 (OAR 690-315-0020(3)(f))</i>	
	An estimate of the cost to complete the water development; <i>800,000</i> [OAR 690-315-0020(3)(g)]	
✓	A summary of any additional unforeseen events which delayed completion of the water development or application of water to full beneficial use, including other governmental requirements, if any, relating to the project which have significantly delayed completion of construction or perfection of the right; [OAR 690-315-0020(3)(h)]	
✓	The date by which the water development will be completed and water put to full beneficial use; [OAR 690-315-0020(3)(i)]	
-	A summary of the applicant's plan and schedule to complete construction and/or perfect the water right; [OAR 690-315-0020(3)(j)]	
✓	Justification of why the requested time is needed to complete the project and/or apply the water to full beneficial use; [OAR 690-315-0020(3)(k)]	
-	A description of any undue hardship to the applicant which will result from denial of the extension, and that there are no other reasonable alternatives for meeting water use needs; [OAR 690-315-0020(3)(l)] <i>(NOTE: The permit holder is not asked to answer this specific question when filling out the Extension of Time Application. The Department decided this was a finding that should be determined by staff. In order to make this determination, review the Extension of Time Application and documentation in the file record. Generally, a denied extension of time may result in possible loss of investments made in the project, loss of future property value, and/or loss of future income.</i>	
-	Any other information the applicant determines is relevant to evaluate the application in accordance with applicable statutes and these rules; [OAR 690-315-0020(3)(m)]	
-	Any other information required in the application form that is necessary to evaluate the application in accordance with applicable statutory requirements; and [OAR 690-315-0020(3)(n)]	
	Signature(s) of the water right permit holder(s).	

Name of Reviewer: Ann Reace Date: 5-9-06



United States Department of the Interior

BUREAU OF RECLAMATION
Pacific Northwest Region
1150 North Curtis Road, Suite 100
Boise, Idaho 83706-1234

IN REPLY
REFER TO:

PN-3322
WTR-4.00

MAY 14 2002

Mr. Ron Boehm
c/o Mr. Rick Daniels
PO Box 697
Shady Cove OR 97539

Subject: Water Service Contract No. 029E101352, Lost Creek Reservoir, Rogue River Basin
Project, Oregon

Dear Mr. Boehm:

Enclosed for your records is a fully executed original and one copy of Contract No. 029E101352, which provides for the irrigation use of up to 900 acre-feet of stored water from Lost Creek Reservoir commencing with the 2002 irrigation season.

Thank you for promptly executing the subject contract. If you have any questions about the contract, please contact Michael Cobell at the above address or telephone (208) 378-5223. Should you have any billing questions, please call Nancy Catron at (208) 378-5065.

Sincerely,

Ryan M. Patterson
Program Manager
Lands and Repayment

Enclosures

cc: Water Rights Division
Oregon Water Resources Department
Attention: Kerry Lefever
158 12th Street NE
Salem OR 97310
(Ref. File No: S-84706)

US Army Corps of Engineers
Attention: CENWP-EC-HR
PO Box 2946
Portland OR 97208

Mr. Larry Menteer
District 13 Watermaster
10 S Oakdale, Room 106
Medford OR 97501
(each w/copy of contract)

Mr. Gary Kaiser
Kaiser Surveying
19440 Highway 62
Eagle Point OR 97524

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app S-84706

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION

Rogue River Basin Project, Oregon

CONTRACT FOR WATER SERVICE

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UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION

Rogue River Basin Project, Oregon

CONTRACT FOR WATER SERVICE

THIS CONTRACT, made this 14th day of May, 2002, pursuant to section 9(e) of the Act of August 4, 1939 (53 Stat. 1187), and section 8 of the Act of December 22, 1944 (58 Stat. 887, 891), (which acts are commonly known and referred to as the Reclamation Laws), and the Flood Control Act of 1962 (76 Stat. 1173), between the UNITED STATES OF AMERICA, hereinafter referred to as the United States, represented by the Contracting Officer executing this contract, and Ron Boehm, hereinafter referred to as the Contractor;

WITNESSETH, THAT:

Explanatory Recitals

2. WHEREAS, The United States has constructed and operates Applegate and Lost Creek Reservoirs in the Rogue River Basin, Oregon, herein styled the Rogue River Basin Project, from which there is a flow of water that can be used for irrigation of land and other beneficial uses, which flow, as it has been developed or as it will be augmented, has been appropriated by the United States pursuant to the laws of Oregon for beneficial use under the Federal Reclamation Laws; and

3. WHEREAS, the Contractor owns land hereinafter described, for which a water supply from Lost Creek Reservoir is desired to be secured from the United States;

NOW, THEREFORE, in consideration of the premises and the payment by the Contractor to the United States of the charges in the manner hereinafter provided, it is agreed:

Lands for Which Water is Furnished: Limitations on Deliveries

4. The United States shall make available each year to the Contractor during the irrigation season from April 1 to October 31, inclusive, water from the Rogue River Basin Project for the irrigation of land owned by the Contractor described as follows:

- 11.3 acres, SE1/4 NW1/4, Section 16, T. 34 S., R. 1 W., W.M.
- 32.6 acres, NW1/4 NE1/4, Section 16, T. 34 S., R. 1 W., W.M
- 5.0 acre , SE1/4 NE1/4, Section 16, T. 34 S., R. 1 W., W.M.
- 32.9 acres, SW1/4 NE1/4, Section 16, T. 34 S., R. 1 W., W.M.
- 0.63 acre , NE1/4 SE1/4, Section 16, T. 34 S., R. 1 W., W.M.
- ✓23.8 acres, NW1/4 NE1/4, Section 8, T. 34 S., R. 1 W., W.M.
- ✓23.8 acres, NE1/4 NE1/4, Section 8, T. 34 S., R. 1 W., W.M.
- 32.4 acres, SW1/4 NE1/4, Section 8, T. 34 S., R. 1 W., W.M.
- ✓40.0 acres, SE1/4 NE1/4, Section 8, T. 34 S., R. 1 W., W.M.
- ✓14.9 acres, NE1/4 SE1/4, Section 8, T. 34 S., R. 1 W., W.M.
- ✓10.0 acres, SW1/4 SE1/4, Section 8, T. 34 S., R. 1 W., W.M.
- 30.0 acres, SE1/4 SE1/4, Section 8, T. 34 S., R. 1 W., W.M.

Of the land described, not more than 257.33 acres are to be irrigated. The amount of water to be made available hereunder shall be that quantity which may be applied beneficially in accordance with good usage in the irrigation of the land above described, but not to exceed a maximum diversion of 900 acre-feet of stored water annually, measured at the point of delivery of said water.

Payments for Water

5. (a) An annual payment of \$7,200 for the first irrigation season shall be made to the United States at the time of executing this contract, and subsequent annual payments of \$7,200

will be due on or before April 1 of each succeeding irrigation season in advance of water use. This payment will entitle the Contractor to receive not to exceed 900 acre-feet of stored water for irrigation of the lands described in Article 4 of this contract. The Contracting Officer will consider adjusting the water service payment downward based on information received from the Contractor, the State of Oregon, or other reliable sources as to the actual amount of stored water delivered each month to the Contractor during the irrigation season and on other factors in addition to the amount of stored water actually delivered, as deemed appropriate by the Contracting Officer. Any such adjustment will be determined and subtracted for the payment for the next year by the Contracting Officer: Provided, that in order for an adjustment to be made, information on the amounts of water and stored water delivered each month must be received in writing by the Contracting Officer by December 1 of that year.

(b) The annual charge set forth in (a) above is based on an initial rate of \$8 per acre-foot of stored water; Provided, that such annual charge shall as a minimum be the greater of either the product of \$2 multiplied by the number of acres described in Article 4 of this contract or \$50. From time to time, but not less often than once every 5 years, the rate per acre-foot of stored water and the minimum payment shall be reviewed by the Contracting Officer and revised, if necessary, by the United States for the irrigation water marketing program of the Rogue River Basin Project. Any revision by the Contracting Officer will apply only to future payments and shall be announced by written notice to the Contractor at least 3 months prior to the beginning of the irrigation season to which the new rate would be applicable.

(c) All payments from the Contractor to the United States under this contract shall be made by the medium requested by the United States. The required medium of payment

may include checks, wire transfers, or other types of payment specified by the United States.

Except when otherwise specified by the United States, all payments shall be made by check.

(d) Payments required hereunder shall be made to the Bureau of Reclamation at the location described in Article 14 of this contract.

Contract Administration Fee

6. (a) Upon execution of this contract, a \$100 fee for the preparation of this contract is due and payable by the Contractor to the United States.

(b) All future contract actions, including new contracts, contract amendments, supplements, and assignments will be charged a \$100 fee: Provided, That the fee shall be reviewed by the Contracting Officer and revised from time to time to cover costs to the United States.

Charges for Delinquent Payments

7. (a) The Contractor shall be subject to interest, administrative, and penalty charges on delinquent installments or payments. When a payment is not received by the due date, the Contractor shall pay an interest charge for each day the payment is delinquent beyond the due date. When a payment becomes 60 days delinquent, the Contractor shall pay an administrative charge to cover additional costs of billing and processing the delinquent payment. When a payment is delinquent 90 days or more, the Contractor shall pay an additional penalty charge of 6 percent per year for each day the payment is delinquent beyond the due date. Further, the Contractor shall pay any fees incurred for debt collection services associated with a delinquent payment.

(b) The interest charge rate shall be the greater of the rate prescribed quarterly in the Federal Register by the Department of the Treasury for application to overdue payments, or the interest rate of 0.5 percent per month prescribed by section 6 of the Reclamation Project Act of 1939 (Public Law 76-260). The interest charge rate shall be determined as of the due date and remain fixed for the duration of the delinquent period.

(c) When a partial payment on a delinquent account is received, the amount received shall be applied, first to the penalty, second to the administrative charges, third to the accrued interest, and finally to the overdue payment.

Furnishing of Water

8. (a) Upon payment of the annual payment specified in subarticle 5(a) above, the United States will furnish water to the Contractor from the Rogue River Basin Project pursuant to this contract. No water shall be furnished if the Contractor is delinquent in payment of the required annual payment.

(b) Water for the purposes hereof shall be made available and measured at the following point(s) of diversion:

790 feet South and 350 feet West of the East one-quarter corner of Section 16, T. 34S., R. 1W., W.M. The Contractor shall receive said water at the point of diversion and shall be wholly responsible for securing said water at that point and diverting, conveying, and utilizing it. The Contractor shall be required to conform its diversions and releases to the control of the stream as established by the appropriate State-appointed watermaster. The water to be delivered hereunder shall be measured by means of measuring or controlling devices satisfactory to the Contracting Officer. Such devices shall be furnished, installed, and maintained by and at the expense of the Contractor, but they shall be and remain at all times available for reading and monitoring by the United States or the watermaster whose representative may at all times have access to them over any lands of the Contractor. All losses of water from seepage, evaporation, or other cause, below said point of measurement, shall be borne by the Contractor.

(c) The Contractor and all other entities heretofore or hereafter contracting with the United States for a right to use water from the Rogue River Basin Project shall, to the extent of their entitlement, have equal priority to the use of water from such project so far as that may be physically practicable and legally possible, without regard to the date of their respective contracts.

Special Conditions

9. (a) It is the responsibility of the Contractor to comply with the laws of the State of Oregon regarding the obtaining and perfecting of permits to divert water to the lands described in Article 4. Prior to executing this contract, the Contractor shall secure any easements from the Corps of Engineers which may be required for constructing facilities to divert and convey the stored water and provide written verification of such agreements to the Contracting Officer. The obligation of the United States to deliver water under this contract is subject to an operating plan for the Rogue River Basin Project determined in accordance with the law governing the project.

(b) If, at some future date, the Contracting Officer determines there is sufficient demand for irrigation water from the Rogue River Basin Project to justify the formation of an irrigation district, water supply company, or other water user organization, future water service may then be made contingent upon the establishment of such an organization. Under this condition, the Contractor will be notified at least 1 year in advance of the date this contract is terminated and continued water service to the lands described in Article 4 becomes dependent upon membership in the organization established for that purpose.

(c) In the interest of conservation and protection of environmental resources, from time to time, but not less often than once every 5 years, this contract shall be reviewed by the Contracting Officer. The terms and conditions of this contract may be modified, if deemed necessary by the Contracting Officer, to avoid or minimize impacts to candidate, listed or proposed threatened and endangered species, or other valuable natural resources. Any modification by the Contracting Officer shall be announced by written notice to the Contractor.

Term of Contract

10. (a) This contract shall become effective as of the date first above written and will have a term of not to exceed 10 years; Provided; that this contract will automatically renew for a term of not to exceed 10 years at the end of 10, 20, and 30 years from the date first above written unless sooner terminated in accordance with Articles 9 or 11, or by agreement of the parties hereto, or unilaterally as set forth in (b) below, Provided however; that this contract does not qualify as a long-term contract under the Act of July 2, 1956 (70 Stat. 483) and in no event shall this contract be in effect beyond 40 years through automatic renewals.

(b) Either the Contracting Officer or the Contractor may terminate this contract unilaterally following the first 10-year term or any year thereafter, provided the terminating party has given at least 2 years advance notice in writing to the other party.

Termination of Contract

11. This contract may be terminated and water service hereunder shall cease at the option of the United States or at any time if the Contractor is delinquent in payment of the water service charge for a period of 90 days or upon failure of the Contractor to abide by any notice, order, rule, or regulation of the United States or the State of Oregon now or hereafter established affecting water service hereunder.

United States Not Liable for Water Shortages--Adjustments

12. On account of drought or uncontrollable forces, there may occur a shortage in the total quantity of water available for furnishing to the Contractor by the United States pursuant to this contract. In no event shall any liability accrue against the United States or any of its officers, agents, or employees for any damage direct or indirect arising from such shortages. If such a

shortage occurs, the United States will apportion the available water supply among the Contractor and others entitled by existing and future contracts to receive water from the Rogue River Basin Project.

Disclaimer

13. No provision of this contract, nor of any renewal thereof, nor the furnishing of water hereunder will be construed to bind the United States after the expiration of this contract as the basis of a permanent water right. Because of possible fluctuations in reservoir surface elevations and downstream flows associated with the Rogue River Basin Project, the United States does not guarantee the availability of water at the point of the Contractor's diversion facilities as they may now be constructed or constructed hereafter. Further, the United States will not be held responsible for any acts or omissions of the Contractor's agents or of persons to whom water is furnished.

Notices

14. Any notice, demand, or request authorized or required by this contract shall be deemed to have been given, on behalf of the Contractor, when mailed, postage prepaid, or delivered to the Program Manager, Lands and Repayment, Pacific Northwest Region, Bureau of Reclamation, 1150 N. Curtis Road, Suite 100, Boise, Idaho 83706-1234, and on behalf of the United States, when mailed, postage prepaid, or delivered to Ron Boehm, PO Box 697, Shady Cove OR 97539. The designation of the addressee or the address may be changed by notice given in the same manner as provided in this article for other notices.

General Provisions

15. The general provisions applicable to this contract are listed below. The full text of these general provisions is attached as Exhibit A and is hereby made a part of this contract.

- a. CONTINGENT ON APPROPRIATION OR ALLOTMENT OF FUNDS
- b. WATER AND AIR POLLUTION CONTROL
- c. QUALITY OF WATER

- d. EQUAL OPPORTUNITY
- e. COMPLIANCE WITH RECLAMATION LAWS
- f. ASSIGNMENT LIMITED--SUCCESSORS AND ASSIGNS OBLIGATED
- g. OFFICIALS NOT TO BENEFIT
- h. WATER CONSERVATION
- i. HAZARDOUS MATERIALS

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IN WITNESS WHEREOF, the parties hereto have signed their names the day and year first
above written.

CONTRACTOR

Ron Boehm By Rick Davis
Ron Boehm P.O. A.

UNITED STATES OF AMERICA

Ryan M. Patterson
Program Manager, Lands and Repayment
PN Region
Bureau of Reclamation
1150 N. Curtis Road, Suite 100
Boise ID 83706-1234

STATE OF OREGON)
: ss
County of JACKSON)

On this 30th day of May, 2002, before me, a notary public, personally appeared RICK DANIELS POA FOR RON J. BOEHM known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged that he is the legal owner of the property for which a water supply is to be provided under the contract and has executed this contract as his free and voluntary act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal as of the day and year first above written.



(SEAL)

Pamela L. Reeves
Notary Public in and for the
State of OREGON
Residing at: Shady Cove OREGON
My commission expires: 10-4-02

STATE OF IDAHO)
: ss
County of Ada)

On this 14th day of May, 2002, personally appeared before me Ryan M. Patterson, to me known to be the official of the UNITED STATES OF AMERICA that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of said United States, for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal as of the day and year first above written.

(SEAL)



Kraig R. Howe
Notary Public in and for the
State of IDAHO
Residing at: Boise
My commission expires: 1/22/08

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GENERAL PROVISIONS --- ROGUE RIVER BASIN PROJECT

CONTINGENT ON APPROPRIATION OR ALLOTMENT OF FUNDS

a. The expenditure or advance of any money or the performance of any obligation of the United States under this contract shall be contingent upon appropriation or allotment of funds. Absence of appropriation or allotment of funds shall not relieve the Contractor from any obligations under this contract. No liability shall accrue to the United States in case such funds are not appropriated or allotted.

WATER AND AIR POLLUTION CONTROL

b. The Contractor, in carrying out this contract, shall comply with all applicable water and air pollution laws and regulations of the United States and the State of Oregon, and shall obtain all required permits or licenses from the appropriate Federal, State, or local authorities.

QUALITY OF WATER

c. The operation and maintenance of project facilities shall be performed in such manner as is practicable to maintain the quality of raw water made available through such facilities at the highest level reasonably attainable, as determined by the Contracting Officer. The United States does not warrant the quality of water and is under no obligation to construct or furnish water treatment facilities to maintain or better the quality of water.

EQUAL OPPORTUNITY

d. During the performance of this contract, the Contractor agrees as follows:

(1) The Contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The Contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex, or national origin. Such action shall include, but not be limited to, the following: Employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Contracting Officer setting forth the provisions of this nondiscrimination clause.

(2) The Contractor will, in all solicitations or advertisements for employees placed by or on behalf of the Contractor, state that all qualified applicants will receive consideration for employment without discrimination because of race, color, religion, sex, or national origin.

(3) The Contractor will send to each labor union or representative of workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the Contracting Officer, advising the said labor union or workers' representative of the Contractor's commitments under Section 202 of Executive Order 11246 of September 24, 1965, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

(4) The Contractor will comply with all provisions of Executive Order No. 11246 of September 24, 1965, as amended, and of the rules, regulations, and relevant orders of the Secretary of Labor.

(5) The Contractor will furnish all information and reports required by said amended Executive Order and by the rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to its

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books, records, and accounts by the Contracting Officer and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

(6) In the event of the Contractor's noncompliance with the nondiscrimination clauses of this contract or with any of the such rules, regulations, or orders, this contract may be canceled, terminated, or suspended, in whole or in part, and the Contractor may be declared ineligible for further Government contracts in accordance with procedures authorized in said amended Executive Order, and such other sanctions may be imposed and remedies invoked as provided in said Executive Order, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.

(7) The Contractor will include the provisions of paragraphs (1) through (7) in every subcontract or purchase order unless exempted by the rules, regulations, or orders of the Secretary of Labor issued pursuant to Section 204 of said amended Executive Order, so that such provisions will be binding upon each subcontractor or vendor. The Contractor will take such action with respect to any subcontract or purchase order as may be directed by the Secretary of Labor as a means of enforcing such provisions, including sanctions for noncompliance: Provided, however, That in the event the Contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction, the Contractor may request the United States to enter into such litigation to protect the interests of the United States.

COMPLIANCE WITH RECLAMATION LAWS

e. The parties agree that the delivery of irrigation water or use of Federal facilities pursuant to this contract is subject to Federal reclamation law, including, but not limited to the Reclamation Reform Act of 1982 (43 U.S.C. 390aa *et seq.*), as amended and supplemented, and the rules and regulations promulgated by the Secretary of the Interior under Federal reclamation law.

ASSIGNMENT LIMITED--SUCCESSORS AND ASSIGNS OBLIGATED

f. The provisions of this contract shall apply to and bind the successors and assigns of the parties hereto, but no assignment or transfer of this contract or any right or interest therein shall be valid until approved in writing by the Contracting Officer.

OFFICIALS NOT TO BENEFIT

g. No Member of or Delegate to Congress, Resident Commissioner or official of the Contractor shall benefit from this contract other than as a water user or landowner in the same manner as other water users or landowners.

WATER CONSERVATION

h. Prior to the delivery of water provided from or conveyed through federally constructed or federally financed facilities pursuant to this contract, the Contractor shall develop an effective water conservation program acceptable to the Contracting Officer. The water conservation program shall contain definite water conservation objectives, appropriate economically feasible water conservation measures, and time schedules for meeting those objectives. At subsequent 5-year intervals, the Contractor shall submit a report on the results of the program to the Contracting Officer for review. Based on the conclusions of the review, the Contracting Officer and the Contractor shall consult and agree to continue or to revise the existing water conservation program.

HAZARDOUS MATERIALS

i. During the performance of this contract, the Contractor agrees as follows:

(1) The Contractor shall comply with all applicable Federal, State, and local laws and regulations, and Reclamation policies and instructions, existing or hereafter enacted or promulgated, concerning any hazardous material that will be used, produced, transported, stored or disposed of on or in lands, waters or facilities owned by the United States or administered by Reclamation.

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(2) "Hazardous material" means any substance, pollutant or contaminant listed as hazardous under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, 42 U.S.C. § 9601, et seq., and the regulations promulgated pursuant to that Act.

(3) The Contractor may not allow contamination of lands, waters or facilities owned by the United States or administered by Reclamation by hazardous materials, thermal pollution, refuse, garbage, sewage, effluent, industrial waste, petroleum products, mine tailings, mineral salts, pesticides (including, but not limited to, the misuse of pesticides), pesticide containers or any other pollutants.

(4) The Contractor shall report to Reclamation, within 24 hours of its occurrence, any event which may or does result in pollution or contamination adversely affecting lands, water or facilities owned by the United States or administered by Reclamation.

(5) Violation of any of the provisions of this Article shall constitute grounds for immediate termination of this contract and shall make the Contractor liable for the cost of full and complete remediation and/or restoration of any Federal resources or facilities that are adversely affected as a result of the violation.

(6) The Contractor agrees to include the provision contained in paragraphs (1) through (5) of this Article in any subcontract or third party contract it may enter into pursuant to this contract.

(7) Reclamation agrees to provide information necessary for the Contractor, using reasonable diligence, to comply with the provision of this Article.

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Oregon Water Resources Department

DATA/CORRECTIONS REQUEST

(Correction Tracking Slip)

To: Water Rights

Date: 12/11/02

From: Larry Manteer

Office Location: Dist 13 - Medford

Phone no. (541) 774-6880

Nature of Correction: File Location

Certificate no. _____ Permit no. 5-53818

Application no. 5-84706 IR PFO FO Other _____

Description: See Attached Sheet

Water source is Lost Creek Reservoir which should be filed in Vol 1A Rogue River since - not Indian Creek Vol 2A.
4/2/03 - sent to Jana to correct in WRIS. jd/DF.

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Corrected by:

Phone no.

Ext.

Return/Completed Date

WATER RIGHTS

FO CHECKLIST

FILE # S-84706
PFO WEEK # 360
FO WEEK # 347

PFO TO FO CONVERSION

REVIEW DATE: 8/14/02
INITIALS: SWG
WM District: 13
Region Mgr: SWG
ODFW Bio: Serry Ugt

Y / N Has applicant name and/or address changed; or has the file been assigned?

If new: _____

In preparing to create the FO, you should check the following:

1. Y / N Were comments received? If so, from whom and when? _____
Respond to significant comments, issues, or disputes related to the proposed use of water (see notes, if any, listed above)

2. OK On the PFO CC list, verify names and mailing addresses of ALL commentors (regardless of comment date, affected landowners, and those who paid the \$10 fee.
Richard E. & Laurel L. Gasbar, 7426 Rogue River Rd, Steady Cove OR 97539

3. Y / N / NA Have affected land owners been notified? If not, refer to #8.

4. Y / N / NA Has ODFW asked for self certification of screening condition? If yes, include fish screening form.

5. Correct PFO errors (such as POD or POU location (verify from map)

6. NA Are requested GW conditions included in permit? If no, add condition(s): _____

7. _____ Verify Payment of recording fees (circle the appropriate option)

(1) Issue FO w/permit if fees are paid — Prepare refund request for excess fees, including standing fees if no protest is filed and no modifications are being made to the PFO.

(2) Issue FO w/o permit if fees are lacking.

1029.32

1st CFS/AF _____
Addnl. _____
TOTAL Q _____

Exam Fee Paid	<u>100</u>	
Q fee	<u>1204.83</u>	
Subtotal	<u>1204.83</u>	
Recording Fee	<u>175</u>	
Total	<u>1379.83</u>	
Amount Paid	<u>1379.83</u>	<input checked="" type="checkbox"/>
Amount due/refund	<u>7150</u>	

1029.32 AF

8. Y / N Is further processing possible? If not state reason: _____

FO Type: (circle types) DENIAL

Conflict = NO

FO w/o PERMIT (REASON: Lacks Fees Lacks Easement Lacks Approved Dam Plans and Specifications)

FO & PERMIT (Permit # 534616)

Once FO document is completed:

9. Save WordPerfect document in S:\GROUPS\WR\FO\WEEK 347

10. _____ Print final draft of document and submit for peer review. Peer Reviewer: _____

11. Complete routing list

The purpose of this checklist is to be used as a working document by Department staff to aid in the production of the related Initial Review, Proposed Final Order, or Final Order. It is not intended to be a complete record of all factors which were considered to produce the document, nor is it intended to serve any purpose other than that stated above.
The related Initial Review, Proposed Final Order, or Final Order is intended to stand alone as the record of factors considered in its production

Plat Card Report for: *Township: 34S, Range: 1W Section: 8*

Application	Permit	Certificate	Status lot/dlc	NE				NW				SW				SE				Gov't Lot	dlc
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
S 72386	S 53322			IM	IM	IM	IM	IM	IM	IM	IM	IM	IM	IM	IM	IM	IM	IM			
5/4/1992																					
P 77801																					
1/3/1995																					
S 84706				23.800 IR	23.800 IR	32.400 IR	40.000 IR									14.900 IR		10.000 IR	30.000 IR		
4/11/2001																					

Sif

Go to 34S, 1W, 8 page: 1

Go to Section: 16 8

[Return to Plat Card Search Page.](#)

NOTE: Please read the disclaimer before using this information.

Frequently asked questions and the abbreviations (water use codes) noted above are discussed in our Plat Card [FAQ](#).

Plat Card Report for: *Township: 34S, Range: 1W Section: 16*

Application	Permit	Certificate	Status lot/dlc	NE				NW				SW				SE				Gov't Lot	dlc	
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
S 20106 12/16/1943	S 15664	<u>19511</u>	Cncl'd Lot: 3													8.400 IR Cncl'd						
S 29518 10/11/1954	S 23206	<u>24779</u>														0.500 IR						
<i>N/C</i> S 34114 7/13/1960	S 26888	<u>32094</u>	Lot: 1													1.000 IR						
S 34559 1/13/1961	S 27143	<u>36059</u>	Lot: 1																	1.100 IR		
<i>N/C</i> S 37467 3/12/1962	S 27942	<u>35846</u>	Lot: 1													0.200 IR					0.800 IR	
S 37619 5/7/1962	S 44909	<u>54021</u>																				
<i>N/C</i> S 37689 5/31/1962	S 28086	<u>34234</u>	Lot: 3													2.400 IR						
<i>N/C</i> S 40304 9/23/1964	S 30061	<u>35962</u>	Lot: 3													0.400 IR						
S 44244 11/13/1967	S 33048	<u>44603</u>																		3.200 IR		
S 46970 5/13/1970	S 35144	<u>51138</u>	Lot: 2																	0.600 IR		

Go to 34S, 1W, 16 page: <<Previous 1 2 3 4 Next >>

Go to Section: 16 8

[Return to Plat Card Search Page.](#)

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N/C - maps checked - no conflict

Plat Card Report for: *Township: 34S, Range: 1W Section: 16*

N/C
N/C
N/C

Application	Permit	Certificate	Status lot/dlc	NE				NW				SW				SE				Gov't Lot	dlc
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
S 47671	S 35668	43152																		0.200 IR	
10/25/1970		-	Lot: 1																		
S 47672	S 35669	43256																		0.250 IR	
10/26/1970		-	Lot: 1																		
S 53155	S 38783		Cncl																	2.500 IR Cncl	
5/21/1975																					
S 53211	S 39485	53440																		0.600 IR	
6/5/1975		-	Lot: 3																		
S 60315	S 45677	55755																			0.600 IR
7/3/1980		-	Lot: 1																		
S 69627	S 51697																			0.600 IR	
5/27/1988																					
S 72386	S 53322			IM	IM	IM	IM	IM	IM	IM	IM										
5/4/1992																					
S 77480	S 52783																				0.900 IR
3/9/1995																					
S 81173	S 53297		Cncl																	0.600 IS (s) Cncl	
5/29/1996																					
S 81173	S 53364																			0.600 IS (s)	
5/29/1996	*																				

Go to 34S, 1W, 16 page: <<Previous 1 2 3 4 Next >>

Go to Section: 16 8

[Return to Plat Card Search Page.](#)

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Plat Card Report for: *Township: 34S, Range: 1W Section: 16*

Application	Permit	Certificate	Status lot/dic	NE				NW				SW				SE				Gov't Lot	dtc
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
S 81726	S 53293		Cncl'd															0.160 IR Cncl'd	0.640 IR Cncl'd		
11/20/1996																					
S 81726	S 53368																	0.160 IR	0.640 IR		
11/20/1996	*																				
S 83750	S 53477																		0.500 IR		
1/12/1998																					
S 84666			Lot: 1																0.260 IR		
2/14/2001																					
S 84667			Lot: 1																0.360 IR		
2/14/2001																					
S 84706					32.600 IR	32.900 IR	5.000 IR					11.300 IR						0.630 IR			
4/11/2001																					

S/F

Go to 34S, 1W, 16 page: <<Previous [1](#) [2](#) [3](#) [4](#)

Go to Section: 16 [8](#)

[Return to Plat Card Search Page.](#)

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T.34S.,R.1W.,W.M.
Jackson County, Oregon
Tax Lot Nos. 341W 16 - 200, 400, 500, 501,
604 & 606, 341W 16DA - 200 & 1701

MAP TO ACCOMPANY AN
APPLICATION TO USE
SURFACE WATER

PREPARED BY:
Gary D. Kaiser
19440 Highway 62
Eagle Point, OR. 97524

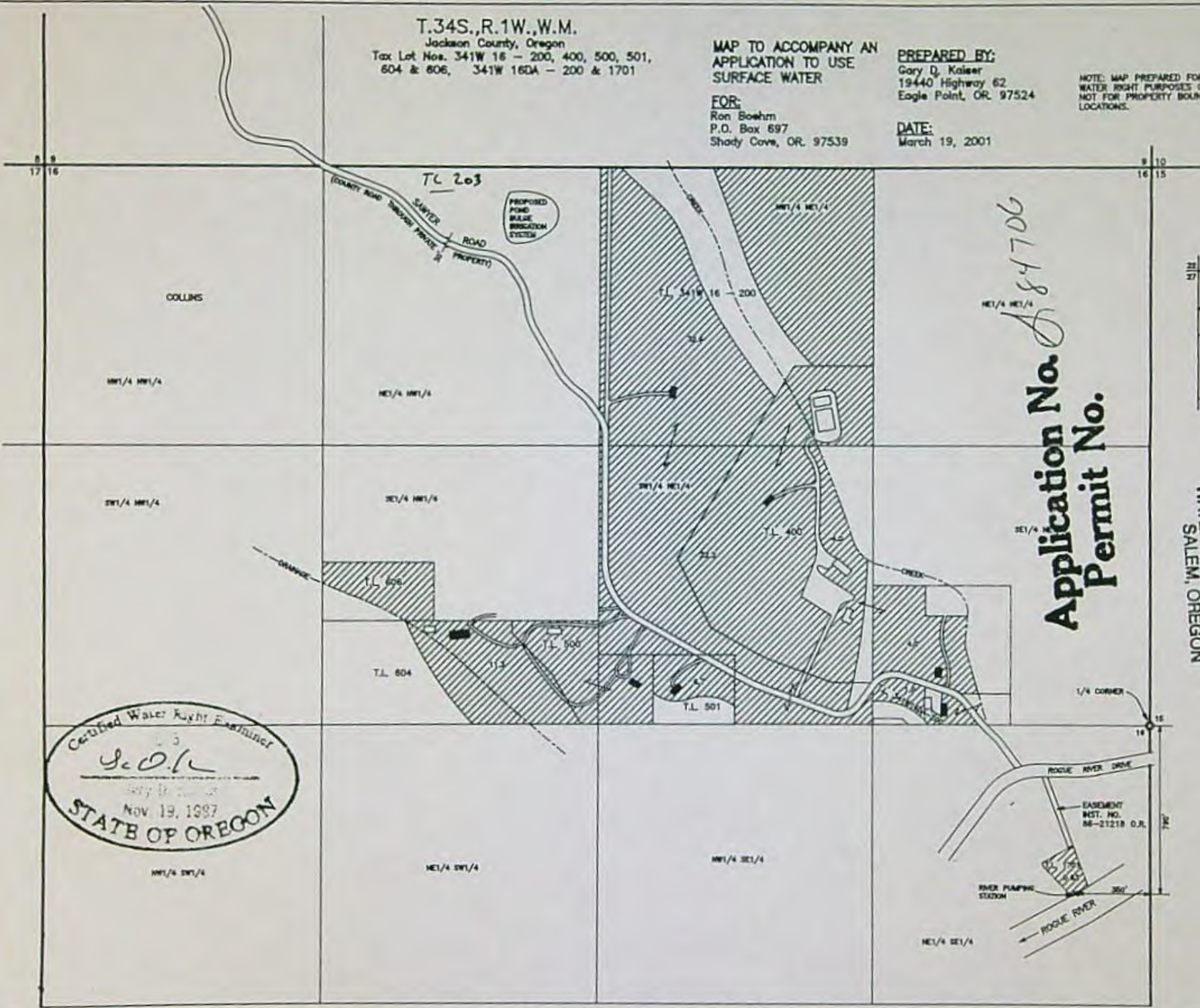
NOTE: MAP PREPARED FOR
WATER RIGHT PURPOSES ONLY,
NOT FOR PROPERTY BOUNDARY
LOCATIONS.

FOR:
Ron Boehm
P.O. Box 697
Shady Cove, OR. 97539

DATE:
March 19, 2001

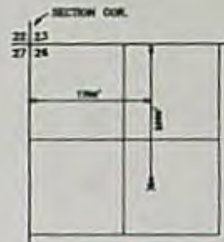


SCALE: NTS



Application No. 84706

Permit No.



LOST CREEK RESERVOIR
POINT OF DIVERSION
T.33S., R.1E., W.M.
SCALE: NTS

RECEIVED
MAR 26 2001
WATER RESOURCES DEPT.
SALEM, OREGON



T.34S.,R.1W.,W.M.
Jackson County, Oregon
Tax Lot Nos. 341W 8 - 102, 300,
301, 400, 403 & 404

RECEIVED

MAR 26 2001

WATER RESOURCES DEPT.
SALEM, OREGON

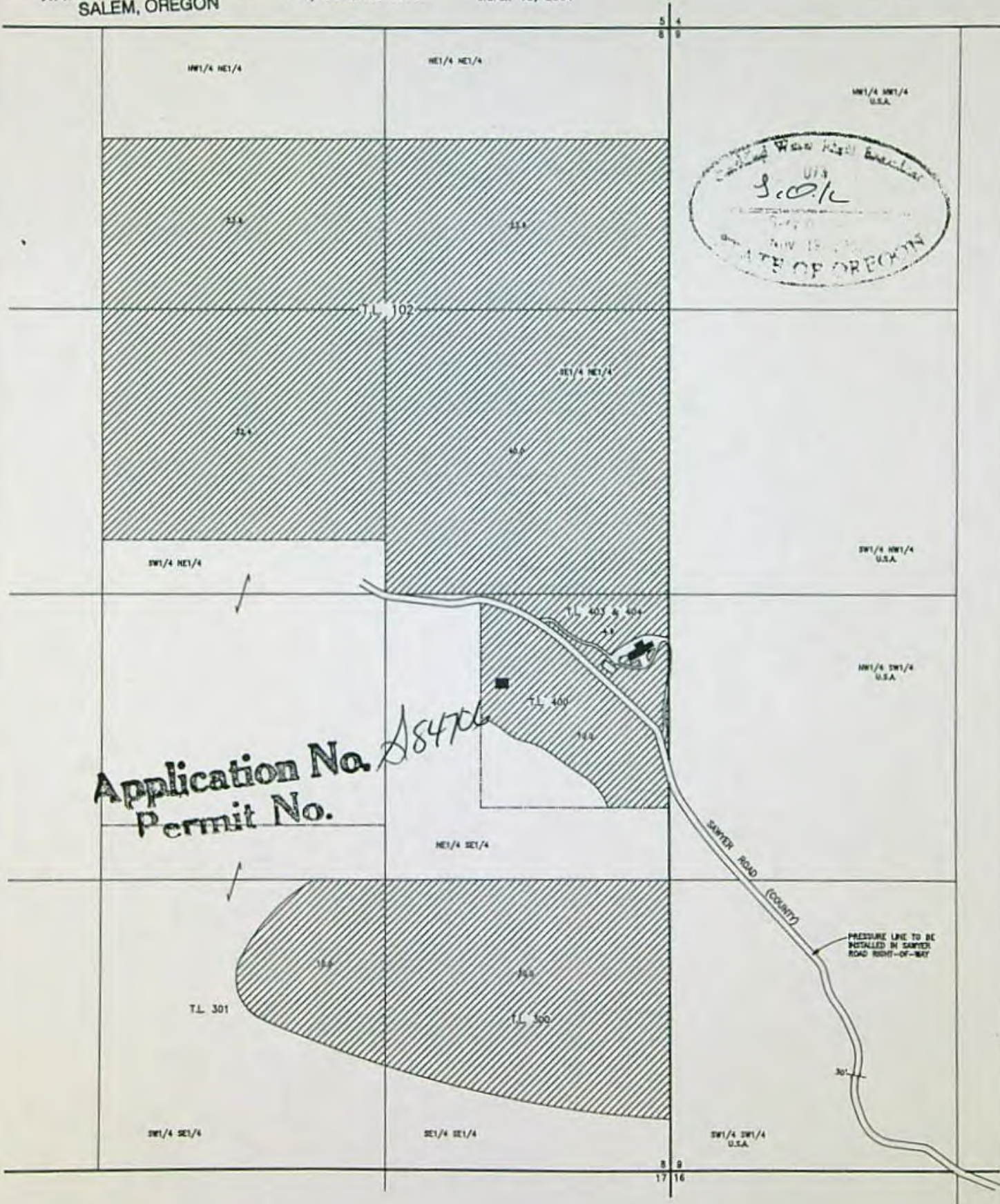
MAP TO ACCOMPANY AN
APPLICATION TO USE
SURFACE WATER

FOR:
Ron Boehm
P.O. Box 697
Shady Cove, OR. 97539

PREPARED BY:
Kaiser Surveying
19440 Highway 62
Eagle Point, OR. 97524

DATE:
March 19, 2001

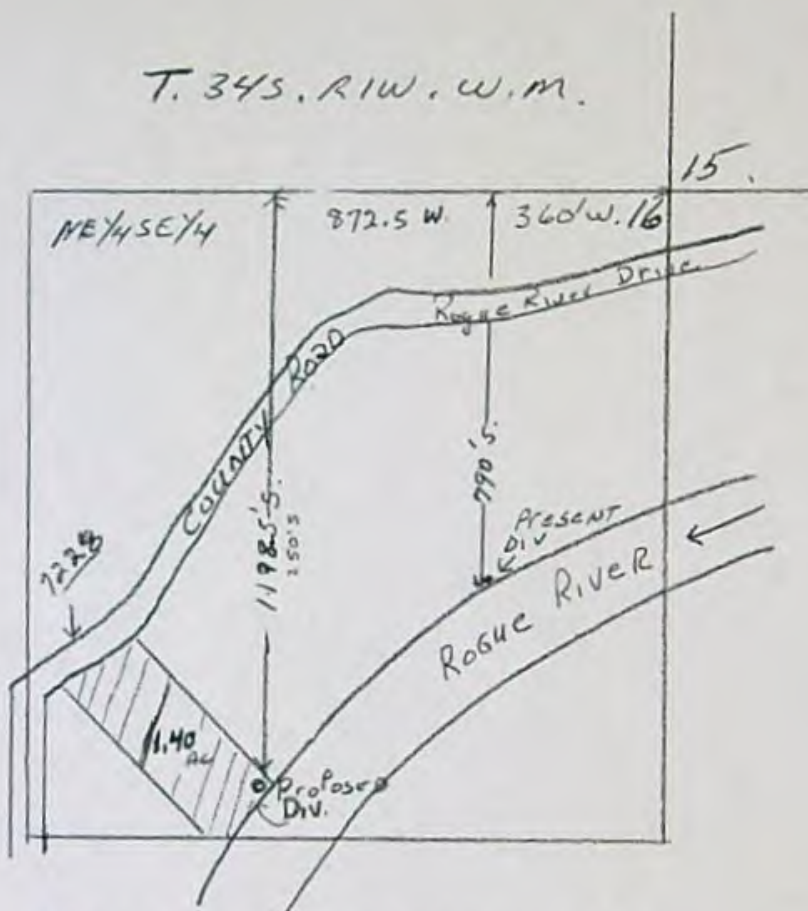
NOTE: MAP PREPARED FOR
WATER RIGHT PURPOSES ONLY,
NOT FOR PROPERTY BOUNDARY
LOCATIONS.



Almer R. and/or Mollie S. English
Change in Point of Diversion MAP

Priority - 12-15-43

T. 34S. R1W. W.M.



MAP TO ACCOMPANY APPLICATION OF
Almer R and/or Mollie S English FOR
C.I. P.O.D

SCALE 1" = 100'



3-22-77

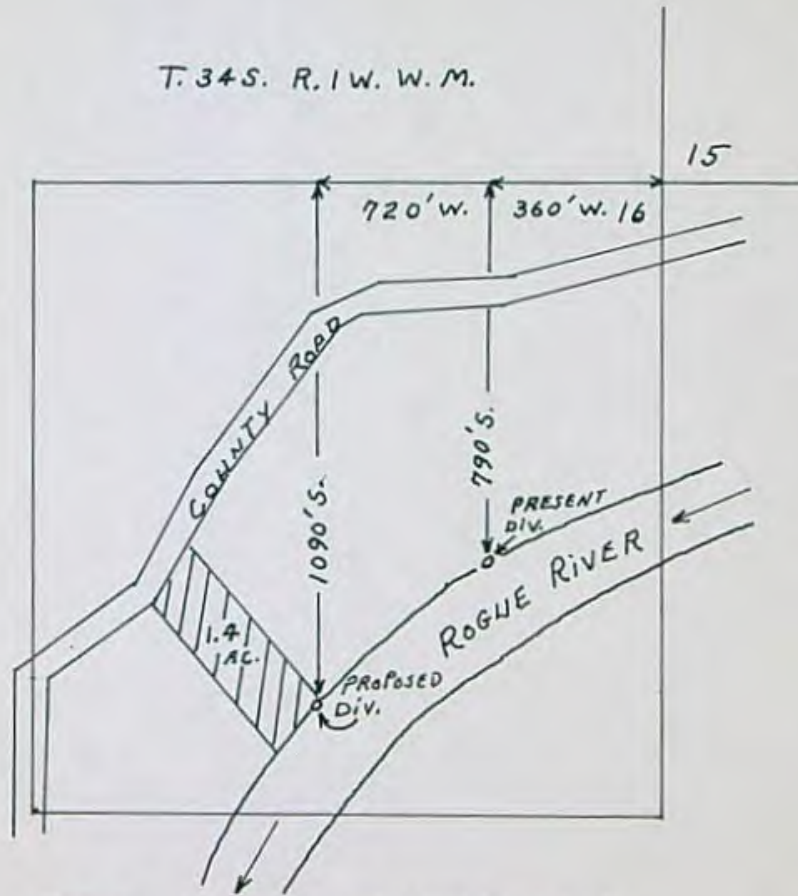
RECEIVED

MAR 22 1977

WATER

T# 2857

RECEIVED
DA JUL 20 1973
STATE ENGINEER
SALEM OREGON



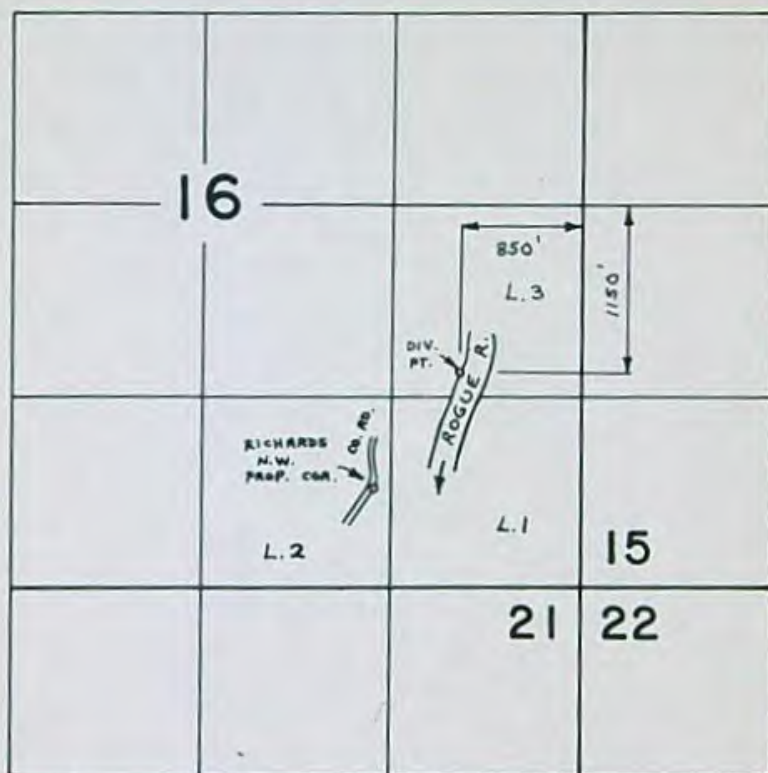
MAP TO ACCOMPANY APPLICATION OF
JOHN AND/OR YVONNE A. POPP FOR
C.I.P.O.D.

SCALE 1" = 400'



7-5-73

T. 34 S., R. 1 W., W.M.



FINAL PROOF SURVEY UNDER

Transfer No. 3601

Application No. _____ Permit No. _____
IN NAME OF

Gordon F. & Earlene J. Tidwell

OCT. 19 78 B. SUND
Surveyed _____ 19____, by _____

D.H.M.

P.T.S. - 1978 - 14 - D

PFO CHECKLIST

Application #: S 84706
County Jackson Basin: 15 - ROGUE
Township 34S Range 1W Section 16 1/4 1/4 POD - NESE

1. Shortcomings preventing PFO, FO, or permit? Y/N Should process continue Y/N

2. Groundwater Review A B C D River/Stream Name _____

a. Groundwater Availability A B C

b. Is second groundwater review complete? Y/N necessary? Y/N

c. Is the well located in a GWLA or CA? Y/N (If Y or close include map of POD) Area _____

3. Is use from BOR / Doug Co. project? Y/N Contract in file? N / Contract # 029E101352

4. Is the use allowed by the Basin Program? Y/N Limited? Y/N OAR 690-515 - Upper Rogue

5. Water Availability Data OK / REDONE / NA (80% live flow & 50% storage) Stored water BOR

6. Is the source withdrawn or limited by statute or Department order? Y/N

7. Is the Proposed Use located in or above a SWW? Y/N Rogue

8. Division 33 Y/N/NA Above Bonn (after July 17, 1992) Y/N Limit to April 15 - September 30 Y/N
Below Bonn (after April 8, 1994; June 3, 1994) Y/N add PISPC Y/N
Statewide - (in shaded areas on T, E, and S Map - after June 3, 1994) Y/N

9. IR identifies as on DEQ 303d List? Y/N/NA Comments received? Y/N

10. Rate 180
Duty 442 Season: Normal 3/1 - 10/31 Req 3/1 - 10/31

11. Rate: Max 1157.985 AF Req 1029.32 AF
257.33 x 4.5 =

12. Small (<=0.1cfs, <=9.2AF), Medium (>0.1 or <1.5cfs, >9.2 or <100AF) or Large (>1.5 cfs, >=100 AF)
condition 7I and municipal require the Large condition

13. Conditions BOR / ODFW / BS4C
New River Basin or Bonanza? Y/N/NA (see M:\groups\wr\pfo\findings & other lang)

14. IR Date 2/22/02 Public Notice Date 3/12/02 Comment Rec'd NO

15. Filed after 10/23/99? Y/N (if Y A date should be removed)

16. Watermaster Dist: (1 2 16 18 20 - NWR) (3 4 5 21 - NCR) (6 8 9 10 - ER) (11 12 17 - SCR) (13 14 15 19 - SWR)

17. CWRE, representatives or Property owners to notify? Y/N
summary: Gary D. Kaiser CWRE
ODFW, Jerry Vogt

\$175
over fees

initials: JMG Date: 6/9/02

#1

EXAM: 100

$$10 \times 10 = 100$$

1030

$$\begin{array}{r} 1000 \times 1 = 1000 \\ 20 \times .25 = 5 \\ \hline 1205 \end{array}$$

$$\begin{array}{r} \text{RECORD} \quad 175 \\ \hline \text{TOTAL} \quad 1380 \\ \text{PD} \quad 1197.33 \\ \hline 182.67 \end{array}$$

AM FIGURE:

1029.32

EXAM

10 x 10

100

= 100

Priority 4-11-01

IR CHECKLIST

Application #: 584706

Diversion Info:

County Jackson

Basin: Rogue

WID: _____

Township 34S Range 1W

Section 16

1/4 1/4 POD-NESE

Groundwater Review

- a. PSI A B C D River/Stream Name _____
- b. Groundwater Availability A B C
- c. Is the well located in a GWLA or CGWA? Y / N (if in an area include map showing POD)

- Is the well located in T1N R3E Sec 20, 21, 28, 29 Y N Upper Rogue
- Allowed under Basin Program N Limitations? Y N OAR 690-575
- Withdrawn? Y N season allowed stored water
- SWW N (if Y notify state parks) Rogue
- Water Availability ~~(50% live flow)~~ 50% storage NA STORED WATER ONLY - from Lost Cr. Res.

- 14. DIVISION 33 Y N / NA Above Bonn Y / N (7/17/92) Below Bonn Y / N (4/8/94) Statewide Y / N (6/3/94) map date Nov-Oct
- 10. Rate/Duty/Season Requested 1029.32 AF/yr from Lost Creek Res for IR of 257.33 ac
Allowable per BOR contract

13. B.O.R. or Doug Co. project Y N contract # Need Contract

17. Condition S ($\leq 0.1, \leq 9.2$), M (≥ 0.1 or ≤ 1.5 CFS, or ≥ 9.2 or ≤ 100 AF), L ($\geq 1.5, \geq 100$), BOR, GW, etc Y N

18. Land use approval OK'd needs approval county notified NA

19. Watermaster Dist: (1 2 16 18 20 - NWR) (3 4 5 21 - NCR) (6 8 9 10 - ER) (11 12 17 - SCR) (13 14 15 19 - SWR)

 15. DOA 1010 Y N 303D Y / N

16. Is the use located within Oregon Streamflow Restoration Area? Y N / NA

20. Letter format -- Good -- Limited -- Bad -- Bad w/ IR short -- Bad w/ HC Opportunity need contract

21. CWRE, representative, etc. to notify? Y N { BLM, Medford District Office
cc: Gary D. Kaiser, CWRE { 3040 Biddle Road, Medford, OR 97504

cc: Jerry Vogt, ODFW Jackson County, Roads & Parks

John Blanchard, DEQ

Jim Johnson, ODA cc: State Parks

Name: KL Date: 2/12/02 cc: Mike Wolf

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* Need BOR contract

Ron Boehm owns TL 1701.

Page

Sec 16
+ 345 RIW

NWNE	32.6 ac
SWNE	32.9 ac
SENE	5.0 ac
SENN	11.3 ac
NESE	0.63 ac
	<hr/>
	82.43 ac

82.43 ac

Sec 8
+ 345 RIW

NENE	23.8 ac
NWNE	23.8 ac
SWNE	32.4 ac
SENE	40.0 ac
NESE	14.9 ac
SWSE	10.0 ac
SESE	30.0 ac

174.9 ac

257.33 ac

For Section 15/16

OREGON WATER RESOURCES DEPARTMENT
ADMINISTRATIVE RULES
CHAPTER 690
DIVISION 515
ROGUE BASIN PROGRAM

Upper Rogue Basin

690-515-001

(1) Classifications

(a) The maximum economic development of this state, the attainment of the highest and best use of the waters of the upper Rogue River Basin and the attainment of an integrated, coordinated program for the benefit of the state as a whole will be furthered through utilization of the aforementioned waters only for domestic, livestock, municipal, irrigation, agricultural use, power development, industrial, mining, recreation, wildlife and fish life uses and the waters of the upper Rogue River Basin are hereby so classified with the following exceptions:

(A) Those waters on which development is further restricted by Oregon Revised Statutes: 538.220, 538.270, 538.430 and 542.210.

(B) The waters of Indian Creek, Evergreen Creek, Reese Creek, Trail Creek and Elk Creek and tributaries are classified only for domestic, livestock and instream use for recreation, fish life and wildlife except for the use of stored water. Water stored between November 1 and March 31 may be used at any time for purposes specified in subsection (a).

(C) To protect, maintain and perpetuate the resident fish habitat, the recreational value, and the cultural resources of the Upper Rogue Basin, the waters of the following streams and natural lakes shall not be diverted, interrupted or appropriated for power development purposes.

(i) All natural lakes in the Upper Rogue Basin.

(ii) The Rogue River from the origin near the intersection with the south line of Section 4, Township 29 South, Range 5 East, downstream to USGS stream gage 14328000 (Township 32 South, Range 3 East, Section 19) excluding existing projects.

(iii) Union Creek and tributaries.

(iv) Abbott Creek and tributaries.

(b) Applications for the use of the waters of the Upper Rogue River Basin shall not be accepted by any state agency for any other purpose than those specified in Section A and the granting of applications for such other purposes is declared to be prejudicial to the public interest and the granting of applications for such other uses would be contrary to the integrated, coordinated program for the use and control of the water resources of the state.

(c) Structures or works for the utilization of the waters in accordance with the aforementioned classifications are also declared to be prejudicial to the public interest unless planned, constructed, and operated in conformity with applicable provisions of ORS 536.310 and any such structures or works are further declared to be prejudicial to the public interest which do not give proper cognizance to the multiple-purpose concept.

(2) Minimum Perennial Streamflows

(a) For the purpose of maintaining a minimum perennial streamflow sufficient to support aquatic life and minimize pollution, no appropriations of water shall be made or granted by any state agency or public corporation of the state for the waters of the Rogue River or tributaries above river mile 164 when the combined flow measured at stream gages 14330000, Rogue River below Prospect (Township 33 South, Range 3 East, Section 6), and 14334700, South Fork Rogue River, South of Prospect (Township 33 South, Range 3 East, Section 7) is below 835 cubic feet per second except that this limitation shall not apply to:

(A) Water legally stored or legally released from storage.

(B) Domestic and livestock uses. Domestic use does not include irrigation of lawns and gardens.

(C) Appropriation of water for power development at or near gage 14330000 provided that alternative provisions for flow measurements are included in any permit or license issued for the project.

(b) (A) To support aquatic life and minimize pollution, in accordance with Section 3, Chapter 796, Oregon Laws, 1983, no appropriations of water shall be made or granted by any state agency or public corporation of the state for the waters of Reese Creek and tributaries when flows are below the specified levels in Table 1, Section B. This limitation shall not apply to:

(i) Domestic and livestock uses. Domestic use does not include irrigation of lawns and gardens.

(ii) Water legally stored or released from storage, subject to section (3).

(B) Attainment of the specified flow levels during some portions of the year will require development of water storage or implementation of other measures to augment flows.

(3) Storage

(a) All applications for appropriation of water for storage in structures impounding more than 3,000,000 gallons of water shall be reviewed by the Water Policy Review Board prior to approval. During the review, the Water Policy Review Board may establish additional minimum flows on the natural flow of the stream to support aquatic life or minimize pollution. Storage projects consistent with the purposes of minimum perennial streamflows shall be encouraged.

(b) Potential reservoir sites should be identified in the comprehensive planning process for possible future development or until alternative methods of meeting water needs have been developed. Immediate consideration should be given to the following site: Elk Creek (SW 1/4 SW 1/4, Section 20, Township 33 South, Range 1 East).

(4) Water Quality

Rights to use of water for industrial, power development or mining purposes granted by any state agency shall be issued only on condition that any effluents or return flows from such uses shall not significantly interfere with recreational, fish life or other beneficial uses of water.

(5) Existing Rights

This program does not modify, set aside or alter any existing right to use water or the priority of such use established under existing Laws.

NOTE: The Upper Rogue Basin includes all of the drainage area of the Rogue River and its tributaries above river mile 133 at the south line of Section 31, Township 35 South, Range 1 West, Willamette Meridian.

Little Butte Creek Basin

690-515-002

(1) Classifications

(a) The maximum economic development of this state and the attainment of the highest and best use of waters of the Little Butte Creek Basin and the attainment of an integrated and coordinated program for the benefit of the state will be furthered through utilization of the aforementioned waters only for domestic, livestock, irrigation, agricultural use, power development, recreation, wildlife, and fish life purposes and the waters of the Little Butte Creek Basin are hereby so classified except for water administratively withdrawn from appropriation.

(b) Applications for the use of the waters of the Little Butte Creek Basin shall not be accepted by any state agency for any other purpose than those specified in subsection (a) and the granting of such applications for such other purposes is declared to be prejudicial to the public interest and the granting of applications for such other uses would be contrary to the integrated, coordinated program for the use and control of the water resources of the state.

(c) Structures or works for the utilization of the waters in accordance with the aforementioned classifications, are also declared to be prejudicial to the public interest unless planned, constructed, and operated in conformity with applicable provisions of ORS 536.310 and any such structures or works are further declared to be prejudicial to the public interest which do not give proper cognizance to the multiple-purpose concept.

(2) Minimum Perennial Streamflows

For the purpose of maintaining a minimum perennial streamflow sufficient to support aquatic life and minimize pollution, no appropriations of water except for domestic or livestock use shall be made or granted by any state agency or public corporation of the state, except that this limitation shall not apply to water legally stored or legally released from storage subject to the provisions of Section D for the waters of the streams listed in Table 2 when flows are below the specified levels. Domestic use does not include irrigation of lawns and gardens.

(3) Storage

Analysis for Application: S84706**Location: 34.00 S-1.00 W-8-swse**

Uses: IR 10.000 (P)

Basins

BASIN_NUM	BASIN_NAME
15	Rogue

Records Found: 1

WaterMaster Districts

WATERDIST	REGION
13	SW

Records Found: 1

WAB

BASIN	WID	LINK_1
15	31530708	Water Availability: 50% 80%

Records Found: 1

County

COUNTY	FIPS
Jackson	41029

Records Found: 1

Groundwater Restricted Records Found: 0**Divison 33 Area**

DIV33
In a Div33 area

Records Found: 1

Rule 4D Records Found: 0**303D Streams Records Found: 0****303D Lakes Records Found: 0**

Location: 34.00 S-1.00 W-8-sese

Uses: IR 30.000 (P)

Basins

BASIN_NUM	BASIN_NAME
15	Rogue

Records Found: 1

WaterMaster Districts

WATERDIST	REGION
13	SW

Records Found: 1

WAB

BASIN	WID	LINK_1
15	31530708	Water Availability: 50% 80%

Records Found: 1

County

COUNTY	FIPS
Jackson	41029

Records Found: 1

Groundwater Restricted Records Found: 0**Divison 33 Area**

DIV33
In a Div33 area

Records Found: 1

Rule 4D Records Found: 0**303D Streams Records Found: 0****303D Lakes Records Found: 0**

Location: 34.00 S-1.00 W-8-nese

Uses: IR 14.900 (P)

Basins

BASIN_NUM	BASIN_NAME
15	Rogue

Records Found: 1

WaterMaster Districts

WATERDIST	REGION
13	SW

Records Found: 1

WAB

BASIN	WID	LINK_1
15	31530708	Water Availability: 50% 80%

Records Found: 1

County

COUNTY	FIPS
Jackson	41029

Records Found: 1

Groundwater Restricted Records Found: 0

Divison 33 Area

DIV33
In a Div33 area

Records Found: 1

Rule 4D Records Found: 0

303D Streams Records Found: 0

303D Lakes Records Found: 0

Location: 34.00 S-1.00 W-8-swne

Uses: IR 32.400 (P)

Basins

BASIN_NUM	BASIN_NAME
15	Rogue

Records Found: 1

WaterMaster Districts

WATERDIST	REGION
13	SW

Records Found: 1

WAB

BASIN	WID	LINK_1
15	31530708	Water Availability: 50% 80%

Records Found: 1

County

COUNTY	FIPS
Jackson	41029

Records Found: 1

Groundwater Restricted Records Found: 0**Divison 33 Area**

DIV33
In a Div33 area

Records Found: 1

Rule 4D Records Found: 0**303D Streams Records Found: 0****303D Lakes Records Found: 0**

Location: 34.00 S-1.00 W-8-sene

Uses: IR 40.000 (P)

Basins

BASIN_NUM	BASIN_NAME
15	Rogue

Records Found: 1

WaterMaster Districts

WATERDIST	REGION
13	SW

Records Found: 1

WAB

BASIN	WID	LINK_1
15	31530708	Water Availability: 50% 80%

Records Found: 1

County

COUNTY	FIPS
Jackson	41029

Records Found: 1

Groundwater Restricted Records Found: 0

Divison 33 Area

DIV33
In a Div33 area

Records Found: 1

Rule 4D Records Found: 0

303D Streams Records Found: 0

303D Lakes Records Found: 0

Location: 34.00 S-1.00 W-8-nwne

Uses: IR 23.800 (P)

Basins

BASIN_NUM	BASIN_NAME
15	Rogue

Records Found: 1

WaterMaster Districts

WATERDIST	REGION
13	SW

Records Found: 1

WAB

BASIN	WID	LINK_1
15	31530708	Water Availability: 50% 80%

Records Found: 1

County

COUNTY	FIPS
Jackson	41029

Records Found: 1

Groundwater Restricted Records Found: 0

Divison 33 Area

DIV33
In a Div33 area

Records Found: 1

Rule 4D Records Found: 0

303D Streams Records Found: 0

303D Lakes Records Found: 0

Location: 34.00 S-1.00 W-8-nene

Uses: IR 23.800 (P)

Basins

BASIN_NUM	BASIN_NAME
15	Rogue

Records Found: 1

WaterMaster Districts

WATERDIST	REGION
13	SW

Records Found: 1

WAB

BASIN	WID	LINK_1
15	31530708	Water Availability: 50% 80%

Records Found: 1

County

COUNTY	FIPS
Jackson	41029

Records Found: 1

Groundwater Restricted Records Found: 0

Divison 33 Area

DIV33
In a Div33 area

Records Found: 1

Rule 4D Records Found: 0

303D Streams Records Found: 0

303D Lakes Records Found: 0

Location: 34.00 S-1.00 W-16-senw

Uses: IR 11.300 (P)

Basins

BASIN_NUM	BASIN_NAME
15	Rogue

Records Found: 1

WaterMaster Districts

WATERDIST	REGION
13	SW

Records Found: 1

WAB

BASIN	WID	LINK_1
15	31530708	Water Availability: 50% 80%

Records Found: 1

County

COUNTY	FIPS
Jackson	41029

Records Found: 1

Groundwater Restricted Records Found: 0**Divison 33 Area**

DIV33
In a Div33 area

Records Found: 1

Rule 4D Records Found: 0**303D Streams Records Found: 0****303D Lakes Records Found: 0**

Location: 34.00 S-1.00 W-16-nese

Uses: IR 0.630 (P)

Basins

BASIN_NUM	BASIN_NAME
15	Rogue

Records Found: 1

WaterMaster Districts

WATERDIST	REGION
13	SW

Records Found: 1

WAB

BASIN	WID	LINK_1
15	31530708	Water Availability: 50% 80%

Records Found: 1

County

COUNTY	FIPS
Jackson	41029

Records Found: 1

Groundwater Restricted Records Found: 0**Divison 33 Area**

DIV33
In a Div33 area

Records Found: 1

Rule 4D Records Found: 0**303D Streams Records Found: 0****303D Lakes Records Found: 0**

Location: 34.00 S-1.00 W-16-swne

Uses: IR 32.900 (P)

Basins

BASIN_NUM	BASIN_NAME
15	Rogue

Records Found: 1

WaterMaster Districts

WATERDIST	REGION
13	SW

Records Found: 1

WAB

BASIN	WID	LINK_1
15	31530708	Water Availability: 50% 80%

Records Found: 1

County

COUNTY	FIPS
Jackson	41029

Records Found: 1

Groundwater Restricted Records Found: 0**Divison 33 Area**

DIV33
In a Div33 area

Records Found: 1

Rule 4D Records Found: 0**303D Streams Records Found: 0****303D Lakes Records Found: 0**

Location: 34.00 S-1.00 W-16-sene

Uses: IR 5.000 (P)

Basins

BASIN_NUM	BASIN_NAME
15	Rogue

Records Found: 1

WaterMaster Districts

WATERDIST	REGION
13	SW

Records Found: 1

WAB

BASIN	WID	LINK_1
15	31530708	Water Availability: 50% 80%

Records Found: 1

County

COUNTY	FIPS
Jackson	41029

Records Found: 1

Groundwater Restricted Records Found: 0**Divison 33 Area**

DIV33
In a Div33 area

Records Found: 1

Rule 4D Records Found: 0**303D Streams Records Found: 0****303D Lakes Records Found: 0**

Location: 34.00 S-1.00 W-16-nwne

Uses: IR 32.600 (P)

Basins

BASIN_NUM	BASIN_NAME
15	Rogue

Records Found: 1

WaterMaster Districts

WATERDIST	REGION
13	SW

Records Found: 1

WAB

BASIN	WID	LINK_1
15	31530708	Water Availability: 50% 80%

Records Found: 1

County

COUNTY	FIPS
Jackson	41029

Records Found: 1

Groundwater Restricted Records Found: 0**Divison 33 Area**

DIV33
In a Div33 area

Records Found: 1

Rule 4D Records Found: 0**303D Streams Records Found: 0****303D Lakes Records Found: 0**

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **53740**

158 12TH ST. N.E.
SALEM, OR 97310-0210
378-8455 / 378-8130 (FAX)

INVOICE # _____

RECEIVED FROM: Richard E. Gasbar
BY: _____

APPLICATION	564706
PERMIT	
TRANSFER	

CASH: CHECK: # 24680 OTHER: (IDENTIFY)

TOTAL REC'D \$ 10.00

0417 WRD MISC CASH ACCT

ADJUDICATIONS	\$
PUBLICATIONS / MAPS	\$
OTHER: (IDENTIFY)	\$
OTHER: (IDENTIFY)	\$

REDUCTION OF EXPENSE

CASH ACCT. \$

PCA AND OBJECT CLASS VOUCHER #

0427 WRD OPERATING ACCT

MISCELLANEOUS	\$
0407 COPY & TAPE FEES	\$
0410 RESEARCH FEES	\$
0408 MISC REVENUE: (IDENTIFY)	\$ <u>10.00</u>
(New) TC162 DEPOSIT LIAB. (IDENTIFY)	\$

WATER RIGHTS:

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

WELL CONSTRUCTION

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

OTHER (IDENTIFY)

0437 WELL CONST. START FEE

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

OTHER (IDENTIFY)

0539 LOTTERY PROCEEDS

1302 LOTTERY PROCEEDS	\$
-----------------------	----

0467 HYDRO ACTIVITY

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

RECEIPT # **53740**

DATED: 6/26/02 BY Connie [Signature]

How To Read the Listing

Applications are organized by Oregon's major river basins, as listed below:

- | | | |
|---------------|-----------------|--------------|
| 1-North Coast | 8-Grande Ronde | 15-Rogue |
| 2-Willamette | 9-Powder | 16-Umpqua |
| 3-Sandy | 10-Malheur | 17-S. Coast |
| 4-Hood | 11-Owyhee | 18-Mid Coast |
| 5-Deschutes | 12-Malheur L. | 19-Columbia |
| 6-John Day | 13-Goose/Summer | 20-Snake |
| 7-Umatilla | 14-Klamath | |



C-12145	2	Dry Cr. Rowe R.	0.50	C	IR	40.00	Coos	1/1/1995	SENE, SECTION 9, T16S, R4W	W. Clinton...	PFO
Basin number		Amount		C		Irrigated acres		Applicant name & address		Stage of Review: IR - initial review PFO - proposed final order	
The source		What it flows into		Unit of measure: C - cubic feet per second G - gallons per minute A - acre-feet		Legal description of general area of use: "Southeast quarter of the Northeast quarter of Section 9, Township 16 South, Range 4 West."		Decision codes: 1 permit may be issued; requested by applicant 2 permit may be issued; appropriate condition 3 permit unlikely to be issued			
Application number: G - groundwater R - reservoir S - surface I - instream		Type of use (e.g.: IR - Irrigation; see codes below)									

Some commonly-used Type of Use abbreviations (for definitions, please consult Oregon Administrative Rules Chapter 690, Division 11):

- | | | |
|-----------------------------------|---|------------------------|
| AG-agriculture | GD-group domestic | MU-municipal |
| CF,CH,CI,CR-cranberry uses | GR-groundwater recharge | NU-nursery use |
| CM-commercial | GT-geothermal | PA-pollution abatement |
| CS-campground | IC-irrigation, primary & supplemental | PW-power |
| DI-domestic, incl. lawn & garden | ID,IL-irrigation with Domestic or Livestock use, respectively | QM-quiet-municipal |
| DN-domestic, incl. non-commercial | D-Industrial, manufacturing | RC-recreation |
| DO-domestic | IR-irrigation | RW-rod construction |
| D6-domestic/stock | IS-supplemental irrigation | ST-storage |
| FI-fish | LV,LW-livestock/wildlife | SW-swimming |
| FP-fire protection | MD-mining | TC-temperature control |
| PW-fish & wildlife | | WT-wildlife |

PROPOSED FINAL ORDER REQUEST FORM

RECEIVED

JUN 26 2002

Your Name, Address, and Phone Number:

RICHARD E. & LAUREL L. GASBAR
7426 ROGUE RIVER DRIVE
SHADY COVE, OR
97539

← Copy of PFO
 Mailed 6/29/02
 -ICB

WATER RESOURCES DEPT.
 SALEM, OREGON

Phone: 541-878-2845

Please send me the Proposed Final Order for Water Right Application:

S-84706 - Boehm
 # _____
 # _____

Return this form and \$10 per PFO to:

PFO Requests
 Proposed Final Order Team
 Oregon Water Resources Department
 158 12th St. NE
 Salem OR 97301

Please include a check made out to the Oregon Water Resources Department in the amount of \$10 for each proposed final order you would like mailed to you. This fee entitles you to also receive a copy of the final order, when issued.

OREGON WATER RESOURCES DEPARTMENT



Commerce Building
158 12th Street NE
Salem OR 97301

NOTICE OF PROPOSED FINAL ORDER

This is to notify you that the Water Resources Department has issued a Proposed Final Order (PFO) on an application which may interest you. Attached is an excerpt from our weekly public notice, identifying the application we believe you may be interested in.

A PFO is the Department's preliminary decision on a water use request. It documents the agency's decision through specific findings. If appropriate, it includes a draft permit specifying any conditions or restrictions on the use.

Persons interested in receiving a mailed copy of a PFO must pay statutorily-required fee of \$10. (Any person paying \$10 to receive a PFO by mail will also receive a copy of the Final Order when it is issued.) PFO's may be viewed for free at the Department's Salem office or at watermasters' offices; you may make your own copies for the standard copy charge.

If you do not request a copy of the PFO, you may not be notified of subsequent action on the referenced application.

Opportunities for Further Public Involvement

Those disagreeing with the Department's decision as expressed in the PFO have 45 days from the date the PFO was issued to file a protest.

The protest filing fee is \$200 for everyone but the applicant. Detailed requirements for filing a protest will be sent with copies of the PFO. Persons who support the PFO may file a "standing" fee of \$50 to retain the ability to participate in future proceedings relating to an application. To participate, an additional \$150 is required at the time of the proceeding, if a contested case hearing is held.

For additional information, call the Water Rights Information Group, extension 499 at either 503-378-8455 or 800-624-3199. Please have the application file number ready.

GASHAR
7426 Rogue River Dr.
Shady Cove, OR 97539

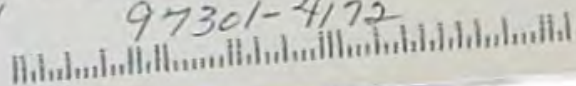


PFO REQUESTS

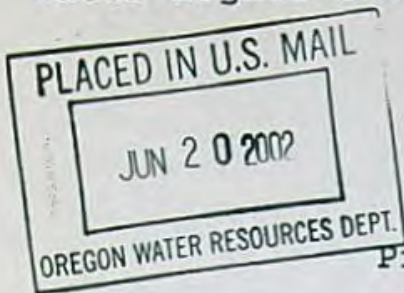
PROPOSED FINAL ORDER TEAM
OREGON WATER RESOURCES DEPARTMENT
158 12th St. N.E.
SALEM, OR

97301-4172

97301+4172



Oregon Water Resources Department
Water Rights Division



Water Rights Application
Number S-84706

Proposed Final Order

Prior to issuance of a permit, permit recording fees in the amount of \$175.00 must be submitted to the Department. In order to expedite the processing of the Final Order and permit, you may wish to submit \$175.00 prior to the protest deadline of August 2, 2002. Please include your application number on your check made out to the Oregon Water Resources Department. If this fee is not paid prior to August 2, 2002, issuance of your permit will be delayed until all fees are paid.

Summary of Recommendation: The Department recommends that the attached draft permit be issued with conditions.

Application History

On APRIL 11, 2001, RON BOEHM submitted an application to the Department for the following water use permit:

- Amount of Water: 1029.32 ACRE-FEET
- Use of Water: IRRIGATION OF 257.33 ACRES
- Source of Water: LOST CREEK RESERVOIR, A TRIBUTARY OF ROGUE RIVER
- Area of Proposed Use: JACKSON County within SECTION 8 AND SECTION 16, TOWNSHIP 34 SOUTH, RANGE 1 WEST, W.M.

On February 22, 2002, the Department mailed the applicant notice of its Initial Review, determining that "The use of 1029.32 ACRE-FEET from LOST CREEK RESERVOIR, A TRIBUTARY OF ROGUE RIVER for IRRIGATION OF 257.33 ACRES is allowable from March 1 through October 31 of each year, or the season designated in a contract between the applicant and the USBOR." The applicant did not notify the Department to stop processing the application within 14 days of that date.

On March 12, 2002, the Department gave public notice of the application in its weekly notice. The public notice included a request for comments, and information for interested persons about both obtaining

future notices and a copy of the proposed final order.

No written comments were received within 30 days.

In reviewing applications, the Department may consider any relevant sources of information, including the following:

- comments by or consultation with another state agency
- any applicable basin program
- any applicable comprehensive plan or zoning ordinance
- the amount of water available
- the rate and duty for the proposed use
- pending senior applications and existing water rights of record
- the Scenic Waterway requirements of ORS 390.835
- applicable statutes, administrative rules, and case law
- any comments received

Findings of Fact

The Rogue Basin Program allows the use of stored water for irrigation.

Senior water rights exist on Lost Creek Reservoir, a tributary of Rogue River, or on downstream waters.

Lost Creek Reservoir, a tributary of Rogue River is above the Rogue River State Scenic Waterway.

Water is determined to be available for further appropriation from water legally stored under permit R-8142.

The applicant originally requested 1029.32 acre-feet (AF) from Lost Creek reservoir. On March 6, 2002, the applicant revised the request from 1029.32 AF to 900.0 AF. The Department finds that the amount of water requested, 900.0 AF, is an acceptable amount.

In accordance with OAR 690-33-330, an interagency team reviewed this proposed use for potential adverse impacts on sensitive, threatened and endangered fish populations. This team consisted of representatives from the Oregon Departments of Water Resources (WRD), Environmental Quality, Fish and Wildlife (DFW), and Agriculture. WRD and DFW representatives included both technical and field staff. The interagency team recommended that additional limitations or conditions of use be imposed on this application as follows:

The permittee shall install, maintain, and operate fish screening and by-pass devices as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the proposed diversion.

The required screens and by-pass devices are to be in place, functional and approved by an ODFW representative prior to diversion of any water.

Screen material openings for ditch (gravity) and pump screens must provide a minimum of 27% open area:

Perforated plate: Openings shall not exceed $3/32$ or 0.0938 inches (2.38 mm).

Mesh/Woven wire screen: Square openings shall not exceed $3/32$ or 0.0938 inches (2.38 mm) in the narrow direction, e.g., $3/32$ inch x $3/32$ inch open mesh.

Profile bar screen/Wedge wire: Openings shall not exceed 0.0689 inches (1.75 mm) in the narrow direction.

Screen area must be large enough not to cause fish impact. Wetted screen area depends on the water flow rate and the approach velocity.

Screen approach velocity for ditch and active pump screens shall not exceed 0.4 fps (feet per second) or 0.12 mps (meters per second). The wetted screen area in square feet is calculated by dividing the maximum water flow rate in cubic feet per second (1 cfs = 449 gpm) by 0.4 fps.

Screen sweeping velocity for ditch screens shall exceed the approach velocity. Screens greater than 4 feet in length must be angled at 45 degrees or less relative to flow. An adequate bypass system must be provided for ditch screens to safely and rapidly collect and transport fish back to the stream.

Screen approach velocity for passive pump screens shall not exceed 0.2 fps or 0.06 mps. The wetted screen area in square feet is calculated by dividing the maximum water flow rate by 0.2 fps. Pump rate should be less than 1 cfs.

The permittee shall not construct, operate or maintain any dam or artificial obstruction to fish passage in the channel of the subject stream without providing a fishway to ensure adequate upstream and downstream passage for fish. The applicant is hereby directed to contact an Oregon Department of Fish and Wildlife Fish Passage Coordinator, Portland, Oregon, before beginning construction of any in-channel obstruction.

Conclusions of Law

Under the provisions of ORS 537.153, the Department must presume that a proposed use will not impair or be detrimental to the public interest if the proposed use is allowed in the applicable basin program established pursuant to ORS 536.300 and 536.340 or given a preference under ORS 536.310(12) (i.e. the use of water is human consumption or livestock), if water is available, if the proposed use will not injure other water rights and if the proposed use complies with rules of the Water Resources Commission.

The proposed use requested in this application is allowed in the Rogue Basin Plan, or a preference for this use is granted under the provisions of ORS 536.310(12).

Water is available for the proposed use.

The proposed use will not injure other water rights.

The proposed use complies with other rules of the Water Resources Commission not otherwise described above.

The proposed use complies with the State Agency Agreement for land use.

For these reasons, the required presumption has been established.

Once the required presumption has been established, under the provisions of ORS 537.153(2) it may be overcome by a preponderance of evidence that either:

- (a) One or more of the criteria for establishing the presumption are not satisfied; or
- (b) The proposed use will impair or be detrimental to the public interest as demonstrated in comments, in a protest . . . or in a finding of the department that shows:
 - (A) The specific public interest under ORS 537.170(8) that would be impaired or detrimentally affected; and
 - (B) Specifically how the identified public interest would be impaired or detrimentally affected.

In this application, all criteria for establishing the presumption have been satisfied, as noted above. The presumption has not been overcome by a preponderance of evidence that the proposed use will impair or be detrimental to the public interest.

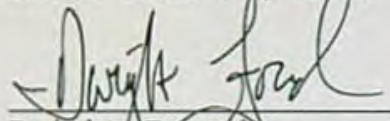
The Department therefore concludes that water is available in the amount necessary for the proposed use; the proposed use will not result in injury to existing water rights; and the proposed use will not impair or

be detrimental to the public interest as provided in ORS 537.170.

Recommendation

The Department recommends that the attached draft permit be issued with conditions.

DATED June 18, 2002


Dwight French
Water Rights Section Manager

*If you have any questions,
please check the information
box on the last page for the
appropriate names and
phone numbers.*

Protest Rights and Standing

Under the provisions of 537.621(7), you have the right to protest this proposed final order. Your protest must be in writing, and must include the following:

- Your name, address, and telephone number;
- A description of your interest in the proposed final order, and, if you claim to represent the public interest, a precise statement of the public interest represented;
- A detailed description of how the action proposed in this proposed final order would impair or be detrimental to your interest;
- A detailed description of how the proposed final order is in error or deficient, and how to correct the alleged error or deficiency;
- Any citation of legal authority to support your protest, if known; and
- If you are not the applicant, the \$200 protest fee required by ORS 536.050 and proof of service of the protest upon the applicant.
- If you are the applicant, a statement of whether or not you are requesting a contested case hearing. If you do not request a hearing, the Department will presume that you do not wish to contest the findings of the proposed final order.
- If you do not protest this Proposed Final Order and if no substantive changes are made in the final order, you will not have an opportunity for judicial review, protest or appeal of the final order when it is issued.

Requests for Standing

Under the provisions of 537.153(5), persons other than the applicant who

support a proposed final order may request standing for purposes of participating in any contested case proceeding on the proposed final order or for judicial review of a final order. A request for standing shall be in writing, include a statement that the requester supports the proposed final order, and a statement of how the requester would be harmed if the proposed final order is modified. The fee required at the time of submitting this request is \$50.00. If a hearing is scheduled, an additional fee of \$150.00 must be submitted along with a request for intervention. Forms to request standing are available from the Department.

Your protest or request for standing must be received in the Water Resources Department no later than **August 2, 2002**.

After the protest period has ended, the Director will either issue a final order or schedule a contested case hearing. The contested case hearing will be scheduled only if a protest has been submitted and if

- upon review of the issues, the director finds that there are significant disputes related to the proposed use of water, or
- the applicant requests a contested case hearing within 30 days after the close of the protest period.

This document was prepared by Jerry Gainey. If you have any questions about any of the statements contained in this document I am most likely the best person to answer your questions. You can reach me at 1-503-378-8455 extension 458.

If you have questions about how to file a protest or if you have previously filed a protest and want to know the status, please contact Renee Moulun. Her extension number is 239.

If you have other questions about the Department or any of its programs please contact our Water Rights Information Group at extension 201.

Address all other correspondence to: Water Rights Section, Oregon Water Resources Department, 158 12th ST. NE Salem, OR 97301 Fax: (503)378-6203

Gaineyjw-WEEK 360

DRAFT

This is not a permit!!!

DRAFT

STATE OF OREGON

COUNTY OF JACKSON

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

RON BOEHM
PO BOX 697
SHADY COVE, OREGON 97539

(541) 878-2948

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: S-84706

SOURCE OF WATER: LOST CREEK RESERVOIR, CONSTRUCTED UNDER PERMIT R-8142,
A TRIBUTARY OF ROGUE RIVER

PURPOSE OR USE: IRRIGATION OF 257.33 ACRES

MAXIMUM VOLUME: 900.00 ACRE-FEET

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: APRIL 11, 2001

POINT OF DIVERSION LOCATION: NE $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 16, T34S, R1W, W.M.; 790
FEET SOUTH & 350 FEET WEST FROM NE CORNER, SECTION 16

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 4.5 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 23.8 ACRES
NW $\frac{1}{4}$ NE $\frac{1}{4}$ 23.8 ACRES
SW $\frac{1}{4}$ NE $\frac{1}{4}$ 32.4 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 40.0 ACRES
NE $\frac{1}{4}$ SE $\frac{1}{4}$ 14.9 ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$ 10.0 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 30.0 ACRES
SECTION 8

NW ¼ NE ¼ 32.6 ACRES
SW ¼ NE ¼ 32.9 ACRES
SE ¼ NE ¼ 5.0 ACRES
SE ¼ NW ¼ 11.3 ACRES
NE ¼ SE ¼ 0.63 ACRES

SECTION 16

TOWNSHIP 34 SOUTH, RANGE 1 WEST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

The use of water under this right is subject to the terms and conditions of contract No.029E101352, or a satisfactory replacement, between the Bureau of Reclamation and the applicant, a copy of which is on file in the records of the Water Resources Department.

The storage area of the bulge system shall not exceed 9 1/2 acre-feet and the height of the dam shall not exceed 10.0 feet.

The permittee shall not construct, operate or maintain any dam or artificial obstruction to fish passage in the channel of the subject stream without providing a fishway to ensure adequate upstream and downstream passage for fish. The applicant is hereby directed to contact an Oregon Department of Fish and Wildlife Fish Passage Coordinator, Portland, Oregon, before beginning construction of any in-channel obstruction.

The permittee shall install, maintain, and operate fish screening and by-pass devices as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the proposed diversion. The

required screens and by-pass devices are to be in place, functional and approved by an ODFW representative prior to diversion of any water.

STANDARD CONDITIONS

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

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

The Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Complete application of the water to the use shall be made on or before October 1, 2006. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued _____, 2002

DRAFT - THIS IS NOT A PERMIT

Paul R. Cleary, Director
Water Resources Department

Application S-84706 Water Resources Department
Basin 15 Volume 2A INDIAN CR & MISC
Gaineyjw WEEK 360

PERMIT DRAFT
District 13

T.34S.,R.1W.,W.M.
Jackson County, Oregon
Tax Lot Nos. 341W 8 - 102, 300,
301, 400, 403 & 404

RECEIVED

MAR 26 2001

WATER RESOURCES DEPT.
SALEM, OREGON

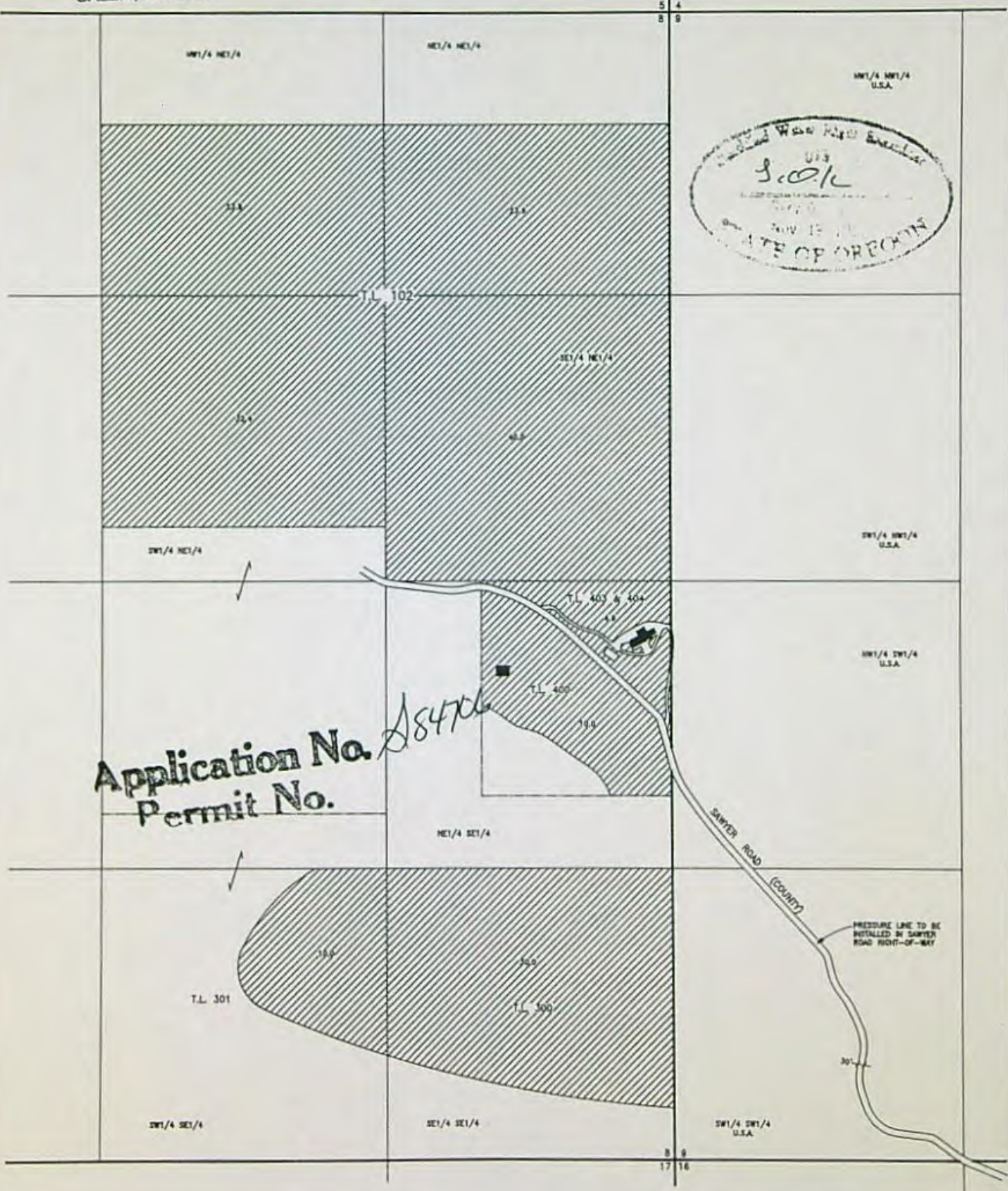
MAP TO ACCOMPANY AN
APPLICATION TO USE
SURFACE WATER

FOR:
Ron Boehm
P.O. Box 897
Shady Cove, OR. 97539

PREPARED BY:
Kaiser Surveying
19440 Highway 62
Eagle Point, OR. 97524

DATE:
March 19, 2001

NOTE: MAP PREPARED FOR
WATER RIGHT PURPOSES ONLY,
NOT FOR PROPERTY BOUNDARY
LOCATIONS.



T.34S.,R.1W.,W.M.
Jackson County, Oregon
Tax Lot Nos. 341W 16 - 200, 400, 500, 501,
604 & 606, 341W 16DA - 200 & 1701

MAP TO ACCOMPANY AN
APPLICATION TO USE
SURFACE WATER

PREPARED BY:
Gary D. Kaseer
19440 Highway 62
Eagle Point, OR. 97524

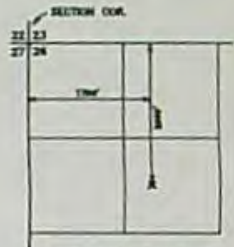
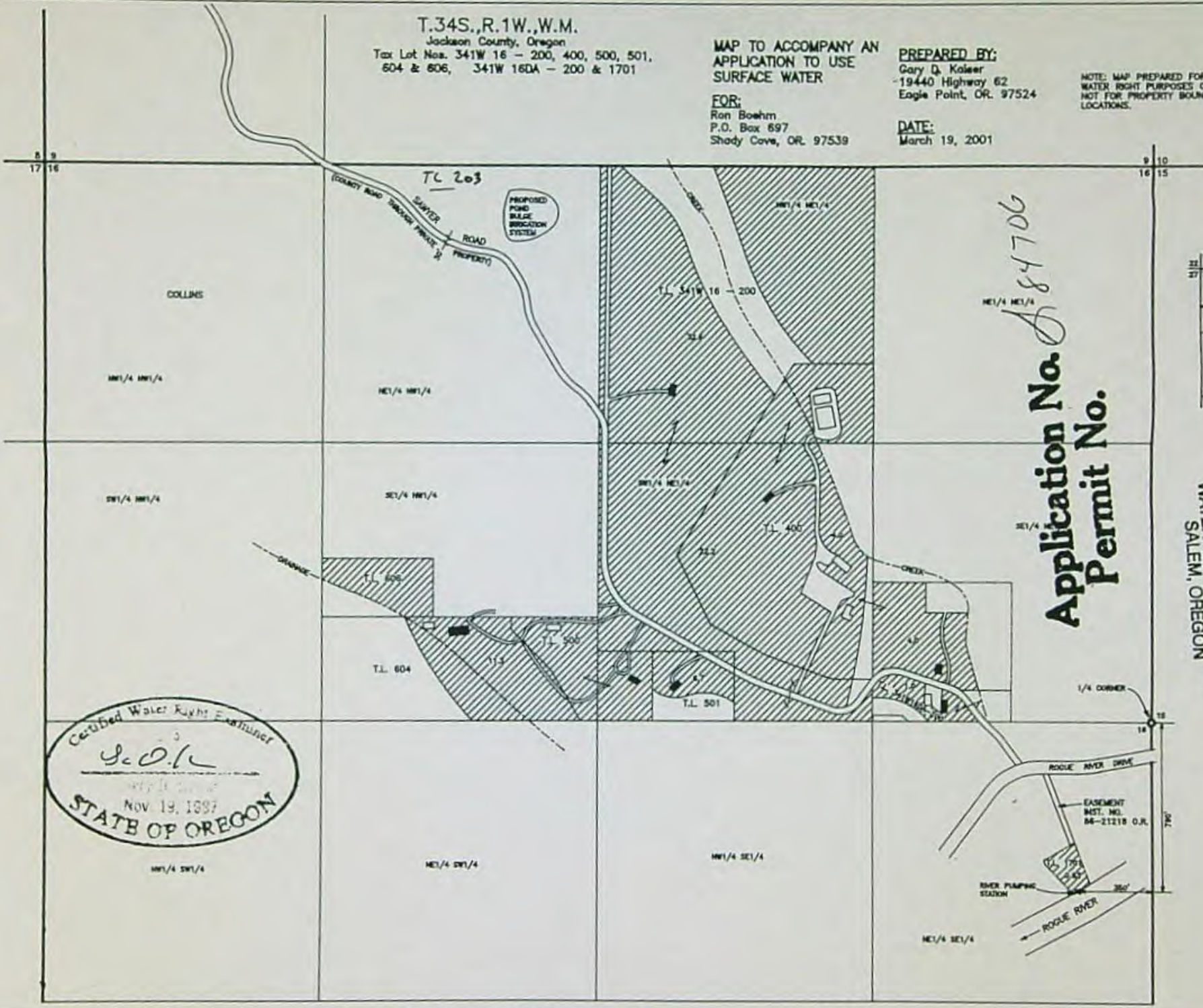
NOTE: MAP PREPARED FOR
WATER RIGHT PURPOSES ONLY,
NOT FOR PROPERTY BOUNDARY
LOCATIONS.

FOR:
Ron Boehm
P.O. Box 697
Shady Cove, OR. 97539

DATE:
March 19, 2001



SCALE: NTS



LOST CREEK RESERVOIR
POINT OF DIVERSION
T.32S.,R.1E.,W.M.
SCALE: NTS

Application No. 84706
Permit No.

WATER RESOURCES DEPT.
SALEM, OREGON

MAR 26 2001

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NE1/4 SW1/4

NE1/4 SW1/4

NE1/4 SE1/4

NE1/4 SE1/4



State of Oregon
Water Resources Department
 158 12th Street NE, Salem, OR 97310
 (503)378-8455 • (800)624-3199
 www.wrd.state.or.us

Application for a Permit to Use Surface Water

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. Thank you.

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WATER RESOURCES DEPT.
 SALEM, OREGON

1. APPLICANT INFORMATION

A. Individuals

Applicant: ROU BOEHM
First Last

Co-applicant: _____
First Last

Mailing address: P.O. Box 697
SHADY COVE OR 97539
City State Zip

Phone: _____ (541) 878-2948 _____
Home Work Other

*Fax: (541) 878-5023 *E-Mail address: _____

B. Organizations

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

Name of organization: N/A

Name and title of person applying: _____

Mailing address of organization: _____

City State Zip

Phone: _____
Day Evening

*Fax: _____ *E-Mail address: _____

*Optional information

For Department Use		
App. No. <u>5-84706</u>	Permit No. _____	Date <u>4-11-01</u>

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: LOST CREEK RESERVOIR Tributary to: ROGUE RIVER

Source 2: _____ Tributary to: _____

Source 3: _____ Tributary to: _____

Source 4: _____ Tributary to: _____

B. Property Ownership

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

Yes (Skip to section 3 "Water Use.")

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 an easement permitting access.

List the names and mailing addresses of all affected landowners.*

- ① W 1/2 SW 1/4 SEC. 9, T34S R1W - MEDFORD OR. OFFICE BLM
RIGHT-OF GRANT/TEMPORARY USE PERMIT SERIAL NO. OR 49181 (EXHIBIT "A")
- ② SAWYER ROAD (EXCEPT ON BLM LAND) 30' WIDE COUNTY ROAD (SEE EXHIBIT "B")
NO COUNTY PERMIT REQUIRED TO PLACE UNDERGROUND LINE IN SAWYER ROAD
- ③ ROGUE RIVER DRIVE CROSSING - A PAVED ROAD SO A FREE PERMIT WILL BE ISSUED
*If more than 25 landowners are involved, a list is not required. See instructions. BY COUNTY PUBLIC WORKS
- ④ EASEMENT FROM TAX LOT 1701 TO ROGUE RIVER DRIVE (EXHIBIT "C")

3. WATER USE

Please read the instruction booklet for more details on "type of use" definitions, how to express the amount of 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 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

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	Use	Amount
LOST CREEK RESERVOIR	IRRIGATION	900 GPM 3-4-02 1029.32 AF/YEAR <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

C. Period of Use

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

D. Acreage

If you will be applying water to land, indicate the total number of acres where water will be applied or used: 257.33
(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) SYSTEM NOT DESIGNED SIZE NOT DETERMINED
- 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 (describe) _____

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SALEM, OREGON

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	Use	Amount
LOST CREEK RESERVOIR	IRRIGATION	900 GPM 3-4-02 1029.32 AF/YEAR <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

C. Period of Use

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

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(This number should be consistent with your application map.)

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

- Pump (give horsepower and pump type) SYSTEM NOT DESIGNED YET - PUMP SIZE NOT DETERMINED
- 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 (describe) _____

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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	Use	Amount
LOST CREEK RESERVOIR	IRRIGATION	1029.32 AF/YEAR <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

C. Period of Use

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

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- 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 (describe) _____

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WATER RESOURCES DEPT.
SALEM, OREGON

Application No. A-84706
Permit No.

C. Transport

How will you transport water to your place of use?

- Ditch or canal (give average width and depth)

Width _____ Depth _____

Is the ditch or canal to be lined? Yes No

- Pipe (give diameter and total length)

Diameter _____ Length _____

- Other (describe) _____

D. Application/Distribution Method

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

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

- | | | |
|--|---|---|
| <input type="checkbox"/> Flood | <input checked="" type="checkbox"/> High-pressure sprinkler | <input type="checkbox"/> Low pressure sprinkler |
| <input checked="" type="checkbox"/> Drip | <input type="checkbox"/> Water cannons | <input type="checkbox"/> Center pivot system |
| <input type="checkbox"/> Hand lines | <input type="checkbox"/> Wheel lines | |
| <input type="checkbox"/> Siphon tubes or gated pipe with furrows | | |
| <input type="checkbox"/> Other, describe _____ | | |

Distribution method

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

E. Conservation

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.

THE LARGER PASTURE AREAS WILL BE SPRINKLER IRRIGATION. LAUNDRY
AREAS WILL BE A MIX OF DRIP AND SPRINKLER. THE GARDEN AREAS
WILL BE A MIX OF DRIP AND SPRINKLER.

5. RESOURCE PROTECTION

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 the 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: A ODFW APPROVED FISH SCREEN WILL BE INSTALLED

Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas. Describe planned actions: THE RIVER BANK ON TAX LOT 1701 IS GRASS TO THE RIVER EDGE, THERE WILL BE NO EXCAVATION OR CLEARING REQUIRED.

Operating equipment in a water body will be managed and timed to prevent damage to aquatic life. Describe: IMPACT ON AQUATIC LIFE WILL BE VERY MINIMAL WITH ONLY A SUCTION PIPE AND ODFW APPROVED FOOTVALE LAYED IN THE RIVER

Water quality will be protected by preventing erosion and run-off of waste or chemical products. Describe: TAX LOT 1701 IS CURRENTLY LAWN. IRRIGATION WILL BE BY A TIMED SOLID SET SPRINKLER SYSTEM. IRRIGATION WILL NOT BE TO THE EXTENT TO ALLOW ANY RUNOFF INTO THE RIVER

Other: _____

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6. PROJECT SCHEDULE

WATER RESOURCES DEPT.
SALEM, OREGON

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 AS SOON AS PERMIT IS ISSUED

Proposed date construction will be completed 1 YEAR LATER

Proposed date beneficial water use will begin WHEN CONSTRUCTION IS COMPLETE

7. REMARKS

Application No. 5-84706

Permit No. _____

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.

WATER WILL BE PUMPED FROM THE RIVER PUMPING STATION THROUGH T.C. 1701 AND THE EXISTING EASEMENT, ACROSS ROGUE RIVER DRIVE AND UP SAWYERS ROAD TO THE PROPOSED PUMP, BULGE IN IRR. SYSTEM, LIFT 200'. A PORTION OF THE LAND BELOW THE BULGE WILL BE IRRIGATED BY GRAVITY FERT SPRINKLERS AND DRIP AND THE REMAINING LAND WILL BE IRRIGATED BY TAPPING THE MAIN PRESSURE LINE. WATER WILL BE PUMPED FROM THE BULGE UP TO SPRINKLER AND DRIP SYSTEMS IN SECTION 8. THE PUMP SIZES AND PIPE SIZES ARE YET TO BE DESIGNED. SEE EXHIBIT 'C' FOR EASEMENT BETWEEN TAX LOT 1701 AND ROGUE RIVER DRIVE. SEE EXHIBIT 'A' FOR PERMIT TO LAY PIPELINE IN PORTION OF SAWYERS ROAD THROUGH SECTION 9, THIS PORTION OF SAWYERS ROAD IS OWNED BY THE B.L.M. ^{Surface Water/5} AND IS NOT COUNTY ROAD.

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.

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 to me, I may have to stop using water to allow senior water right holders to get water they are entitled to, and

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

Row Bocha by POA Paul Davis 3-21-01
Signature of Applicant Date

Signature of Co-applicant

Date

Before you submit your application be sure you have:

- Answered each question completely.
- Included 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.

Oregon Department of Environmental Quality

Division 33 Application Review Sheet

Recommendations for Water Right Applications that may affect the Habitat of Sensitive, Threatened or Endangered Fish Species, OAR 690-33-310 through 340.

Date: 02/22/02 21 day deadline date: 03/15/02 Application #: S-84706

Applicants Name: Boehm

1. Is there a connection to a 303(d) listed waterbody? YES NO

Explain:

2. What is the potential for this use to impact a water quality limited waterbody?

- HIGH
- MEDIUM
- LOW

Explain: The use of stored water from the Lost Creek Reservoir under a contract with BOR should not result in any significant reduction in water quality in the Rogue River.

3. If the answer to question (2) is High or Medium, will the proposed use still result in a diminution of water quality for the habitat of sensitive, threatened or endangered species?

YES NO

If YES, how?

4. Can conditions be applied to mitigate the impact of the use?
PISPC.

YES NO

DEQ RECOMMENDATION:

- Approval with conditions
- Approval without conditions
- Denial

DEQ REPRESENTATIVE: Brad Prior Date: April 25, 2002

X-Security: MIME headers sanitized on funnel

See <http://www.impsec.org/email-tools/sanitizer-intro.html>

for details. \$Revision: 1.133 \$Date: 2002-01-05 17:09:21-08

Subject: DEQ DIV 33 Review; S-84706; Boehm

Date: Thu, 25 Apr 2002 13:18:01 -0700

X-MS-Has-Attach: yes

X-MS-TNEF-Correlator:

Thread-Topic: DEQ DIV 33 Review; S-84706; Boehm

Thread-Index: AcHslmqVi3+a6kJfQGyr5QIHdbodZQ==

From: "PRIOR Brad" <Brad.Prior@state.or.us>

To: "LEFEVER Kerry A" <Kerry.A.Lefever@state.or.us>

Cc: "MEYERS Bill" <Bill.Meyers@state.or.us>



S-84706;Boehm.doc

ODFW Division 33 Application Review Sheet

Recommendations for Water Right Applications that may affect the Habitat of Sensitive, Threatened or Endangered Fish Species OAR 690-33-310 through 340
Date: February 22, 2002 21 Day Deadline: March 15, 2002

Application # S-84706 Name: Boehm

- 1) Will the proposed use occur in an area that may affect the essential habitat of sensitive, threatened or endangered fish species? [690-33-330(1)] Yes
Species? Coho, Steelhead Status (S, T, E): T, S (respectively)
What stage or value is at risk: Spawning, incubation, rearing, migration, habitat value
- 2) Will the proposed use result in a loss in the essential habitat of threatened or endangered species or a net loss in the habitat of sensitive species? Yes
A) Standard of "net loss" applies to sensitive species statewide [690-33-330(2)(a)]
B) Standard of "loss" of applies to T or E species outside the Columbia Basin [690-33-330(2)(b)]
- 3) Can conditions be applied to mitigate the impact to the essential habitat of STE species? [690-33-330(3)] Yes

Yes or no, which conditions are recommended? (Try to select those from the menu)

The release of stored water from Lost Creek Reservoir should mitigate the impact of water withdrawals from the Rogue River as long as there is no net loss in streamflow in the Rogue River below the POD. ODFW requests the following conditions be placed on this water right: odfw, b54c. Please include the following fish screen criteria with these permit conditions:

All Screen Types

1. Screen material must provide a minimum of 27% open area.
2. For gravity ditch screens: screen surface area must be at least 2.5 ft² of wetted screen material per 1 cfs water diverted (e.g. a ditch with a capacity of 3 cfs must have 7.5 ft² of wetted screen material)
3. For pump screens: screen surface area must be at least 2.5 ft² of wetted screen material per 449 gpm of water pumped (e.g. a pump with a capacity of 1000 gpm must have 5.6 ft² of wetted screen material)

Perforated Plate Screens

1. Openings shall not exceed 3/32 inch (2.38 mm)

Mesh/Woven Wire Screens

1. Openings shall not exceed 3/32 (0.0938) inch (2.38 mm) in the narrow direction (e.g. a 1/4 X 3/32 inch mesh is OK)

Profile Bar Screens/Wedge Wire Screens

1. Openings shall not exceed 0.0689 inches (1.75 mm) in the narrow direction

4) **If conditions cannot be identified to offset impacts to the essential habitat of STE fish species, would the proposed use harm the species? [690-33-330(4)]**

If yes, explain

WRD Contact: Title:

Date:

Comments:

ODFW Recommendation:

Approval with fishery conditions (See #3 Above)

Approval without fishery conditions

Denial

ODFW Representative(s)

Name: Jerry Vogt

Date: February 27, 2002

X-Mailer: Novell GroupWise Internet Agent 5.5.3.1
Date: Wed, 27 Feb 2002 12:55:43 -0800
From: "Jerry Vogt" <Jerry.F.Vogt@STATE.OR.US>
To: MEYERS Bill <Bill.Meyers@STATE.OR.US>,
LEFEVER Kerry A <Kerry.A.Lefever@STATE.OR.US>,
MENTEER Larry P <Larry.P.MENTEER@STATE.OR.US>
Subject: S-84706

Jerry Vogt
Assistant District Fish Biologist
Rogue Watershed District
Oregon Department of Fish and Wildlife
1495 E. Gregory Road
Central Point, OR 97502
541-826-8774



S-84706 (Boehm).doc

#13

WATERMASTER DIVISION 33 APPLICATION WORK SHEET

Recommendations for Water Right Applications that may affect the Habitat of Sensitive, T
OAR 690-33-310 through 340.

Date: 2/22/02 21 day Deadline Date: 3/15/02 Application # 84706

Applicant's Name: Ron Boehm

SOURCE OF WATER: GROUNDWATER SURFACE WATER STORAGE

DESCRIPTION OF THE SOURCE: Lost Creek Reservoir
(A spring, well, sump, exempt pond, unnamed stream, etc.)

1) If from surface water, does the water at the proposed diversion location flow into another water body?
 YES NO SOMETIMES
If sometimes, describe the time period, Between: _____ and _____

2) Does the source ever go dry in the area of the proposed diversion?
 YES NO

3) To your knowledge, has the requested source of water been regulated because of insufficient flow to satisfy existing water rights including instream water rights?
 YES NO
If YES, please explain: _____

4) Is there sufficient flow at the proposed point of diversion to satisfy all existing water rights and provide the quantity of water requested under this application?
 YES NO

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FEB 27 2002
WATER RESOURCES DEPT.
SALEM, OREGON

5) Did you meet with staff from another agency to discuss this application?
 YES NO
Who: _____ Agency: _____ Date: _____

6) Is mitigation an option?
 YES NO
If YES, please explain: If ODF&W requires a mitigation plan it is an option.

Comments: On the proposed "bulge to system" are the applicants aware of the storage limits and dam height limitations of 9 1/2 acre feet of storage and dam height of 10 feet or less. If the reservoir is larger, than an engineered design is required.

Name: [Signature] Date: 02/25/02 Title: Watermaster, District 13

WRD Contact: Kerry Lefever, Acting Interagency Coordinator, Water Rights Division
1-800-624-3199 ext: 276 / Fax: 503-378-6203 / e-mail: Kerry.A.LEFEVER@wrd.or.state.us



Oregon

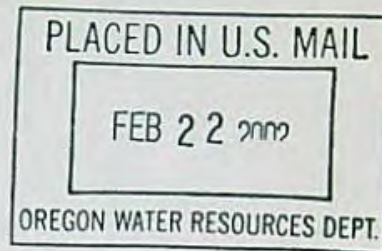
John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97301-4172
(503) 378-3739
FAX (503) 378-8130
www.wrd.state.or.us

February 22, 2002

RON BOEHM
PO BOX 697
SHADY COVE, OREGON, 97539



(541) 878-2948

Reference: File S-84706

Dear Applicant:

**THIS IS NOT A PERMIT AND IS
SUBJECT TO CHANGE AT THE NEXT PHASE OF PROCESSING.**

This letter is to inform you of the favorable preliminary analysis of your water use permit application and to describe your options. In determining whether a water use permit application may be approved, the Department must consider the factors listed below, all of which must be favorable to the proposed use if it is to be allowed. Based on the information you have supplied, the Water Resources Department has made the following preliminary determinations:

Initial Review Determinations:

1. The proposed use is not prohibited by law or rule.
2. The use of water from LOST CREEK RESERVOIR, A TRIBUTARY OF ROGUE RIVER for IRRIGATION OF 257.33 ACRES is **allowable** under OAR 690-515, the Rogue Basin Program.
3. Water in the amount of 1029.32 ACRE-FEET for IRRIGATION OF 257.33 ACRES is **available** provided a contract with US Bureau of Reclamation (USBOR) is obtained to appropriate stored water from Lost Creek Reservoir.

4. Please submit an executed contract to purchase stored water from the Bureau of Reclamation. Although you presented ownership information in the Exhibits submitted with the application form, you must provide the names and addresses of all land owners where water is proposed to be diverted, transported and used. Please refer to the **ADDITIONAL INFORMATION REQUIRED** section below for specific information.

Summary of Initial Determinations

The use of 1029.32 ACRE-FEET from LOST CREEK RESERVOIR, A TRIBUTARY OF ROGUE RIVER for IRRIGATION OF 257.33 ACRES is allowable from March 1 through October 31 of each year, or the season designated in a contract between the applicant and the USBOR.

Because of these favorable determinations, the Department can now move your application to the next phase of the water rights application review process. This phase is where public interest factors will be evaluated.

Additional Information Required:

- Please submit an executed contract to purchase stored water from the Bureau of Reclamation.
- Your application form indicates that not all the land on which you propose to divert, transport and use water is under your ownership. Although you provided information in the attached Exhibits to the application form, we need the names and addresses of owners where you propose to divert, transport, and use water. **Before we may proceed with processing your application, you must submit the names and addresses of all landowners affected by your proposed use.**

Furthermore, before a permit can be issued, you must provide copies of easements and/or written authorization showing that you have legal access to all lands involved in the development.

Please submit this information no later than **Thursday, April 11, 2002**. If you are unable to submit the above listed information by the date specified, you may request a "time out from processing" for up to an additional 180 days. You must submit the request in writing, stating how much more time you will need and why you need additional time. If a time out is granted, your application will not be processed further until the requested information is received or the extended deadline has passed.

If we do not receive the items requested above by this date, or you do not request a "Time Out from Processing," we may reject your application consistent with ORS 537.153. If your application is rejected, any fees submitted in excess of the examination fee will be refunded; however, the examination fee is non-refundable and will not be returned. In addition, the priority date associated with your application will be lost.

Please reference the application number when sending any correspondence regarding the conclusions of this initial review. Comments received within the comment period will be evaluated at the next phase of the process.

At this time, you must decide whether to proceed or to withdraw your application as described below.

Withdrawal Refunds:

If you choose not to proceed, you may withdraw your application and receive a refund (minus a \$50 processing charge per application.) To accomplish this you must notify the Department in writing by **Friday, March 8, 2002**. For your convenience you may use the enclosed "STOP PROCESSING" form.

To Proceed With Your Application:

If you choose to proceed with your application, you do not have to notify the Department. Your application will automatically be placed on the Department's Public Notice to allow others the opportunity to comment. After the comment period the Department will complete a public interest review and issue a proposed final order.

If A Permit Is Issued It Will Likely Include The Following Conditions:

1. Measurement, recording and reporting conditions:
 - A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.

- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
2. You may be required to install fish screens at the point of diversion to meet Oregon Department of Fish and Wildlife specifications for adequate protection of aquatic life.
3. The use of water under this right is subject to the terms and conditions of a contract with the US Bureau of Reclamation (yet to be issued).
4. The priority date for this application is April 11, 2001.

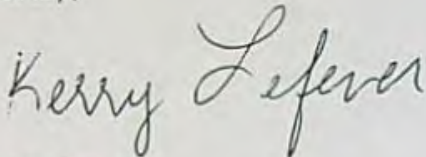
WARNING: This initial review does not attempt to address various public interest issues such as sensitive, threatened, or endangered fish species. These issues will be addressed as the Department reviews public comments and prepares a proposed final order. You should be aware that, if significant public interest issues are found to exist, such a finding could have an impact on the eventual outcome of your application.

The water source identified in your application is in an area in which an Agricultural Water Quality Management Area Plan is being developed. These plans are developed by the Oregon Department of Agriculture (ODA) with the cooperation of local landowners and other interested stakeholders. These plans help make sure that current and new appropriations of water are done in a way that does not adversely harm the environment. You are encouraged to contact Mike Wolf, (503) 986-4711 at the ODA to learn more about the plan and how it may affect your proposed water use.

If you have any questions:

Questions about the status of your application, processing timelines, or your upcoming Proposed Final Order should be directed to our Water Right Information Group at (503) 378-8455 extension 201. Feel free to call me at (503) 378-8455 extension 276 if you have any questions regarding the contents of this letter. Please have your application number available if you call. Address all other correspondence to: Water Rights Section, Oregon Water Resources Department, 158 12th ST. NE Salem, OR 97301-4172, Fax: (503)378-6203.

Sincerely,



Kerry Lefever
Senior Water Rights Technician

cc: Regional Manager, Watermaster 13, Water Availability Section
enclosures: Flow Chart of Water Right Process
Stop Processing Form

wab 15-31530708
pou 15-31530708
gw n/a

APPLICATION FACT SHEET

Mail to: Applicant, Watermaster, District Biologist (ODFW)
If necessary, also mail to : Regional Water quality manager (DEQ), and DOA

Application File Number: S-84706

Applicant: RON BOEHM

County: JACKSON

Watermaster: DISTRICT 13

Priority Date: APRIL 11, 2001

Source: LOST CREEK RESERVOIR, A TRIBUTARY OF ROGUE RIVER

Use: IRRIGATION OF 257.33 ACRES

Quantity: 1029.32 ACRE-FEET

Basin Name & Number: Rogue, #15

Stream Index Reference: Volume 1A ROGUE R MISC

Point of Diversion Location: NESE, SECTION 16. 790 FEET NORTH & 350 FEET WEST FROM THE 1/4 E CORNER OF SECTION 16, T34S, R1W, W.M.

Place of Use: NENE 23.8 ACRES, NWNE 23.8 ACRES, SWNE 32.4 ACRES, SENE 40.0 ACRES, NESE 14.9 ACRES, SWSE 10.0 ACRES, SESE 30.0 ACRES, SECTION 8, NWNE 32.6 ACRES, SWNE 32.9 ACRES, SENE 5.0 ACRES, SENW 11.3 ACRES, NESE 0.63 ACRES, SECTION 16, TOWNSHIP 34 SOUTH, RANGE 1 WEST, W.M.

14 DAY STOP PROCESSING DEADLINE DATE: Friday, March 8, 2002

PUBLIC NOTICE DATE: Tuesday, March 12, 2002

30 DAY COMMENT DEADLINE DATE: Thursday, April 11, 2002

T.34S.,R.1W.,W.M.
Jackson County, Oregon
Tax Lot Nos. 341W 18 - 200, 400, 500, 501,
604 & 606, 341W 18DA - 200 & 1701

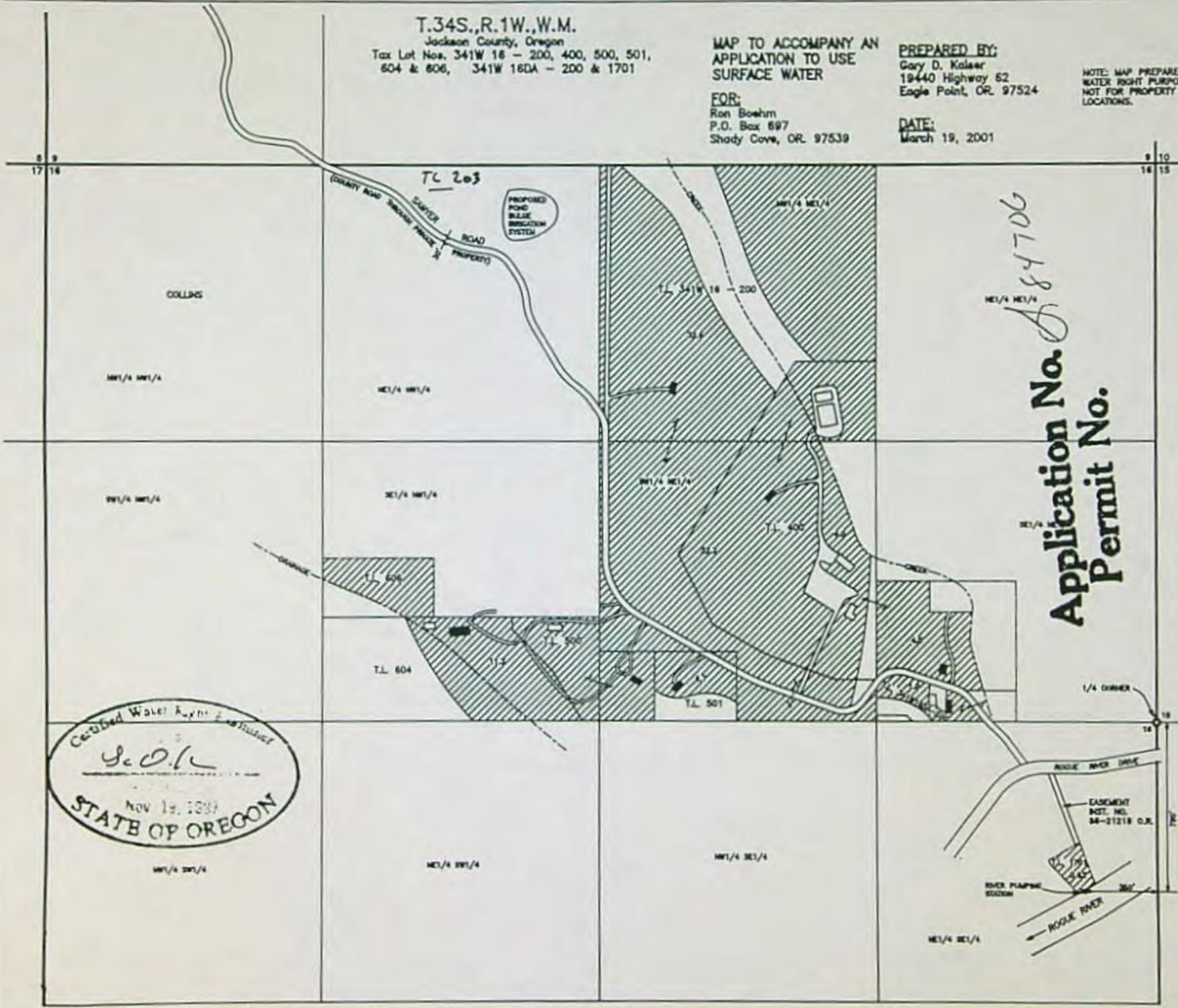
MAP TO ACCOMPANY AN
APPLICATION TO USE
SURFACE WATER

PREPARED BY:
Gary D. Kalaer
19440 Highway 62
Eagle Point, OR. 97524

NOTE: MAP PREPARED FOR
WATER RIGHT PURPOSES ONLY.
NOT FOR PROPERTY BOUNDARY
LOCATIONS.

FOR:
Ron Boehm
P.O. Box 697
Shady Cove, OR. 97539

DATE:
March 19, 2001



Application No. 84706
Permit No.

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T.34S.,R.1W.,W.M.
Jackson County, Oregon
Tax Lot Nos. 341W 8 - 102, 300,
301, 400, 403 & 404

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MAR 26 2001

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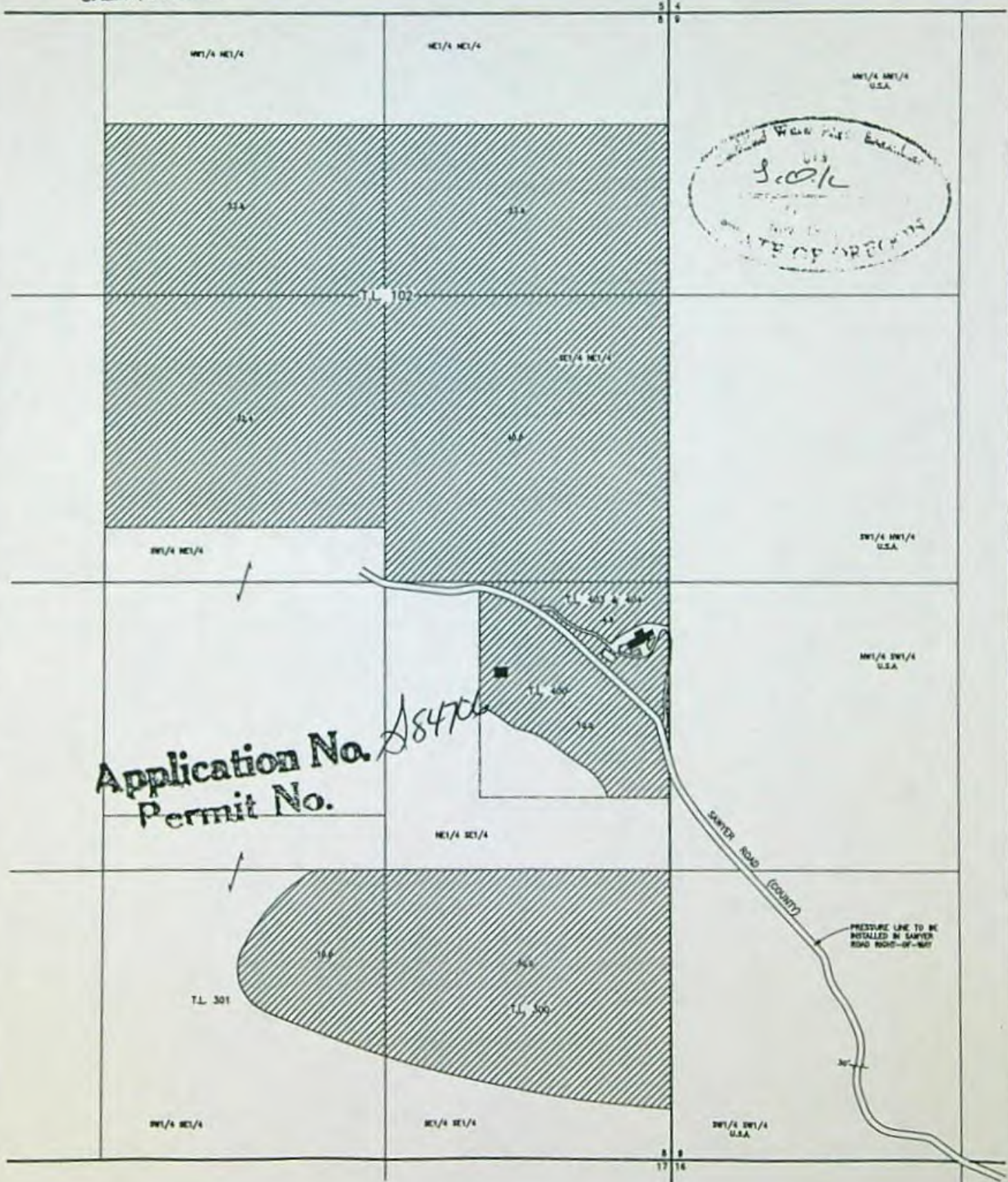
MAP TO ACCOMPANY AN
APPLICATION TO USE
SURFACE WATER

FOR:
Ron Boehm
P.O. Box 697
Shady Cove, OR. 97539

PREPARED BY:
Kaiser Surveying
19440 Highway 62
Eagle Point, OR. 97524

DATE:
March 19, 2001

NOTE: MAP PREPARED FOR
WATER RIGHT PURPOSES ONLY,
NOT FOR PROPERTY BOUNDARY
LOCATIONS.



GARY D. KAISER
R.P.L.S. ORE. 603
C.W.R.E. ORE. 73

KAISER SURVEYING
19440 HIGHWAY 62
EAGLE POINT, OREGON 97524

PHONE
SHADY COVE (541) 878-3995
FAX (541) 878-3995

May 22, 2002

JERRY GAINNEY
WATER RESOURCES DEPT.
COMMERCE BUILDING
158 12TH ST. NE
SALEM, OR 97301-4172

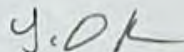
RE: FILE NO. S-84706
IN THE NAME OF RON BOEHM
C/O RICK DANIELS

I am writing this note as agent for Ron Boehm for the purpose of taking this application out of the "time out" status and requesting WRD to proceed with preparing the final permit. Mr. Boehm is very anxious to proceed with the installation of the pump and construction of the irrigation system.

Find enclosed a copy of Bureau of Reclamation Contract No. 029E101352 for 900-acre feet of stored water from Lost Creek Reservoir. This contract is commencing with the 2002 irrigation season, again, Mr. Boehm is very anxious to apply this water to his land.

If you have any questions, please call.

Sincerely,



Gary D. Kaiser

CC: Rick Daniels
P.O. Box 697
Shady Cove, OR 97539

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United States Department of the Interior

BUREAU OF RECLAMATION
Pacific Northwest Region
1150 North Curtis Road, Suite 100
Boise, Idaho 83706-1234

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IN REPLY
REFER TO:

PN-3322
WTR-4.00

MAY 14 2002

Mr. Ron Boehm
c/o Mr. Rick Daniels
PO Box 697
Shady Cove OR 97539

Subject: Water Service Contract No. 029E101352, Lost Creek Reservoir, Rogue River Basin
Project, Oregon

Dear Mr. Boehm:

Enclosed for your records is a fully executed original and one copy of Contract No. 029E101352, which provides for the irrigation use of up to 900 acre-feet of stored water from Lost Creek Reservoir commencing with the 2002 irrigation season.

Thank you for promptly executing the subject contract. If you have any questions about the contract, please contact Michael Cobell at the above address or telephone (208) 378-5223. Should you have any billing questions, please call Nancy Catron at (208) 378-5065.

Sincerely,

Ryan M. Patterson
Program Manager
Lands and Repayment

Enclosures

cc: Water Rights Division
Oregon Water Resources Department
Attention: Kerry Lefever
158 12th Street NE
Salem OR 97310
(Ref. File No: S-84706)

JERRY
GAILLARD
458

US Army Corps of Engineers
Attention: CENWP-EC-HR
PO Box 2946
Portland OR 97208

Mr. Larry Menteer
District 13 Watermaster
10 S Oakdale, Room 106
Medford OR 97501
(each w/copy of contract)

Mr. Gary Kaiser
Kaiser Surveying
19440 Highway 62
Eagle Point OR 97524

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION

Rogue River Basin Project, Oregon

CONTRACT FOR WATER SERVICE

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SALEM, OREGON

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION

Rogue River Basin Project, Oregon

CONTRACT FOR WATER SERVICE

THIS CONTRACT, made this 14th day of May, 2002, pursuant to section 9(e) of the Act of August 4, 1939 (53 Stat. 1187), and section 8 of the Act of December 22, 1944 (58 Stat. 887, 891), (which acts are commonly known and referred to as the Reclamation Laws), and the Flood Control Act of 1962 (76 Stat. 1173), between the UNITED STATES OF AMERICA, hereinafter referred to as the United States, represented by the Contracting Officer executing this contract, and Ron Boehm, hereinafter referred to as the Contractor;

WITNESSETH, THAT:

Explanatory Recitals

2. WHEREAS, The United States has constructed and operates Applegate and Lost Creek Reservoirs in the Rogue River Basin, Oregon, herein styled the Rogue River Basin Project, from which there is a flow of water that can be used for irrigation of land and other beneficial uses, which flow, as it has been developed or as it will be augmented, has been appropriated by the United States pursuant to the laws of Oregon for beneficial use under the Federal Reclamation Laws; and

3. WHEREAS, the Contractor owns land hereinafter described, for which a water supply from Lost Creek Reservoir is desired to be secured from the United States;

NOW, THEREFORE, in consideration of the premises and the payment by the Contractor to the United States of the charges in the manner hereinafter provided, it is agreed:

Lands for Which Water is Furnished: Limitations on Deliveries

4. The United States shall make available each year to the Contractor during the irrigation season from April 1 to October 31, inclusive, water from the Rogue River Basin Project for the irrigation of land owned by the Contractor described as follows:

11.3 acres, SE1/4 NW1/4, Section 16, T. 34 S., R. 1 W., W.M..
32.6 acres, NW1/4 NE1/4, Section 16, T. 34 S., R. 1 W., W.M
5.0 acre, SE1/4 NE1/4, Section 16, T. 34 S., R. 1 W., W.M.
32.9 acres, SW1/4 NE1/4, Section 16, T. 34 S., R. 1 W., W.M.
0.63 acre, NE1/4 SE1/4, Section 16, T. 34 S., R. 1 W., W.M.
23.8 acres, NW1/4 NE1/4, Section 8, T. 34 S., R. 1 W., W.M.
23.8 acres, NE1/4 NE1/4, Section 8, T. 34 S., R. 1 W., W.M.
32.4 acres, SW1/4 NE1/4, Section 8, T. 34 S., R. 1 W., W.M.
40.0 acres, SE1/4 NE1/4, Section 8, T. 34 S., R. 1 W., W.M.
14.9 acres, NE1/4 SE1/4, Section 8, T. 34 S., R. 1 W., W.M.
10.0 acres, SW1/4 SE1/4, Section 8, T. 34 S., R. 1 W., W.M.
30.0 acres, SE1/4 SE1/4, Section 8, T. 34 S., R. 1 W., W.M.

Of the land described, not more than 257.33 acres are to be irrigated. The amount of water to be made available hereunder shall be that quantity which may be applied beneficially in accordance with good usage in the irrigation of the land above described, but not to exceed a maximum diversion of 900 acre-feet of stored water annually, measured at the point of delivery of said water.

Payments for Water

5. (a) An annual payment of \$7,200 for the first irrigation season shall be made to the United States at the time of executing this contract, and subsequent annual payments of \$7,200

will be due on or before April 1 of each succeeding irrigation season in advance of water use. This payment will entitle the Contractor to receive not to exceed 900 acre-feet of stored water for irrigation of the lands described in Article 4 of this contract. The Contracting Officer will consider adjusting the water service payment downward based on information received from the Contractor, the State of Oregon, or other reliable sources as to the actual amount of stored water delivered each month to the Contractor during the irrigation season and on other factors in addition to the amount of stored water actually delivered, as deemed appropriate by the Contracting Officer. Any such adjustment will be determined and subtracted for the payment for the next year by the Contracting Officer: Provided, that in order for an adjustment to be made, information on the amounts of water and stored water delivered each month must be received in writing by the Contracting Officer by December 1 of that year.

(b) The annual charge set forth in (a) above is based on an initial rate of \$8 per acre-foot of stored water; Provided, that such annual charge shall as a minimum be the greater of either the product of \$2 multiplied by the number of acres described in Article 4 of this contract or \$50. From time to time, but not less often than once every 5 years, the rate per acre-foot of stored water and the minimum payment shall be reviewed by the Contracting Officer and revised, if necessary, by the United States for the irrigation water marketing program of the Rogue River Basin Project. Any revision by the Contracting Officer will apply only to future payments and shall be announced by written notice to the Contractor at least 3 months prior to the beginning of the irrigation season to which the new rate would be applicable.

(c) All payments from the Contractor to the United States under this contract shall be made by the medium requested by the United States. The required medium of payment

may include checks, wire transfers, or other types of payment specified by the United States.

Except when otherwise specified by the United States, all payments shall be made by check.

(d) Payments required hereunder shall be made to the Bureau of Reclamation at the location described in Article 14 of this contract.

Contract Administration Fee

6. (a) Upon execution of this contract, a \$100 fee for the preparation of this contract is due and payable by the Contractor to the United States.

(b) All future contract actions, including new contracts, contract amendments, supplements, and assignments will be charged a \$100 fee: Provided, That the fee shall be reviewed by the Contracting Officer and revised from time to time to cover costs to the United States.

Charges for Delinquent Payments

7. (a) The Contractor shall be subject to interest, administrative, and penalty charges on delinquent installments or payments. When a payment is not received by the due date, the Contractor shall pay an interest charge for each day the payment is delinquent beyond the due date. When a payment becomes 60 days delinquent, the Contractor shall pay an administrative charge to cover additional costs of billing and processing the delinquent payment. When a payment is delinquent 90 days or more, the Contractor shall pay an additional penalty charge of 6 percent per year for each day the payment is delinquent beyond the due date. Further, the Contractor shall pay any fees incurred for debt collection services associated with a delinquent payment.

(b) The interest charge rate shall be the greater of the rate prescribed quarterly in the Federal Register by the Department of the Treasury for application to overdue payments, or the interest rate of 0.5 percent per month prescribed by section 6 of the Reclamation Project Act of 1939 (Public Law 76-260). The interest charge rate shall be determined as of the due date and remain fixed for the duration of the delinquent period.

(c) When a partial payment on a delinquent account is received, the amount received shall be applied, first to the penalty, second to the administrative charges, third to the accrued interest, and finally to the overdue payment.

Furnishing of Water

8. (a) Upon payment of the annual payment specified in subarticle 5(a) above, the United States will furnish water to the Contractor from the Rogue River Basin Project pursuant to this contract. No water shall be furnished if the Contractor is delinquent in payment of the required annual payment.

(b) Water for the purposes hereof shall be made available and measured at the following point(s) of diversion:

790 feet South and 350 feet West of the East one-quarter corner of Section 16, T. 34S., R. 1W., W.M. The Contractor shall receive said water at the point of diversion and shall be wholly responsible for securing said water at that point and diverting, conveying, and utilizing it. The Contractor shall be required to conform its diversions and releases to the control of the stream as established by the appropriate State-appointed watermaster. The water to be delivered hereunder shall be measured by means of measuring or controlling devices satisfactory to the Contracting Officer. Such devices shall be furnished, installed, and maintained by and at the expense of the Contractor, but they shall be and remain at all times available for reading and monitoring by the United States or the watermaster whose representative may at all times have access to them over any lands of the Contractor. All losses of water from seepage, evaporation, or other cause, below said point of measurement, shall be borne by the Contractor.

(c) The Contractor and all other entities heretofore or hereafter contracting with the United States for a right to use water from the Rogue River Basin Project shall, to the extent of their entitlement, have equal priority to the use of water from such project so far as that may be physically practicable and legally possible, without regard to the date of their respective contracts.

Special Conditions

9. (a) It is the responsibility of the Contractor to comply with the laws of the State of Oregon regarding the obtaining and perfecting of permits to divert water to the lands described in Article 4. Prior to executing this contract, the Contractor shall secure any easements from the Corps of Engineers which may be required for constructing facilities to divert and convey the stored water and provide written verification of such agreements to the Contracting Officer. The obligation of the United States to deliver water under this contract is subject to an operating plan for the Rogue River Basin Project determined in accordance with the law governing the project.

(b) If, at some future date, the Contracting Officer determines there is sufficient demand for irrigation water from the Rogue River Basin Project to justify the formation of an irrigation district, water supply company, or other water user organization, future water service may then be made contingent upon the establishment of such an organization. Under this condition, the Contractor will be notified at least 1 year in advance of the date this contract is terminated and continued water service to the lands described in Article 4 becomes dependent upon membership in the organization established for that purpose.

(c) In the interest of conservation and protection of environmental resources, from time to time, but not less often than once every 5 years, this contract shall be reviewed by the Contracting Officer. The terms and conditions of this contract may be modified, if deemed necessary by the Contracting Officer, to avoid or minimize impacts to candidate, listed or proposed threatened and endangered species, or other valuable natural resources. Any modification by the Contracting Officer shall be announced by written notice to the Contractor.

Term of Contract

10. (a) This contract shall become effective as of the date first above written and will have a term of not to exceed 10 years; Provided; that this contract will automatically renew for a term of not to exceed 10 years at the end of 10, 20, and 30 years from the date first above written unless sooner terminated in accordance with Articles 9 or 11, or by agreement of the parties hereto, or unilaterally as set forth in (b) below, Provided however; that this contract does not qualify as a long-term contract under the Act of July 2, 1956 (70 Stat. 483) and in no event shall this contract be in effect beyond 40 years through automatic renewals.

(b) Either the Contracting Officer or the Contractor may terminate this contract unilaterally following the first 10-year term or any year thereafter, provided the terminating party has given at least 2 years advance notice in writing to the other party.

Termination of Contract

11. This contract may be terminated and water service hereunder shall cease at the option of the United States or at any time if the Contractor is delinquent in payment of the water service charge for a period of 90 days or upon failure of the Contractor to abide by any notice, order, rule, or regulation of the United States or the State of Oregon now or hereafter established affecting water service hereunder.

United States Not Liable for Water Shortages--Adjustments

12. On account of drought or uncontrollable forces, there may occur a shortage in the total quantity of water available for furnishing to the Contractor by the United States pursuant to this contract. In no event shall any liability accrue against the United States or any of its officers, agents, or employees for any damage direct or indirect arising from such shortages. If such a

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shortage occurs, the United States will apportion the available water supply among the Contractor and others entitled by existing and future contracts to receive water from the Rogue River Basin Project.

Disclaimer

13. No provision of this contract, nor of any renewal thereof, nor the furnishing of water hereunder will be construed to bind the United States after the expiration of this contract as the basis of a permanent water right. Because of possible fluctuations in reservoir surface elevations and downstream flows associated with the Rogue River Basin Project, the United States does not guarantee the availability of water at the point of the Contractor's diversion facilities as they may now be constructed or constructed hereafter. Further, the United States will not be held responsible for any acts or omissions of the Contractor's agents or of persons to whom water is furnished.

Notices

14. Any notice, demand, or request authorized or required by this contract shall be deemed to have been given, on behalf of the Contractor, when mailed, postage prepaid, or delivered to the Program Manager, Lands and Repayment, Pacific Northwest Region, Bureau of Reclamation, 1150 N. Curtis Road, Suite 100, Boise, Idaho 83706-1234, and on behalf of the United States, when mailed, postage prepaid, or delivered to Ron Boehm, PO Box 697, Shady Cove OR 97539. The designation of the addressee or the address may be changed by notice given in the same manner as provided in this article for other notices.

General Provisions

15. The general provisions applicable to this contract are listed below. The full text of these general provisions is attached as Exhibit A and is hereby made a part of this contract.

- a. CONTINGENT ON APPROPRIATION OR ALLOTMENT OF FUNDS
- b. WATER AND AIR POLLUTION CONTROL
- c. QUALITY OF WATER

- d. EQUAL OPPORTUNITY
- e. COMPLIANCE WITH RECLAMATION LAWS
- f. ASSIGNMENT LIMITED--SUCCESSORS AND ASSIGNS OBLIGATED
- g. OFFICIALS NOT TO BENEFIT
- h. WATER CONSERVATION
- i. HAZARDOUS MATERIALS

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IN WITNESS WHEREOF, the parties hereto have signed their names the day and year first
above written.

CONTRACTOR

Ron Boehm By Rick Davis
Ron Boehm P.O. A.

UNITED STATES OF AMERICA

Ryan M. Patterson
Program Manager, Lands and Repayment
PN Region
Bureau of Reclamation
1150 N. Curtis Road, Suite 100
Boise ID 83706-1234

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STATE OF OREGON)
: SS
County of Jackson)

On this 30th day of May, 2002, before me, a notary public, personally appeared Rick Daniels POA for Ron J. Beam known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged that he is the legal owner of the property for which a water supply is to be provided under the contract and has executed this contract as his free and voluntary act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal as of the day and year first above written.



(SEAL)

Pamela L. Reeves
Notary Public in and for the
State of OREGON
Residing at: Shady Cove OREGON
My commission expires: 10-4-02

STATE OF IDAHO)
: SS
County of Ada)

On this 14th day of May, 2002, personally appeared before me Ryan M. Patterson, to me known to be the official of the UNITED STATES OF AMERICA that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of said United States, for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal as of the day and year first above written.



(SEAL)

Kraig R. Howe
Notary Public in and for the
State of IDAHO
Residing at: Boise
My commission expires: 1/22/08

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GENERAL PROVISIONS --- ROGUE RIVER BASIN PROJECT

CONTINGENT ON APPROPRIATION OR ALLOTMENT OF FUNDS

a. The expenditure or advance of any money or the performance of any obligation of the United States under this contract shall be contingent upon appropriation or allotment of funds. Absence of appropriation or allotment of funds shall not relieve the Contractor from any obligations under this contract. No liability shall accrue to the United States in case such funds are not appropriated or allotted.

WATER AND AIR POLLUTION CONTROL

b. The Contractor, in carrying out this contract, shall comply with all applicable water and air pollution laws and regulations of the United States and the State of Oregon, and shall obtain all required permits or licenses from the appropriate Federal, State, or local authorities.

QUALITY OF WATER

c. The operation and maintenance of project facilities shall be performed in such manner as is practicable to maintain the quality of raw water made available through such facilities at the highest level reasonably attainable, as determined by the Contracting Officer. The United States does not warrant the quality of water and is under no obligation to construct or furnish water treatment facilities to maintain or better the quality of water.

EQUAL OPPORTUNITY

d. During the performance of this contract, the Contractor agrees as follows:

(1) The Contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The Contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex, or national origin. Such action shall include, but not be limited to, the following: Employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Contracting Officer setting forth the provisions of this nondiscrimination clause.

(2) The Contractor will, in all solicitations or advertisements for employees placed by or on behalf of the Contractor, state that all qualified applicants will receive consideration for employment without discrimination because of race, color, religion, sex, or national origin.

(3) The Contractor will send to each labor union or representative of workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the Contracting Officer, advising the said labor union or workers' representative of the Contractor's commitments under Section 202 of Executive Order 11246 of September 24, 1965, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

(4) The Contractor will comply with all provisions of Executive Order No. 11246 of September 24, 1965, as amended, and of the rules, regulations, and relevant orders of the Secretary of Labor.

(5) The Contractor will furnish all information and reports required by said amended Executive Order and by the rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to its

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books, records, and accounts by the Contracting Officer and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

(6) In the event of the Contractor's noncompliance with the nondiscrimination clauses of this contract or with any of the such rules, regulations, or orders, this contract may be canceled, terminated, or suspended, in whole or in part, and the Contractor may be declared ineligible for further Government contracts in accordance with procedures authorized in said amended Executive Order, and such other sanctions may be imposed and remedies invoked as provided in said Executive Order, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.

(7) The Contractor will include the provisions of paragraphs (1) through (7) in every subcontract or purchase order unless exempted by the rules, regulations, or orders of the Secretary of Labor issued pursuant to Section 204 of said amended Executive Order, so that such provisions will be binding upon each subcontractor or vendor. The Contractor will take such action with respect to any subcontract or purchase order as may be directed by the Secretary of Labor as a means of enforcing such provisions, including sanctions for noncompliance: Provided, however, That in the event the Contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction, the Contractor may request the United States to enter into such litigation to protect the interests of the United States.

COMPLIANCE WITH RECLAMATION LAWS

e. The parties agree that the delivery of irrigation water or use of Federal facilities pursuant to this contract is subject to Federal reclamation law, including, but not limited to the Reclamation Reform Act of 1982 (43 U.S.C. 390aa *et seq.*), as amended and supplemented, and the rules and regulations promulgated by the Secretary of the Interior under Federal reclamation law.

ASSIGNMENT LIMITED--SUCCESSORS AND ASSIGNS OBLIGATED

f. The provisions of this contract shall apply to and bind the successors and assigns of the parties hereto, but no assignment or transfer of this contract or any right or interest therein shall be valid until approved in writing by the Contracting Officer.

OFFICIALS NOT TO BENEFIT

g. No Member of or Delegate to Congress, Resident Commissioner or official of the Contractor shall benefit from this contract other than as a water user or landowner in the same manner as other water users or landowners.

WATER CONSERVATION

h. Prior to the delivery of water provided from or conveyed through federally constructed or federally financed facilities pursuant to this contract, the Contractor shall develop an effective water conservation program acceptable to the Contracting Officer. The water conservation program shall contain definite water conservation objectives, appropriate economically feasible water conservation measures, and time schedules for meeting those objectives. At subsequent 5-year intervals, the Contractor shall submit a report on the results of the program to the Contracting Officer for review. Based on the conclusions of the review, the Contracting Officer and the Contractor shall consult and agree to continue or to revise the existing water conservation program.

HAZARDOUS MATERIALS

i. During the performance of this contract, the Contractor agrees as follows:

(1) The Contractor shall comply with all applicable Federal, State, and local laws and regulations, and Reclamation policies and instructions, existing or hereafter enacted or promulgated, concerning any hazardous material that will be used, produced, transported, stored or disposed of on or in lands, waters or facilities owned by the United States or administered by Reclamation.

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A-2

MAY 28 2002

WATER RESOURCES DEPT.
SALEM, OREGON

(2) "Hazardous material" means any substance, pollutant or contaminant listed as hazardous under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, 42 U.S.C. § 9601, et seq., and the regulations promulgated pursuant to that Act.

(3) The Contractor may not allow contamination of lands, waters or facilities owned by the United States or administered by Reclamation by hazardous materials, thermal pollution, refuse, garbage, sewage, effluent, industrial waste, petroleum products, mine tailings, mineral salts, pesticides (including, but not limited to, the misuse of pesticides), pesticide containers or any other pollutants.

(4) The Contractor shall report to Reclamation, within 24 hours of its occurrence, any event which may or does result in pollution or contamination adversely affecting lands, water or facilities owned by the United States or administered by Reclamation.

(5) Violation of any of the provisions of this Article shall constitute grounds for immediate termination of this contract and shall make the Contractor liable for the cost of full and complete remediation and/or restoration of any Federal resources or facilities that are adversely affected as a result of the violation.

(6) The Contractor agrees to include the provision contained in paragraphs (1) through (5) of this Article in any subcontract or third party contract it may enter into pursuant to this contract.

(7) Reclamation agrees to provide information necessary for the Contractor, using reasonable diligence, to comply with the provision of this Article.

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WATER RESOURCES DEPT.
SALEM, OREGON

A-3

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

RON BOEHM
 PO BOX 697
 SHADY GROVE, OR 97539

S-84706

WR'S

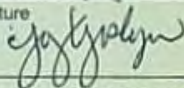
 2. Article Number
 (Transfer from service label)

4880 3888

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X



-
- Agent
-
-
- Addressee

B. Received by (Printed Name)

C. Date of Delivery

4-2-02

- D. Is delivery address different from item 1?
-
- Yes
-
- If YES, enter delivery address below:
-
- No

3. Service Type

-
- Certified Mail
-
- Express Mail
-
-
- Registered
-
- Return Receipt for Merchandise
-
-
- Insured Mail
-
- C.O.D.

4. Restricted Delivery? (Extra Fee)

 Yes

UNITED STATES POSTAL SERVICE

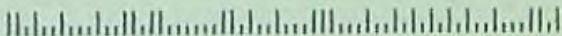


First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

- Sender: Please print your name, address, and ZIP+4 in this box •

WATER RESOURCES DEPT.
158 12TH ST NE
SALEM OR 97301

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APR 03 2004
WATER RESOURCES DEPT.
SALEM, OREGON





Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97301-4172
(503) 378-3739
FAX (503) 378-8130
www.wrd.state.or.us

March 26, 2002

RON BOEHM
PO BOX 697
SHADY COVE, OREGON, 97539

(541) 878-2948

Reference: File S-84706

Dear Applicant:

On March 21, 2002, the Department received your request for a 120 day administrative hold on processing of the above referenced application. You indicated the time was required to allow you time to obtain a contract from the Bureau of Reclamation to use Lost Creek stored water.

The Department will not take any action on this application until **July 19, 2002**. Please let us know if you are ready to proceed sooner.

If you have any questions, please give me a call. I can be reached at (503) 378-8455, extension 276.

Sincerely,

Kerry Lefever
Senior Water Rights Technician

cc: Watermaster District #13
Gary D. Kaiser, CWRE
File

GARY D. KAISER
R.P.L.S. ORE. 803
C.W.R.E. ORE. 73

KAISER SURVEYING
19440 HIGHWAY 62
EAGLE POINT, OREGON 97524

PHONE
SHADY COVE (541) 878-3995
FAX (541) 878-3995

March 6, 2002

KERRY LEFEVER
WATER RESOURCES DEPT.
COMMERCE BUILDING
158 12TH ST. NE
SALEM, OR 97301-4172

RE: FILE NO. S-84706
IN THE NAME OF RON BOEHM

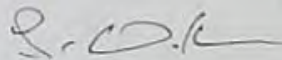
I am writing this note as agent for Ron Boehm for the purpose of requesting "time out from processing" for an additional 120 days. The Bureau of Reclamation in Boise (USBR Staff Person, Mike Cobell: (208) 378-5223) is in need of more time to prepare their contract to use Lost Creek stored water.

Our original request was for 1030-acre feet (4.0 feet/acre), we have reduced this to 900-acre feet (3.5 feet/acre) since a request for 1,000-acre feet or more requires a more extensive approval process with USBR. I mailed revised Contract Data Sheets to Mike Cobell, USBR, today.

Find a copy of revised Sheet 3 of your surface water application showing the reduction in amount of water requested, 1030 a.f. down to 900 a.f., copy of the USBR Contract Data Sheets, copy of revised Form 1 and copy of latest deed and current land owner's name for Easement Exhibit "C" on the application.

If you have any questions, please call.

Sincerely,



Gary D. Kaiser

CC: Rick Daniels
P.O. Box 697
Shady Cove, OR 97539

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MAR 21 2002
WATER RESOURCES DEPT.
SALEM, OREGON

ACCOUNT # 1 74002 7 A & T INQUIRY MENU (MAP SEQUENCE)
OWNER PENNOCK GARY C/JEANNE L MAP 341W16DA LOT 1702 CODE 9-15
AGENT M.A. 1 BASE YR 1989 YR BLT 1997 APPR# 90
C/O ZONING R-1-40 PROP CLS 101 FAC BK 132
15261 VALI HAI RD SITUS 7424 ROGUE RIVER DR
NBRHD
POWAY CA 92064

WARNING: CHECK WITH APPROPRIATE CITY OR COUNTY AGENCY FOR CURRENT ZONING.
THIS INFORMATION FOR ASSESSMENT & TAXATION PURPOSES ONLY.

* * * * * INFORMATION MENU * * * * *

1. ASSESSMENT INFORMATION
2. APPRAISAL INFORMATION
3. JOURNAL VOUCHER INFORMATION
4. TAX INFORMATION
5. COMMERCIAL/SALES INFORMATION

OPTION: _

CMD: 01-ReqstMenu 02-SearchLst 07-Historic Deed Record 12-Acct.Seq. HELP key

RECEIVED

MAR 21 2002

WATER RESOURCES DEPT.
SALEM, OREGON

ACCOUNT # 1 74003 5 A & T INQUIRY MENU (MAP SEQUENCE)
OWNER GASBAR RICHARD E/LAUREL L MAP 341W16DA LOT 1703 CODE 9-15
AGENT M.A. 1 BASE YR 1989 YR BLT 1998 APPR# 64
C/O ZONING R-1-40 PROP CLS 101 FAC BK 142
7426 ROGUE RIVER DR SITUS 7426 ROGUE RIVER DR
NBRHD
SHADY COVE OR 97539

WARNING: CHECK WITH APPROPRIATE CITY OR COUNTY AGENCY FOR CURRENT ZONING.
THIS INFORMATION FOR ASSESSMENT & TAXATION PURPOSES ONLY.

* * * * * INFORMATION MENU * * * * *

1. ASSESSMENT INFORMATION
2. APPRAISAL INFORMATION
3. JOURNAL VOUCHER INFORMATION
4. TAX INFORMATION
5. COMMERCIAL/SALES INFORMATION

OPTION: _

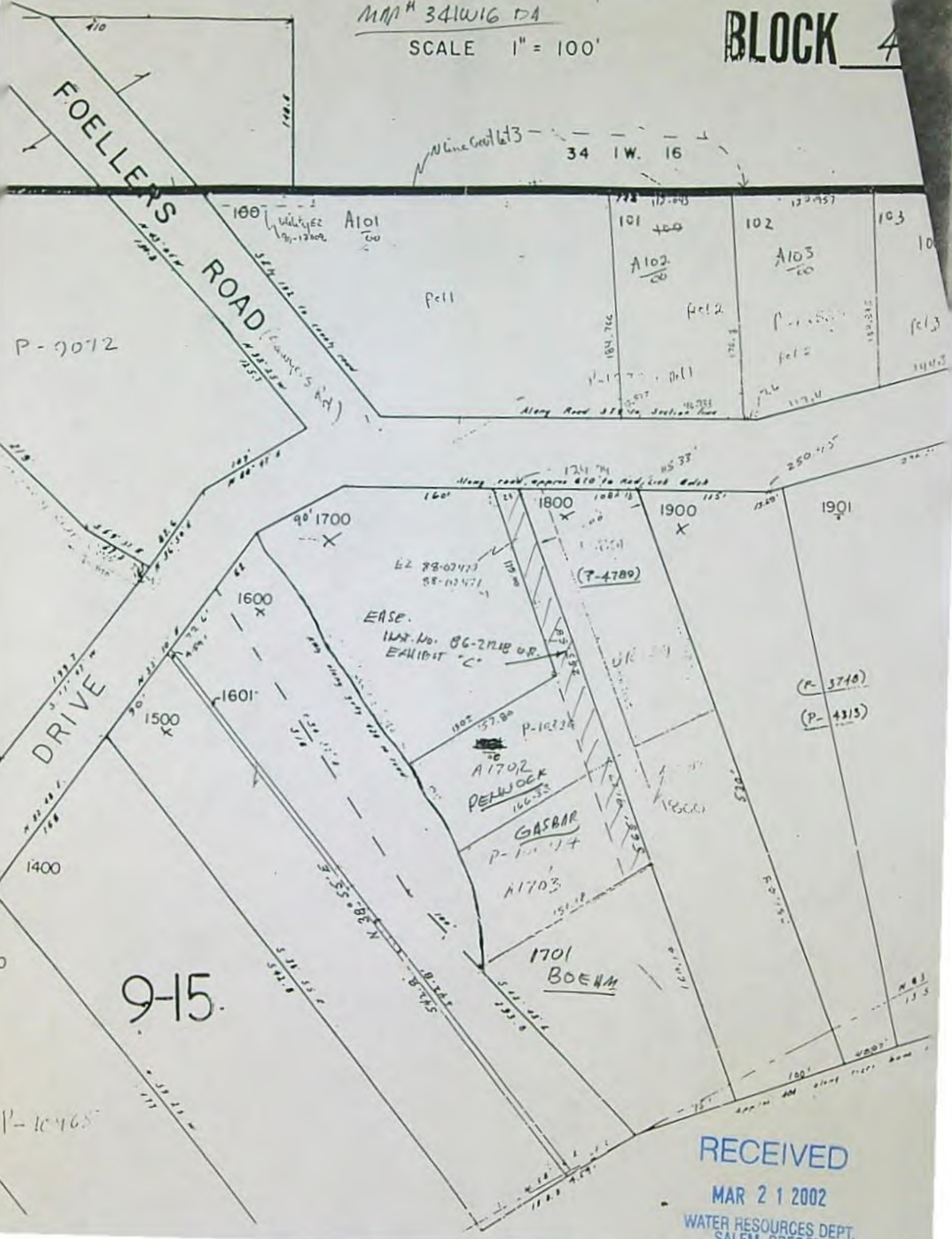
CMD: 01-ReqstMenu 02-SearchLst 07-Historic Deed Record 12-Acct.Seq. HELP key

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MAR 21 2002
WATER RESOURCES DEPT.
SALEM, OREGON

MAP # 341W16 DA

SCALE 1" = 100'

BLOCK 4



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MAR 21 2002

WATER RESOURCES DEPT.
SALEM, OREGON

00 21099

JACKSON COUNTY TITLE
DIVISION OF OREGON TITLE INSURANCE COMPANY
502 W. Main Street (P. O. Box 218) Medford, OR 97501 (541) 779-2811

9248288

10-
10-
11-

TENANTS BY ENTIRETY
WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that .

Jane Summers-Siebert, Trustee and Doug Siebert, Trustee of the Siebert Trust who acquired title as Doug & Jane Siebert Trust and Jane Summers-Siebert who acquired title as Jane Hakes

hereinafter called the Grantor, for the consideration hereinafter stated, to Grantor paid by

Gary C. Pennock and Jeanne L. Pennock

husband and wife, Grantees, do hereby grant, bargain, sell and convey unto the Grantees, as tenants by the entirety, the heirs of the survivor and their assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Jackson, State of Oregon, described as follows, to wit:

See Exhibit "A" attached hereto and made a part hereof

TO HAVE AND TO HOLD the same unto the said Grantee and Grantee's heirs, successors and assigns forever.

And Grantor hereby covenants to and with Grantees and the heirs of the survivor and their assigns, that Grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances, EXCEPT

See Exhibit "A" attached hereto and made a part hereof

and that Grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

THE TRUE AND ACTUAL CONSIDERATION paid for this transfer, stated in terms of dollars is \$ 110,000.00

WHERE THE CONTEXT SO REQUIRES, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to individuals and to corporations.

IN WITNESS WHEREOF, the grantor has executed this instrument this 9 day of MAY, 2000

"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."

Jane Summers-Siebert
Jane Summers-Siebert, Trustee

Doug Siebert
Doug Siebert, Trustee

Jane Summers-Siebert
Jane Summers-Siebert, individually

STATE OF OREGON
COUNTY OF Lincoln

The foregoing instrument was acknowledged before me this 9 day of May 2000.

by Jane Summers-Siebert, Trustee and Doug Siebert, Trustee and Jane Summers-Siebert, individually

Mary Karen Baker
Notary Public for Oregon
My commission expires August 9, 2003



Mail Tax Statements to:

Grantees
15261 Vali Hai Road
Poway CA 92064

RECEIVED

MAR 21 2002

WATER RESOURCES DEPT.
SALEM, OREGON

0

00 21099

92482ss

EXHIBIT A

Commencing at a 1" iron pipe marking the quarter corner common to Sections 15 and 16 in Township 34 South, Range 1 West of the Willamette Meridian in Jackson County, Oregon; thence South 00°03'50" East (record South), along the east line of said Section 16, a distance of 189.40 feet (record 183.60 feet) to a point on the southerly right of way line of Rogue River Drive (County Road) thence South 79°34'00" West, along said right of way line, 250.95 feet to a 5/8" iron pin; thence continue along said right of way line, on the arc of a 630.00 foot radius curve right, a distance of 115.33 feet to a 5/8" iron pin; thence North 89°56'40" West, along said right of way line, 124.74 feet to a 5/8" iron pin, being the northwesterly corner of tract described in deed recorded as Document No. 71-03238 of the Official Records of Jackson County, Oregon and the True Point of Beginning; thence continue North 89°56'40" West along said right of way line, 25.00 feet; thence South 20°25'00" East parallel with the westerly line of said tract, 175.0 feet; thence South 60°00'00" West 150.0 feet, more or less, to a point on the center of the creek bed of Red Lick Gulch Creek, said point also being on the easterly line of tract described in deed recorded as Document No. 75-06703 said Official Records; thence Southerly, along said easterly line, 90 feet, more or less, to a point 90 feet southeasterly of, when measured at right angles to, the southerly line of tract described in Document No. 79-06897 of the Official Records of Jackson County, Oregon; thence North 60°00'00" East, parallel with said southerly line, to the westerly line of said tract described in deed recorded as Document No. 71-03238 said Official Records; thence North 20°25'00" West, along the west line of said tract to the True Point of Beginning.

(Code 9-15, Account #1-74002-7, Map #341W16DA, Tax Lot #1702)

SUBJECT TO:

1. Any adverse claim based on the assertion that any portion of the subject property has been created by artificial means or has accreted to such portions so created, or based upon the provisions of ORS 274.905 through 274.940.
2. Any adverse claim based on the assertion that some portion of the subject property has been removed from or brought within the property's boundaries by an avulsive movement of Red Lick Gulch Creek, or has been formed by the process of accretion or reliction.
3. The rights of fishing, navigation, commerce, flood control, propagation of anadromous fish, and recreation and other rights of the public or governmental bodies in and to the waters of Red Lick Gulch Creek.
4. 12 foot wide permanent easement for underground sewerline, together with a 24 foot temporary easement, lying 12 feet outside on each side of permanent easement, subject to the terms and provisions thereof, granted to the City of Shady Cove, Oregon, by instrument recorded April 10, 1980 as No. 80-06966 of the Official Records of Jackson County, Oregon.
5. Easement for ingress and egress over the most easterly 25 feet as granted in Deed recorded June 19, 1986 as No. 86-11146 of the Official Records of Jackson County, Oregon.
6. Restriction stating "there are no mobile homes allowed" as disclosed on Deed recorded October 21, 1986 as No. 86-21091 of the Official Records of Jackson County, Oregon.
7. Right of way for the transmission and distribution of electricity, and for other purposes, granted to Pacificorp, a corporation dba Pacific Power & Light Company, a corporation, by instrument recorded January 25, 1989 as No. 89-01712 of the Official Records of Jackson County, Oregon.

Jackson County, Oregon
Recorded
OFFICIAL RECORDS

MAY 19 2000

2:10 pm
[Signature]
COUNTY CLERK

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MAR 21 2002

WATER RESOURCES DEPT.
SALEM, OREGON

(2)

97-10485

JACKSON COUNTY TITLE
DIVISION OF OREGON TITLE INSURANCE COMPANY
502 W. Main Street (P. O. Box 218) Medford, OR 97501 (541) 779-2811

75968cs-LB

20-
10-
20-

TENANTS BY ENTIRETY
WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that ,

ROBERT WILLIAM PETERSON and BRENDA LEE PETERSON

hereinafter called the Grantor, for the consideration hereinafter stated, to Grantor paid by

RICHARD E. GASBAR and LAUREL L. GASBAR,

husband and wife, Grantees, do hereby grant, bargain, sell and convey unto the Grantees, as tenants by the entirety, the heirs of the survivor and their assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of JACKSON, State of Oregon, described as follows, to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF

TO HAVE AND TO HOLD the same unto the said Grantee and Grantee's heirs, successors and assigns forever.

And Grantor hereby covenants to and with Grantees and the heirs of the survivor and their assigns, that Grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances, EXCEPT
SEE EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF

and that Grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

THE TRUE AND ACTUAL CONSIDERATION paid for this transfer, stated in terms of dollars is \$ 35,000.00

WHERE THE CONTEXT SO REQUIRES, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to individuals and to corporations.

IN WITNESS WHEREOF, the grantor has executed this instrument this 25th day of October, 1997.

"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."

Robert William Peterson
ROBERT WILLIAM PETERSON

Brenda Lee Peterson
BRENDA LEE PETERSON

STATE OF OREGON
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 1997,
by

ROBERT WILLIAM PETERSON and BRENDA LEE PETERSON, who executed the within their voluntary act and deed.

See attached acknowledgement

Notary Public for Oregon
My commission expires _____

Mail Tax Statements to:

Grantees
615 KENWORTHY
SHADY COVE, OR 97539

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MAR 21 2002

WATER RESOURCES DEPT.
SALEM, OREGON

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Ventura

On Oct 25 1997 before me, Trinka Reynolds Anthony Pettit

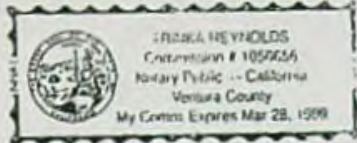
Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared Robert Peterson + Maude Lee Peterson

Name(s) of Signer(s)

personally known to me
 proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Trinka Reynolds
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

- Individual
- Corporate Officer
Title(s): _____
- Partner — Limited General
- Attorney-in-Fact
- Trustee
- Guardian or Conservator
- Other: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer Is Representing: _____

Signer's Name: _____

- Individual
- Corporate Officer
Title(s): _____
- Partner — Limited General
- Attorney-in-Fact
- Trustee
- Guardian or Conservator
- Other: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer Is Representing: _____

RECEIVED
MAR 21 2002
WATER RESOURCES DEPT.
SALEM, OREGON

EXHIBIT A

Commencing at a 1 inch iron pipe marking the quarter corner common to Sections 15 and 16, Township 34 South, Range 1 West, of the Willamette Meridian in Jackson County, Oregon; thence South 00°03'50" East (record South), along the east line of said Section 16, a distance of 189.40 feet (record 183.60 feet) to a point on the southerly right of way line of Rogue River Drive (County Road); thence South 79°34'00" West, along said right of way line 250.95 feet to a 5/8 inch iron pin; thence continue along said right of way line, on the arc of a 630.00 foot radius curve right, a distance of 115.33 feet to a 5/8 inch iron pin; thence North 89°56'40" West along said right of way line 124.74 feet to a 5/8 inch iron pin, being the northwesterly corner of tract described in deed recorded as Document No. 71-03238 of the Official Records of Jackson County, Oregon; thence continue North 89°56'40" West, along said right of way line 25.00 feet; thence South 20°25'00" East, parallel with the westerly line of said tract, 175.0 feet; thence South 60°00'00" West 150.0 feet, more or less, to a point on the center of the creek bed of Red Lick Gulch Creek, said point also being on the easterly line of tract described in deed recorded as Document No. 75-06703, said Official Records; thence Southerly, along said easterly line, 90 feet, more or less, to a point 90 feet southeasterly of, when measured at right angles to, the southerly line, or its westerly extension of tract described in Document No. 79-06897, said Official Records, for the true point of beginning; thence North 60°00'00" East, parallel with said southerly line, to the westerly line of said tract in Document No. 71-03238, said Official Records; thence South 20°25'00" East, along said west line, 90 feet, more or less, to a point 180 feet southeasterly of, when measured at right angles to the southerly line, of its westerly extension, of tract described in Document No. 79-06897, said Official Records; thence South 60°00'00" West, parallel with said southerly line, to a point on the easterly line of tract described in Document No. 75-06703, said Official Records; thence Northerly, along said easterly line, to the true point of beginning.

(Code 9-15, Account #1-74003-5, Map #341W16DA, Tax Lot #1703)

SUBJECT TO:

1. Taxes for the fiscal year 1997-98 are a lien in an amount yet to be determined, but not yet payable.
2. The premises herein described are within the San's Valley Irrigation District, notice of which is given by instrument recorded May 29, 1980 as No. 80-10053 of the Official Records of Jackson County, Oregon, and are subject to statutory powers, including the power of assessment.
3. Any adverse claim based on the assertion that any portion of the subject property has been created by artificial means or has accreted to such portions so created, or based upon the provisions of ORS 274.905 through 274.940.
4. Any adverse claim based on the assertion that some portion of the subject property has been removed from or brought within the property's boundaries by an evaluative movement of Red Lick Gulch Creek, or has been formed by the process of accretion or reliction.
5. The rights of fishing, navigation, commerce, flood control, propagation of anadromous fish, and recreation and other rights of the public or governmental bodies in and to the waters of Red Lick Gulch Creek.
6. Terms and provisions contained in easement for well site, water transmission lines and appurtenances thereto, as disclosed in Deed recorded March 27, 1980 as No. 80-05938 and recorded July 11, 1985 as No. 85-11106 and January 26, 1990 as No. 90-02088 of the Official Records of Jackson County, Oregon.
7. 12 foot wide permanent easement for underground sewerline; subject to the terms and provisions thereof, as granted to the City of Shady Cove, Oregon, by instrument recorded April 10, 1980 as No. 80-06966 of the Official Records of Jackson County, Oregon.
8. Easement for ingress and egress as granted in Deed recorded June 19, 1986 as No. 86-11146 of the Official Records of Jackson County, Oregon, further granted in Deed recorded October 21, 1986 as No. 86-21093 said Official Records. (Affects Easterly 25 feet)
9. Easement for ingress and egress as reserved in Deed recorded October 21, 1986 as No. 86-21092 of the Official Records of Jackson County, Oregon.

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MAR 21 2002

WATER RESOURCES DEPT.
SALEM, OREGON

(Continued) 97-40485

10. Restriction: "There are no mobile homes allowed on property described herein as disclosed on Deed recorded October 21, 1986 as No. 86-21092 of the Official Records of Jackson County, Oregon.

11. Right(s) of way for the transmission and distribution of electricity, and for other purposes, granted to PacifiCorp, a corporation, dba Pacific Power & Light Company, by instrument(s) recorded January 25, 1989 as No. 89-01712 of the Official Records of Jackson County, Oregon.

Jackson County, Oregon
Recorded
OFFICIAL RECORDS

OCT 29 1997
2:10 PM
[Signature]
COUNTY CLERK

4-

RECEIVED

MAR 21 2002

WATER RESOURCES DEPT.
SALEM, OREGON

CONTRACT DATA SHEET



US Bureau of Reclamation
 Attn: PN-3323
 1150 North Curtis Road
 Boise ID 83706-1234
 (208) 378-5346

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 MAR 21 2002
 WATER RESOURCES DEPT.
 SALEM, OREGON

1. Name(s) of Landowner(s) ROU BOEHM
2. Address P.O. Box 697, SHADY Cove, OR 97539
3. Mailing Address (if different) NA
4. Source of Water (name of stream, river) LOST CREEK Reservoir (tributary of the Rogue River)
RIVER PUMPING STATION
5. Point of diversion: 790 feet South and 350 feet West
 of E. 1/4 cor corner of Section 16, Township 34 S., Range 1 W.,
 Willamette Meridian.
6. Include a small map of lands and diversion points [same as required by Oregon Water Resources Department (OWRD)].
7. Application or file number with OWRD if you have applied for a permit to divert storage water: NA
8. Do you currently hold a right to natural flows for irrigating the property described herein? No
 If yes, what is the priority date? _____
9. Total quantity of water from storage requested: ~~1029~~ 900 GPM 3-4-02 acre-feet.
10. 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
34S	1W	16	NE 1/4 SE 1/4	0.63	LANDSCAPE
34S	1W	16	SE 1/4 NE 1/4	5.0	LANDSCAPE, PASTURE NON-COMMERCIAL GARDEN
34S	1W	16	SW 1/4 NE 1/4	32.9	LANDSCAPE, PASTURE NON-COMMERCIAL GARDEN
34S	1W	16	SE 1/4 NW 1/4	11.3	NON-COMMERCIAL GARDEN

11. What is the present use of the land identified above? [Farming; idle (fallow cultivated land); fallow (appears never to have been tilled); planted pasture or other (please specify)]
DAY PASTURE, LANDSCAPE AND NON-COMMERCIAL GARDEN
12. Is the land identified above currently being irrigated? PART OF If yes, what is the source? (natural flows: wells, etc.) WELLS AND HAULED WATER, WELLS ARE FAILING
13. Telephone Number where you can be reached during the day: (541) 878-2948

CONTRACT DATA SHEET



US Bureau of Reclamation
 Attn: PN-3323
 1150 North Curtis Road
 Boise ID 83706-1234
 (208) 378-5346

RECEIVED

MAR 21 2002

WATER RESOURCES DEPT.
 SALEM, OREGON

- Name(s) of Landowner(s) ROL BOEHM
- Address P.O. Box 697, SHADY COVE, OR 97539
- Mailing Address (if different) NA
- Source of Water (name of stream, river) LOST CREEK RESERVOIR (TRIBUTARY OF THE ROGUE RIVER)
RIVER PUMPING STATION
- Point of diversion: 790 feet SOUTH and 350 feet WEST
 of E. 1/4 COR corner of Section 16, Township 34 S., Range 1 W.,
 Willamette Meridian.
- Include a small map of lands and diversion points [same as required by Oregon Water Resources Department (OWRD)].
- Application or file number with OWRD if you have applied for a permit to divert storage water: NA
- Do you currently hold a right to natural flows for irrigating the property described herein? NS.
 If yes, what is the priority date? _____
- Total quantity of water from storage requested: 900 GPM 3-4-02
4029 acre-feet.
- 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
34 S	1 W	16	NW 1/4 NE 1/4	32.6	PASTURE
34 S	1 W	8	SE 1/4 SE 1/4	30.0	GRAPES
34 S	1 W	8	SW 1/4 SE 1/4	10.0	GRAPES
34 S	1 W	8	NE 1/4 SE 1/4	14.9	LANDSCAPE, PALMS NON-COMMERCIAL GARDEN

- 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)]
LANDSCAPE, DRY PASTURE AND NON-COMMERCIAL GARDEN
- Is the land identified above currently being irrigated? PART OF If yes, what is the source? (natural flows: wells, etc.) WELLS AND HAULED WATER (WELLS HAVE FAILED)
- Telephone Number where you can be reached during the day: (541) 878-2948

CONTRACT DATA SHEET



US Bureau of Reclamation
 Attn: PN-3323
 1150 North Curtis Road
 Boise ID 83706-1234
 (208) 378-5346

RECEIVED
 MAR 21 2002
 WATER RESOURCES DEPT.
 SALEM, OREGON

1. Name(s) of Landowner(s) ROU BOEM
2. Address P.O. Box 297, SHARY CUE, OR 97539
3. Mailing Address (if different) NA
4. Source of Water (name of stream, river) LOST CREEK RESERVOIR (TRIANGLE OF THE ROGUE RIVER)
RIVER PUMP & STATION
5. Point of diversion: 790 feet SOUTH and 350 feet WEST
of E. 1/4 corner of Section 16, Township 34 S., Range 1W.,
Willamette Meridian.
6. Include a small map of lands and diversion points [same as required by Oregon Water Resources Department (OWRD)].
7. Application or file number with OWRD if you have applied for a permit to divert storage water: NA
8. Do you currently hold a right to natural flows for irrigating the property described herein? No.
If yes, what is the priority date? _____
9. Total quantity of water from storage requested: 900 GDF 3-4-02
6029 acre-feet.
10. 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
34 S	1W	8	SE 1/4 NW 1/4	40	SOME GRAPES & PASTURE
34 S	1W	8	NE 1/4 NW 1/4	23.8	SOME GRAPES & PASTURE
34 S	1W	8	SW 1/4 NW 1/4	32.4	SOME GRAPES & PASTURE
34 S	1W	8	NW 1/4 NW 1/4	23.8	SOME GRAPES & PASTURE

11. What is the present use of the land identified above? [Farming; idle (fallow cultivated land); fallow (appears never to have been tilled); planted pasture or other (please specify)]
PAY LAND PASTURE - LOGGED OVER LAND
12. Is the land identified above currently being irrigated? No. If yes, what is the source? (natural flows; wells, etc.) _____
13. Telephone Number where you can be reached during the day: (501) 878-2948



Oregon Water Resources Department

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FORM I

MAR 21 2002

FOR IRRIGATION WATER USE

WATER RESOURCES DEPT. SALEM, OREGON

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: 257.32 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:

- PASTURE, LOW COMMERCIAL GARDEN*
1. GRASSES, LANDSCAPE Full season Partial season (from: 3/1 to 10/31)
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:

1029.32 ^{SPK 3-4-02} 900 acre-feet

(1 acre-foot equals 12 inches of water spread over one 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: _____

MEMORANDUM

Date: March 4, 2002
To: Application File #S-84706
From: Kerry Lefever, Initial Review
Subject: Items requested of applicant with IR issued February 22, 2002

On March 4, 2002, Gary Kaiser, CWRE (541-878-3995) called as agent for the applicant. Gary will request from the BOR an amount of water less than 1000 acre-feet, which is less than the 1029.32 af requested in application. Mr. Kaiser will contact BOR to obtain contract.

Mr. Kaiser will obtain the name and address of current land owner for Tax Lot 1701, with easement is described in Exhibit C of application.

Mr. Kaiser provided the name and address of the Jackson County Road Department as follows:

Jackson County Road Department
Dale Petrosik, County Engineer
200 Antelope Road
White City, Oregon 97503

ACTION: Copy of IR sent to Jackson County Road Department March 4, 2002. *KL*

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

FILE#: S 84706

RON BOEHM

PO BOX 697

SHADY COVE, OR 97539

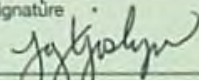
W/R

2. Article Number

*(Transfer from service label)***COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

 Agent Addressee

B. Received by (Printed Name)



C. Date of Delivery

2/25/02

D. Is delivery address different from item 1? Yes Yes

If YES, enter delivery address below:

 No

3. Service Type

 Certified Mail Express Mail Registered Return Receipt for Merchandise Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee)

 Yes

7001 0320 0004 9017 5966

UNITED STATES POSTAL SERVICE

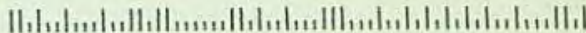


First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

- Sender: Please print your name, address, and ZIP+4 in this box •

WATER RESOURCES DEPT.
158 12TH ST NE
SALEM OR 97301

RECEIVED
FEB 27 2002
WATER RESOURCES DEPT
SALEM, OREGON





Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97301-4172
(503) 378-3739
FAX (503) 378-8130
www.wrd.state.or.us

CERTIFIED MAIL Return Receipt Requested

February 22, 2002

RON BOEHM
PO BOX 697
SHADY COVE, OREGON, 97539

(541) 878-2948

Reference: File S-84706

Dear Applicant:

Your Initial Review has been processed, and I found that additional information is required to complete your application for water use. If you do not withdraw your application, additional information is required as described below.

Additional Information Required:

- Please submit an executed contract to purchase stored water from the Bureau of Reclamation.
- Your application form indicates that not all the land on which you propose to divert, transport and use water is under your ownership.. Although you provided information in the attached Exhibits to the application form, we need the names and addresses of owners where you propose to divert, transport, and use water. Before we may proceed with processing your application, you must submit the names and addresses of all landowners affected by your proposed use.

Furthermore, before a permit can be issued, you must provide copies of easements and/or written authorization showing that you have legal access to all lands involved in the development.

RON BOEHM
February 22, 2002

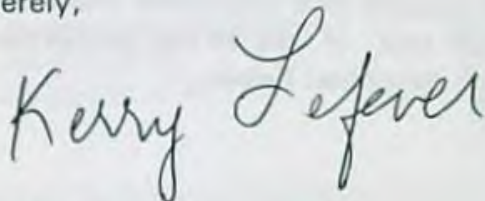
S-84706
Page 2

Please submit this information no later than **Thursday, April 11, 2002**. If you are unable to submit the above listed information, you may request a "time out from processing" for up to an additional 180 days. You must submit the request in writing, stating how much more time you will need and why you need additional time. If a time out is granted, your application will not be processed further until the requested information is received or the extended deadline has passed.

If we do not receive the items requested above by this date, or a request for time out from processing, we may reject your application consistent with ORS 537.153. If your application is rejected, any fees submitted in excess of the examination fee will be refunded; however, the examination fee is non-refundable and will not be returned. In addition, the priority date associated with your application will be lost.

Should you have any questions regarding your application or the required materials listed above, or if you need to request an extension of time, please call me at (503) 378-8455, extension 276.

Sincerely,



Kerry Lefever
Senior Water Rights Technician

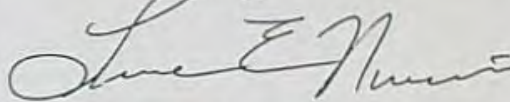
cc: Watermaster Dist #13
Gary D. Kaiser, CWRE
File

B4791
OR49181

This decision may be appealed to the Interior Board of Land Appeals in accordance with the regulations in Title 43 of the Code of Federal Regulations, Part 4.400 and the enclosed form 1842-1. You will also find enclosed Appeal Procedures which provides instruction for requesting a stay of the decision appealed. If an appeal is taken, the notice of appeal must be filed in this office at the above address within 30 days from receipt of this decision. The appellant has the burden of showing that the decision is in error.

If we can be of further assistance, please feel free to contact Realty Specialist, Leslie Voelkel, at (541) 618-2217.

Sincerely,



Lance Nimmo
Field Manager
Butte Falls Resource Area

Enclosures

- 1 - Amended Right-of-Way Grant OR 49181
- 2 - Original Right-of-Way Grant OR 49181
- 3 - Appeal Procedures
- 4 - Form 1842-1

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MAR 26 2001

WATER RESOURCES DEPT.
SALEM, OREGON

Application No. *A* 84706
Permit No.

B4791
OR49181

APPEAL PROCEDURES

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4, and the enclosed form 1842-1. If an appeal is taken, your notice of appeal must be filed in this office (at the above address) within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition pursuant to regulation 43 CFR 4.21 (58 FR 4939, January 19, 1993) or 43 CFR 2804.1 for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay **must** also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office.

If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied,
- (2) The likelihood of the appellant's success on the merits,
- (3) The likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) Whether the public interest favors granting the stay.

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MAR 26 2001

WATER RESOURCES DEPT
SALEM, OREGON

Application No. *J 84706*
Permit No.

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

INFORMATION ON TAKING APPEALS TO THE BOARD OF LAND APPEALS

DO NOT APPEAL UNLESS

1. This decision is adverse to you,
AND
2. You believe it is incorrect

IF YOU APPEAL, THE FOLLOWING PROCEDURES MUST BE FOLLOWED

1. NOTICE OF APPEAL Within 30 days file a *Notice of Appeal* in the office which issued this decision (see 43 CFR Secs. 4.411 and 4.413). You may state your reasons for appealing, if you desire.

BUREAU OF LAND MANAGEMENT
MEDFORD DISTRICT
3040 BIDDLE ROAD
MEDFORD, OR 97504

2. WHERE TO FILE
NOTICE OF APPEAL

SOLICITOR
ALSO COPY TO

USDI - OFFICE OF REGIONAL SOLICITOR
LLOYD 500 BLDG., SUITE 607
500 N.E. MULTNOMAH STREET
PORTLAND, OR 97232

3. STATEMENT OF REASONS Within 30 days after filing the *Notice of Appeal*, file a complete statement of the reasons why you are appealing. This must be filed with the United States Department of the Interior, Office of the Secretary, Board of Land Appeals, 4015 Wilson Blvd., Arlington, Virginia 22203 (see 43 CFR Sec. 4.412 and 4.413). If you fully stated your reasons for appealing when filing the *Notice of Appeal*, no additional statement is necessary.

SOLICITOR
ALSO COPY TO

USDI - OFFICE OF REGIONAL SOLICITOR
LLOYD 500 BLDG., SUITE 607
500 N.E. MULTNOMAH STREET
PORTLAND, OR 97232

Application No. 184706
Permit No.

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MAR 26 2001
WATER RESOURCES DEPT
SALEM, OREGON

4. ADVERSE PARTIES Within 15 days after each document is filed, each adverse party named in the decision and the Regional Solicitor or Field Solicitor having jurisdiction over the State in which the appeal arose must be served with a copy of: (a) the *Notice of Appeal*, (b) the *Statement of Reasons*, and (c) any other documents filed (see 43 CFR Sec. 4.413). Service will be made upon the Associate Solicitor, Division of Energy and Resources, Washington, D.C. 20240, instead of the Field or Regional Solicitor when appeals are taken from decisions of the Director (WO-100).

5. PROOF OF SERVICE Within 15 days after any document is served on an adverse party, file proof of that service with the United States Department of the Interior, Office of the Secretary, Board of Land Appeals, 4015 Wilson Blvd., Arlington, Virginia 22203. This may consist of a certified or registered mail "Return Receipt Card" signed by the adverse party (see 43 CFR Sec. 4.401(c)(2)).

Unless these procedures are followed your appeal will be subject to dismissal (see 43 CFR Sec. 4.402). Be certain that all communications are identified by serial number of the case being appealed.

NOTE: A document is not filed until it is actually received in the proper office (see 43 CFR Sec. 4.401(a))



UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
PUBLIC LAND GRANT/TEMPORARY USE PERMIT

Issuing Office
Medford
Serial Number
OR 49181

1. A (right-of-way) (permitted) granted pursuant to:

- a. Title V of the Federal Land Policy and Management Act of October 21, 1976 (90 Stat. 2776; 43 U.S.C. 1761);
- b. Section 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185);
- c. Other (describe) _____

2. Nature of Interest:

a. By this instrument, the holder J. R. Boehm receives a right to ~~construct~~ operate, maintain, and terminate a road access right-of-way on public lands (or Federal land for MLA Rights-of-Way) described as follows:

S1/2SW1/4SW1/4, Sec. 9, T. 34 S., R. 1 W.,
Willamette Meridian, Jackson County, Oregon.

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MAR 26 2001

WATER RESOURCES DEPT.
SALEM, OREGON

Application No. 84706
Permit No.

- b. The right-of-way or permit area granted herein is 30 feet wide, 2,080 feet long and contains 1.433 acres, more or less. If a site type facility, the facility contains N/A acres.
- c. This instrument shall terminate on March 11, 2023, 30 years from its effective date unless, prior thereto, it is relinquished, abandoned, terminated, or modified pursuant to the terms and conditions of this instrument or of any applicable Federal law or regulation.
- d. This instrument may may not be renewed. If renewed, the right-of-way or permit shall be subject to the regulations existing at the time of renewal and any other terms and conditions that the authorized officer deems necessary to protect the public interest.
- e. Notwithstanding the expiration of this instrument or any renewal thereof, early relinquishment, abandonment, or termination, the provisions of this instrument, to the extent applicable, shall continue in effect and shall be binding on the holder, its successors, or assigns, until they have fully satisfied the obligations and/or liabilities accruing herein before or on account of the expiration, or prior termination, of the grant.

Boehm



Boehm Road Access Right-of-Way (281001) OR 49181
 S1/2SW1/4SW1/4, Sec. 9, T. 34 S., R. 1 W.
 30' x 2080'

Application No. *A 84706*
 Permit No.

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MAR 26 2001

WATER RESOURCES DEPT.
 SALEM, OREGON

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

RIGHT-OF-GRANT/TEMPORARY USE PERMIT

Issuing Office
Medford

Serial Number
OR 49181

1. This document amends original Right-of-Way Grant OR 49181, dated March 12, 1993 to include additional right-of-way area and is hereby granted pursuant to Title V of the Federal Land Policy and Management Act of October 21, 1976 (90 Stat. 2776; 43 USC 1761).

2. Nature of Interest:

a. By this instrument, the holder, R.J. Boehm, receives a right to:

1) Use, maintain, and terminate road access on public lands described as follows:

W1/2SW1/4 Sec. 9, T. 34 S., R1 W, Willamette Meridian,
Jackson County, Oregon

2) Construct/install, use and maintain water, electrical and irrigation lines within the ditch line of the right-of-way of BLM Road 34-1-6.2D and identified spur, granted in original document OR 49181 and this amendment document. Installation shall conform with appropriate Jackson County building codes and regulations.

3) Use and maintain the following improvements on the public lands described above:

Portions of a concrete driveway, rock retaining wall and associated riprap, electrical wiring and lighting; rock/concrete patio viewing area, Two (2) 1000 gallon concrete above ground water tanks and shed housing water system equipment, water and electrical lines, wire fencing, groomed walking trails and benches.

b. Original Right-of-Way Grant OR 49181 provided for ingress/egress along a portion of segment Sawyer Road (BLM Road 34-1-6.2D) which is 30 feet long, 2,080 feet long and contains 1.433 acres. This amendment covers additional area on public lands as noted:

1) Additional right-of-way along Sawyer Road (BLM Road 34-1-6.2D) which is 30 feet wide and 1,320 feet long and contains .90 acres.

2) Developed area which is 250 feet wide and 725 feet long and contains 4.16 acres.

3) Total amended area is 5.06 acres

The total right-of-way area now contains 6.49 acres (Original area = 1.433 + Amended area =5.06 acres)

c. This instrument shall terminate on March 11, 2023, thirty (30) years from the effective date noted in the original grant unless, prior thereto, it is relinquished, abandoned, terminated, or modified pursuant to the terms and conditions of this instrument or of any applicable Federal law or regulation.

d. This instrument may be renewed. If renewed, the right-of-way or permit shall be subject to the regulations existing at the time of renewal and any other terms and conditions that the authorized officer deems necessary to protect the public interest.

e. Notwithstanding the expiration of this instrument or any renewal thereof, early relinquishment, abandonment, or termination, the provisions of this instrument, to the extent applicable, shall continue in effect and shall be binding on the holder, its successors, or assigns, until they have fully satisfied the obligations and/or liabilities accruing herein before or on account of the expiration, or prior termination, of the grant.

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MAR 26 2007

WATER RESOURCES DEPT.
SALEM, OREGON

Application No. 54706
Permit No.

RECEIVED

MAR 26 2001

OR 49181
Boehm, R.J.

3. Rental:

For and in consideration of the rights granted, the holder agrees to pay the Bureau of Land Management fair market value rental as determined by the authorized officer unless specifically exempted from such payment by regulation. Provided, however, that the rental may be adjusted by the authorized officer, whenever necessary, to reflect changes in the fair market rental value as determined by the application of sound business management principles, and so far as practicable and feasible, in accordance with comparable commercial practices.

4. Terms and Conditions:

- a. This grant or permit is issued subject to the holder's compliance with all applicable regulations contained in Title 43 Code of Federal Regulations part 2800.
- b. Upon grant termination by the authorized officer, all improvements shall be removed from the public lands within 90 days, or otherwise disposed of as provided in paragraph (4)(d) or as directed by the authorized officer.
- c. Each grant issued for a term of 20 years or more shall, at a minimum, be reviewed by the authorized officer at the end of the 20th year and at regular intervals thereafter not to exceed 10 years. Provided, however, that a right-of-way or permit granted herein may be reviewed at any time deemed necessary by the authorized officer.
- d. The map set forth in Exhibit A, attached hereto, is incorporated into and made a part of this grant instrument as fully and effectively as if they were set forth herein in their entirety.
- e. Failure of the holder to comply with applicable law or any provision of this right-of-way grant or permit shall constitute grounds for suspension or termination thereof.
- f. The holder shall perform all operations in a good and workmanlike manner so as to ensure protection of the environment and the health and safety of the public.
- g. The holder shall contact and receive either a permit or notification from the Oregon State Forestry, 5286 Table Rock Road, Central Point, Oregon 97502 (503) 664-3328 prior to either their or their contractor's use of mechanized equipment in the maintenance of this grant of right-of-way.
- h. The holder shall be prepared to conduct all maintenance concerning the use of this authorization.
- i. The holder shall notify the authorized officer of his intended use of any mechanized equipment for the maintenance authorized through this grant seven (7) days prior to its intended use, the date it is to commence, and the delegated representative of the holder. Such delegated representative is the person who is authorized by the holder to carry out the terms and conditions of the grant and act on behalf of the holder. The notice of the delegated representative shall include a current mailing address and telephone number.
- j. No hazardous materials are to be produced, transported, or stored on this right-of-way. The holder shall notify the authorized officer if there is a significant variance from this authorization with respect to hazardous materials and their use, storage, or disposal. The Environmental Protection Agency maintains and updates a list of all hazardous substances that may present substantial danger to the public health or the environment in Title 40 of the United States Code of Federal Regulations Part 302.
- k. The holder shall provide access to the United States through any security gate which may be utilized or established with this authorization.
- l. The holder shall notify the authorized officer upon discovery of any noxious weed species found on the right-of-way area and is responsible for immediate control and eradication. The holder shall consult with, and obtain approval from, the authorized officer for acceptable weed control methods, such as mechanical or chemical, or provide funds to BLM for treatment.

Application No

Permit A1

54706

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MAR 26 2001

WATER RESOURCES DEPT.
SALEM, OREGON

OR 49181
Boehm, R.J.

- m. The Holder shall share the maintenance of this authorization with all other holders of rights-of-ways involved with the access road portion of this grant.
- n. The Holder shall during the life of this grant, comply with all applicable State and Federal environmental laws, regulations, and standards. The Holder shall also immediately discontinue all construction or other operations under this grant upon receipt of written notice from the Authorized Officer that such operations are in violation of said provisions.

IN WITNESS WHEREOF, The undersigned agrees to the terms and conditions of this right-of-way grant or permit.

R J Boehm

R.J. BOEHM

1-22-2001

DATE

Lance Nimmo

BUTTE FALLS FIELD MANAGER

1/22/01

EFFECTIVE DATE

AREA MANAGER ACKNOWLEDGMENT

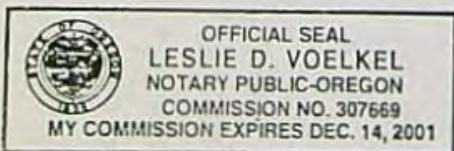
STATE OF OREGON)
) ss
COUNTY OF JACKSON)

Application No. *A 84706*
Permit No.

On the 22nd day of January, 2001, personally came before me, a notary public in and for said County and State, Lance Nimmo, who, being duly sworn, did say that he is the Butte Falls Field Manager of the Medford District of the Bureau of Land Management (BLM), and that he executed the foregoing instrument by authority of and in behalf of the United States of America; and he acknowledged said instrument to be the act and deed of the United States of America.

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

Leslie D. Voelkel
Notary public in and for the State of Oregon
Residing at Medford
My commission expires: 12-14-2001





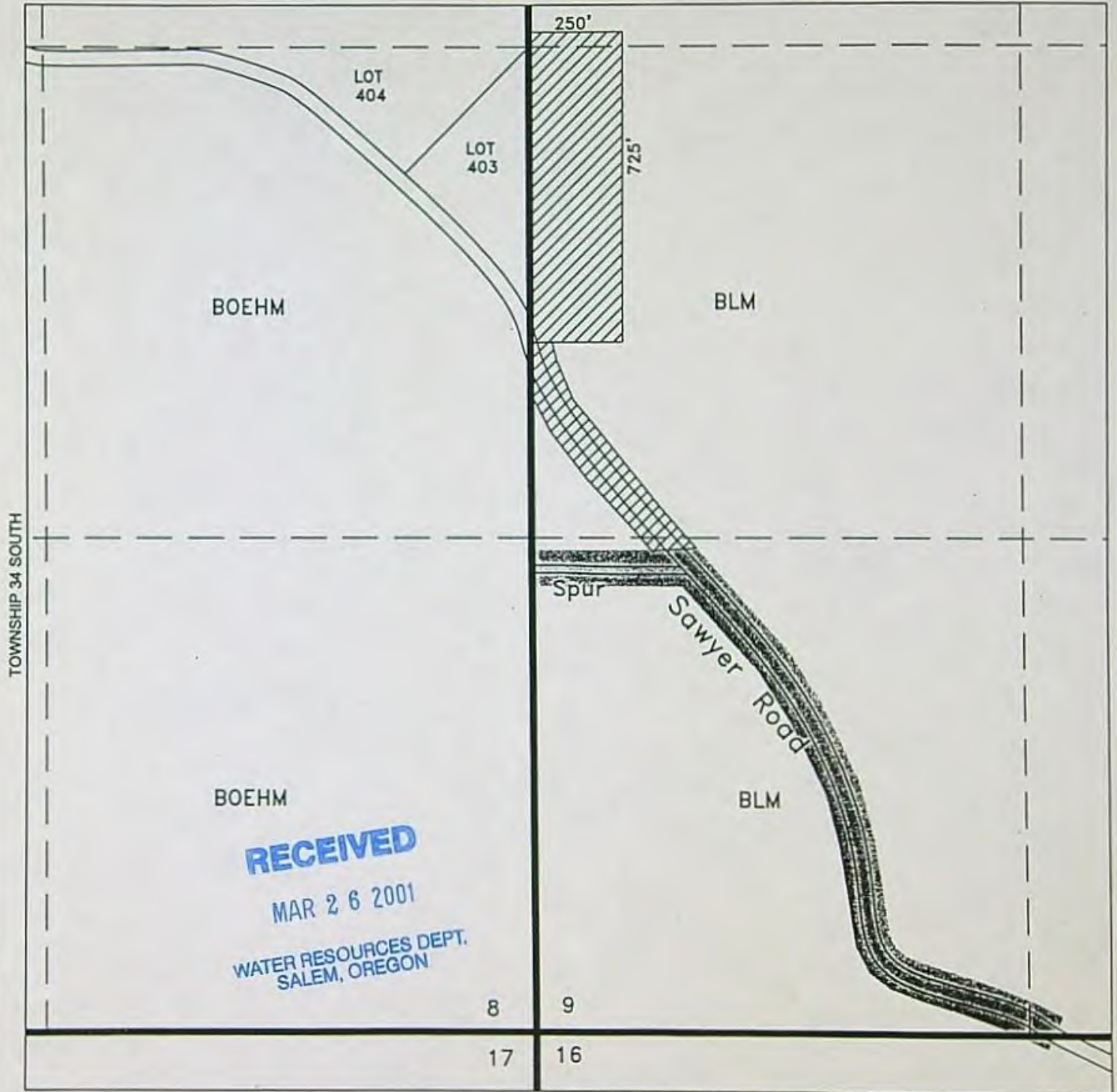
AMENDED RW GRANT OR49181



ORIGINAL RW GRANT OR49181

Exhibit A
OR 49181 RW Grant
T.34S., R.1W., Sect 9
Boehm, RJ

RANGE 1 WEST



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MAR 26 2001
WATER RESOURCES DEPT.
SALEM, OREGON

Application No. *84706*
Permit No.



EXHIBIT B

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF JACKSON

3 PAY C. KAHL and EDNA PAULINE)
 4 KAHL, aka EDNA P. KAHL, hus-)
 5 band and wife; GORDON KEYES,)
 6 JR.; GARY W. WEISS; JOSEPH E.)
 7 ALLSOP and ILA ALLSOP, hus-)
 8 band and wife; WILLIAM L.)
 9 BREWSTER and DONNA D.)
 10 BREWSTER, husband and wife;)
 11 ARTHUR L. MCGONAGLE; GAIL B.)
 12 WUNDERLICH; CARL N. JANTZER)
 13 and ANITA JOYCE JANTZER, hus-)
 14 band and wife; JUANITA)
 15 CONNER; and ROBERT BELLAMY)
 16 and BETTY J. BELLAMY, husband)
 17 and wife,)

Plaintiffs,

vs.

13 SUSAN BRIDGES; PAUL M. SEAGO)
 14 AND JYOVONNE A. SEAGO, hus-)
 15 band and wife; RANDY COLEMAN)
 16 and LINDA COLEMAN, husband)
 17 and wife; THE UNITED STATES)
 18 OF AMERICA; and JACKSON)
 19 COUNTY, OREGON,)

Defendants.

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SEP 22 1980

JACKSON COUNTY DEPT.
of PUBLIC WORKS

Case No. 79-1663-F-2

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MAR 26 2001

WATER RESOURCES DEPT.
SALEM, OREGON

DECREE ESTABLISHING PUBLIC ROAD

18 This matter coming on for determination upon the Motion
 19 of Plaintiffs for a Summary Judgment against Defendants and upon
 20 the Motion of Defendants for a Summary Judgment against Plaintiffs
 21 and the Court having entered its Order herein on the 29th day of
 22 July, 1980 granting Plaintiffs' Motion for Summary Judgment and it
 23 appearing to the Court that the Plaintiffs are the owners in fee
 24 simple or have some right, title and interest in and to a parcel
 25 of real property adjoining and partially included within the real
 26

DECREE -1

Application No. 84706
Permit No.

1 property hereinafter described; that the Defendants are the owners
 2 or have some right, title and interest in and to portion of the
 3 real property hereinafter described and that the real property
 4 hereinafter described has been used by Plaintiffs and their prede-
 5 cessors in interest and the general public as a roadway for ingress
 6 and egress to and from the public road known as Rogue River Drive
 7 to the property in which Plaintiffs have an interest above-referred
 8 to, openly, notoriously, adversely, continuously and with claim of
 9 right for a period in excess of ten years, and the Court being
 10 fully advised in the premises;

11 IT IS HEREBY ORDERED, ADJUDGED and DECREED that the fol-
 12 lowing described real property:

13 A strip of land 30 feet in width being 15.0
 14 feet on each side of a centerline described as
 follows:

15 Beginning at a railroad spike in the center of
 16 Rogue River Drive which bears South 224.36
 17 feet and West 605.58 feet from the quarter
 18 corner common to Sections 15 and 16 in Town-
 19 ship 34 South, Range 1 West of the Willamette
 20 Meridian in Jackson County, Oregon; thence
 21 North 36° 23' 35" West 158.855 feet; thence
 22 along the arc of a 310.00 foot radius curve to
 23 the left 68.43 feet (the long chord of which
 24 bears North 42° 43' 00" West 68.29 feet);
 25 thence North 49° 02' 25" West 2.245 feet;
 26 thence along the arc of a 600.00 foot radius
 curve to the right 121.795 feet (the long
 chord of which bears North 43° 13' 30" West
 121.585 feet); thence North 37° 24' 35" West
 72.455 feet; thence along the arc of a 170.00
 foot radius curve to the left 102.405 feet
 (the long chord of which bears North 54° 40'
 00" West 100.865 feet); thence North 71° 55'
 25" West 240.045 feet; thence along the arc
 of a 120.00 foot radius curve to the left
 149.195 feet (the long chord of which bears
 South 72° 27' 30" West 139.77 feet); thence
 South 36° 50' 25" West 123.79 feet; thence

DECREE -2

Application No.
Permit No.

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WATER RESOURCES DEPT.
SALEM, OREGON

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along the arc of a 110.00 foot radius curve to the right 139.40 feet (the long chord of which bears South 73° 08' 42 1/2" West 130.26 feet); thence North 70° 33' 00" West 341.145 feet; thence along the arc of a 785.00 foot radius curve to the right 132.04 feet (the long chord of which bears North 65° 43' 52 1/2" West 131.885 feet); thence North 60° 54' 45" West 571.12 feet; thence along the arc of a 310.00 foot radius curve to the right 330.275 feet (the long chord of which bears North 30° 23' 27 1/2" West 314.875 feet); thence North 0° 07' 50" East 600.45 feet; thence along the arc of a 160.00 foot radius curve to the left 99.165 feet (the long chord of which bears North 17° 37' 30" West 97.585 feet); thence North 35° 22' 50" West 68.115 feet; thence along the arc of a 255.00 foot radius curve to the left 78.215 feet (the long chord of which bears North 44° 10' 02 1/2" West 77.905 feet); thence North 52° 57' 15" West 29.345 feet; thence along the arc of a 320.00 foot radius curve to the right 123.785 feet (the long chord of which bears North 41° 52' 20" West 123.015 feet); thence North 30° 47' 25" West 214.395 feet; thence along the arc of a 280.00 foot radius curve to the right 115.61 feet (the long chord of which bears North 18° 57' 42 1/2" West 114.79 feet); thence North 7° 08' 00" West 25.22 feet; thence along the arc of a 265.00 foot radius curve to the left 120.255 feet (the long chord of which bears North 20° 08' 00" West 119.225 feet) thence North 33° 08' 00" West 59.47 feet; thence along the arc of a 155.00 foot radius curve to the left 131.41 feet (the long chord of which bears North 57° 25' 17 1/2" West 127.51 feet); thence North 81° 42' 35" West 61.185 feet; thence along the arc of a 450.00 foot radius curve to the right 304.44 feet (the long chord of which bears North 62° 19' 42 1/2" West 298.665 feet); thence North 42° 56' 50" West 111.82 feet; thence along the arc of a 310.00 foot radius curve to the left 143.545 feet (the long chord of which bears North 56° 12' 45" West 142.265 feet); thence North 69° 28' 40" West 252.035 feet; thence along the arc of a 300.00 foot radius curve to the right 82.415 feet (the long chord of which bears North 61° 36' 27 1/2" West 82.155 feet); thence North 53° 44' 15" West 110.36 feet; thence along the

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WATER RESOURCES DEPT.
SALEM, OREGON

DECREE -3

Application No. *184706*
 Permit No.

WILLIE M. HEIRL
 ATTORNEY AT LAW
 HEIRL CENTER
 BUILDING
 PORTLAND, ORE. 97201

arc of a 25.00 foot radius curve to the left 44.195 feet (the long chord of which bears North 54° 37' 45" West 43.85 feet); thence North 32° 31' 45" West 117.113 feet; thence along the arc of a 170.00 foot radius curve to the right 150.155 feet (the long chord of which bears North 31° 28' 30" West 140.405 feet); thence North 19° 13' 45" West 71.915 feet; thence along the arc of a 203.00 foot radius curve to the right 113.11 feet (the long chord of which bears North 1° 53' 21 1/2" West 123.55 feet); thence North 15° 39' 00" East 24.04 feet; thence along the arc of a 325.00 foot radius curve to the left 385.53 feet (the long chord of which bears North 4° 29' 55" West 352.545 feet); thence North 23° 00' 30" West 62.32 feet; thence along the arc of a 400.00 foot radius curve to the left 37.555 feet (the long chord of which bears North 10° 58' 20" West 30.92 feet); thence North 37° 00' 50" West 12.95 feet; thence along the arc of a 250.00 foot radius curve to the right 209.085 feet (the long chord of which bears North 25° 23' 00" West 106.22 feet); thence North 14° 51' 15" West 87.105 feet; thence along the arc of a 25.00 foot radius curve to the left 14.25 feet (the long chord of which bears North 71° 00' 58" West 45.36 feet); thence North 42° 46' 50" West 587.72 feet; thence along the arc of a 2255.00 foot radius curve to the right 335.80 feet (the long chord of which bears North 38° 41' 07' 1/2" West 335.215 feet); thence North 14° 34' 15" West 28.75 feet; thence along the arc of a 420.00 foot radius curve to the right 241.16 feet (the long chord of which bears North 25° 02' 32 1/2" West 140.485 feet); thence North 15° 22' 50" West 199.84 feet; thence along the arc of a 75.00 foot radius curve to the left 41.485 feet (the long chord of which bears North 31° 17' 30" West 49.955 feet); thence North 47° 01' 30" West 510.67 feet; thence along the arc of a 1230.00 foot radius curve to the left 259.38 feet (the long chord of which bears North 43° 05' 00" West 256.545 feet); thence North 01° 08' 20" West 9.88 feet; thence along the arc of a 575.00 foot radius curve to the left 115.61 feet (the long chord of which bears North 55° 57' 52 1/2" West 129.49 feet); thence North 72° 27' 25" West 36.51 feet; thence along the arc of a

REC'D -4

WILLIAM M. FRANK, ATTORNEY AT LAW, 1000 COMMERCIAL BUILDING, SALEM, OREGON 97301

250.00 foot radius curve to the left 102.605 feet (the long chord of which bears North 85° 10' 12 1/2" West 100.785 feet); thence South 16° 27' 00" West 4.47 feet; thence along the arc of a 325.00 foot radius curve to the right 113.29 feet (the long chord of which bears South 86° 26' 10" West 112.715 feet); thence North 63° 34' 40" West 242.125 feet; thence along the arc of a 150.00 foot radius curve to the right 83.50 feet (the long chord of which bears North 7° 18' 21 1/2" West 32.865 feet); thence North 11° 02' 15" West 75.565 feet to a 1/8" iron pin at the point of termination in the Southwest Quarter of the Northwest Quarter of Section 4, said Township, said Range.

EXCEPTING THEREFROM that portion lying within Section 9, Township 14 South, Range 1 West of the Willamette Meridian in Jackson County, Oregon.

And, the same hereby is declared to be a public roadway and that the Defendants and their successors in interest be, and they hereby are, forever enjoined from interfering with the use of the above-described real property by the general public as a public roadway for ingress and egress to and from a public road known as Rogue River Drive to the point of termination therein described; and

IT IS FURTHER ORDERED, ADJUDGED and DECREED that Plaintiff be awarded their costs and disbursements incurred herein.

Dated this 12 day of August, 1999.

[Signature]
Circuit Court Judge

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WATER RESOURCES DEPT.
SALEM, OREGON

Application No. 284706
Permit No.

REC'D -5

WILLIAM M. FRANK, ATTORNEY AT LAW, 1000 COMMERCIAL BUILDING, SALEM, OREGON 97301

86-21218 ✓

EXHIBIT C

OCT 22 1986



CRATER TITLE

③

27.64527-JP

WARRANTY DEED

44

34-w. 16 DA 1701

3.00
2.00
1.00

WILLIAM E. MOWER AND MARY ELLEN MOWER HUSBAND AND WIFE, grantor, conveys and WARRANTS to LEONARD W. ZABLOUDIL AND LINDA S. ZABLOUDIL HUSBAND AND WIFE, grantee, the following described real property, together with appurtenances, free of encumbrances except as specifically set forth herein, situated in JACKSON County, Oregon:

SEE ATTACHED

Subject to liens and encumbrances of record as shown in items 1-6 INCLUSIVE of Crater Title Insurance Co. order no. 64527/J or Subject to any covenants created hereby. **CONDITION: NO MOBILE HOMES ARE ALLOWED.**

The true consideration paid for this conveyance is THIRTY FIVE THOUSAND AND 00/100 DOLLARS () however the whole consideration includes other value given or promised. (check if other consideration statement applies.)

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 FEEL TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

Mary Ellen Mower
MARY ELLEN MOWER

William E. Mower
WILLIAM E. MOWER

STATE OF OREGON

1
ss.

County of Jackson

This instrument was acknowledged before me on the 21st day of October, 1987, by WILLIAM E. MOWER and MARY ELLEN MOWER



James L. Peterson
Notary Public for OREGON
My commission expires: 7/9/92

Until a change is requested, send all tax statements to:

Return document to:

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MAR 26 2001

WATER RESOURCES DEPT.
SALEM, OREGON

Application No. A 84706

Permit No. A

307 2 185

Commencing at a 1" iron pipe marking the quarter corner common to Sections 15 and 16 in Township 34 South, Range 1 West of the Willamette Meridian in Jackson County, Oregon; thence South 00° 03' 50" East (record South), along the East line of said Section 16, a distance of 189.40 feet (record 183.60 feet) to a point on the Southerly right of way line of Rogue River Drive (County Road); thence South 79° 34' 00" West, along said right of way line, 250.95 feet to a 5/8" iron pin; thence continue along said right of way line, on the arc of a 330.00 foot radius curve right, a distance of 115.33 feet to a 5/8" iron pin; thence North 89° 56' 40" West, along said right of way line, 124.74 feet to a 5/8" iron pin, being the Northwesterly corner of tract described in deed recorded as Document No. 71-03238 of the Official Records of Jackson County, Oregon; thence continue North 89° 56' 40" West, along said right of way line, 25.00 feet; thence South 20° 25' 00" East, parallel with the Westerly line of said tract, 175.0 feet; thence South 60° 00' 00" West 150.0 feet, more or less, to a point on the center of the creek bed of Red Lick Gulch Creek, said point also being on the Easterly line of tract described in deed recorded as Document No. 75-06703, said Official Records; thence Southerly, along said Easterly line, 180 feet, more or less, to a point 180 feet Southerly of, when measured at right angles to, the Southerly line, or its Westerly extension, of tract described in Document No. 79-06897, said Official Records, for the True Point of Beginning; thence North 60° 00' 00" East, parallel with said Southerly line, to a point on the Westerly line of tract described in Document No. 71-03238, said Official Records; thence South 20° 25' 00" East, along said Westerly line, to the Southwest corner of said tract, being a point on the Northerly bank of Rogue River; thence Southwesterly, along said Northerly bank, to the Easterly line of tract described in Document No. 75-06703, said Official Records; thence Northerly, along said Easterly line, to the True Point of Beginning.

PARCEL 2:

Ease
117, 118

An easement for ingress and egress over and across the following:

Commencing at a 1" iron pipe marking the quarter corner common to Sections 15 and 16 in Township 34 South, Range 1 West of the Willamette Meridian in Jackson County, Oregon; thence South 00° 03' 50" East (record South), along the East line of said Section 16, a distance of 189.40 feet (record 183.60 feet) to a point on the Southerly right of way line of Rogue River Drive (County Road); thence South 79° 34' 00" West, along said right of way line, 250.95 feet to a 5/8" iron pin; thence continue along said right of way line, on the arc of a 330.00 foot radius curve right, a distance of 115.33 feet to a 5/8" iron pin; thence North 89° 56' 40" West, along said right of way line, 124.74 feet to a 5/8" iron pin, being the Northwesterly corner of tract described in deed recorded as Document No. 71-03238 of the Official Records of Jackson County, Oregon, and being the True Point of Beginning; thence South 20° 25' East along the Westerly line of said tract, a distance of 350.00 feet, more or less, to a point 180.00 feet Southeasterly of, when measured at right angles to, the Southerly line of its Westerly extension of tract described in Document No. 79-06897, Official Records of Jackson County, Oregon; thence South 60° 00' 00" West, parallel with said Southerly line a distance of 25.00 feet; thence North 20° 25' 00" West parallel with the Westerly line of tract described in Document No. 71-03238, said Official Records, a distance of 355.00 feet, more or less, to the Southerly right of way line of Rogue River Drive (County Road); thence South 89° 56' 40" East, along said right of way line a distance of 25.00 feet to the True Point of Beginning.

g

Jackson County, Oregon
Recorded
OFFICIAL RECORDS

9:30 OCT 22 1996 A.M.

KATHLEEN S. BECKETT
CLERK and RECORDER

By Jef Hambley, Deputy

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WATER RESOURCES DEPT.
SALEM, OREGON

Application No. A8478
Permit No.



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: 257.32 Acres

Secondary: _____ Acres

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

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WATER RESOURCES DEPT.
SALEM, OREGON

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

- PASTURE, LOW COMMERCIAL GARDEN*
1. GRAPES, LANDSCAPE Full season Partial season (from: 3/1 to 10/31)
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:

1029.32 acre-feet

(1 acre-foot equals 12 inches of water spread over one 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: _____

Application No. A 84706
Permit No.

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NN

01 08052

POWER OF ATTORNEY

STATE OF OREGON,

County of _____

} ss.

I certify that the within instrument was

_____,
____ M., and recorded in
_____ on page _____
_____ ment/microfilm/reception
of this County.

Jackson County, Oregon
Recorded
OFFICIAL RECORDS

MAR 02 2001

11:38 AM

COUNTY CLERK

and seal of County affixed.

TITLE _____

_____, Deputy.

To _____

After recording, return to (Name, Address, Zip):

RICK DANIELS
P.O. Box 1074
SHADY Cove, ORE
97639

KNOW ALL BY THESE PRESENTS that I, Ron Boehm

have made, constituted and appointed, and by these presents do hereby make, constitute and appoint Rick Daniels

my true and lawful attorney for me and in my name, place and stead, and for my use and benefit: to demand, sue for, recover, collect and receive all such sums of money, debts, rents, dues, accounts, legacies, bequests, interests, dividends, annuities and demands whatsoever, as are now or shall hereafter become due, owing, payable or belonging to me; to have, use and take all lawful ways and means in my name or otherwise for the recovery thereof, and to compromise, settle and adjust and to execute and deliver acquittances or other sufficient discharges for any of the same; to bargain, contract for, purchase, receive and take lands, tenements, hereditaments, and accept the seisin and possession thereof and all deeds and other assurances in the law therefor, and to lease, let, demise, bargain, sell, remise, release, convey, mortgage and hypothecate lands, tenements and hereditaments, including my right of homestead in any of the same for such price, upon such terms and conditions and with such covenants as my attorney shall think fit; to sell, transfer and deliver all or any shares of stock owned by me in any corporation for any price and receive payment therefor, and to vote any such stock as my proxy; to bargain for, buy, sell, mortgage, hypothecate and in any and every way and manner deal in and with goods, wares and merchandise, choses in action, and other property in possession or in action, and to make, do and transact all and every kind of business of whatsoever nature or kind; for me and in my name and as my act and deed, to sign, seal, execute, acknowledge and deliver all deeds, covenants, indentures, agreements, trust agreements, mortgages, pledges, hypothecations, bills of lading, bills, bonds, notes, evidences of debt, receipts, releases and satisfactions of mortgages, judgments and other debts payable to me and other instruments in writing of whatever kind and nature which my attorney in his/her absolute discretion shall deem to be for my best interests; to have access to any safe deposit box which has been rented in my name, or in the name of myself and any other person or persons; to sell, discount, endorse, deliver and/or deposit all checks, drafts, notes and negotiable instruments payable to my order; to withdraw any moneys deposited in my name with any bank, by check or otherwise, and generally to do any business with any bank or banker on my behalf; to complete, sign, and deliver any tax return or form and pay taxes thereon or collect refunds therefrom; also

Effective from March 1, 2001 to September 1, 2001.

Application No. 84706
Permit No. _____

GIVING AND GRANTING unto _____ the full power and authority to do and perform all and every act and thing whatsoever requisite and necessary to be done in and about the premises, as fully to all intents and purposes as I might or could do if personally present, with full power of substitution and revocation, hereby ratifying and confirming all that my attorney shall lawfully do or cause to be done by virtue of these presents.

This power shall take effect (delete inapplicable phrase):

- (a) on the date next written below;
- (b) on the date I am adjudged incompetent by a court of proper jurisdiction.

If neither phrase is deleted, this power shall take effect on the date next written below.

My attorney and all persons unto whom these presents shall come may assume that this power of attorney has not been revoked until given actual notice either of such revocation or of my death.

In construing this instrument, and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, I have hereunto set my hand on _____

Ron Boehm

STATE OF OREGON, County of JACKSON) ss.

This instrument was acknowledged before me on MARCH 1st 2001

by RON J BOEHM

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MAR 26 2001

WATER RESOURCES DEPT.
SALEM, OREGON



C MC DONALD
Notary Public for Oregon

My commission expires 1-29-02



Application No. A 54706

Permit No. _____

Oregon Water Resources Department
Land Use Information Form

Sheet 1 of 4

This information is needed to determine compatibility with local comprehensive plans as required by ORS 197.180. The Water Resources Department will use this and other information to evaluate the water use application. DO NOT fill out this form if water is to be diverted, conveyed, or used only on federal lands.

To Be Completed By Applicant

The following section includes information about proposed water use. This section must be completed by the individual or group that is filing an application for a water right with the Water Resources Department.

A. Applicant

Name: ROUS BOEHM

Address: P.O. Box 697

City: SHARY COVE State: OR Zip: 97539 Day Phone: (541) 878-2948

B. Land and Location

Please provide information as requested below for all tax lots on or through which water will be diverted, conveyed, or used. Check "diverted" if water is diverted (taken) from its source on tax lot, "conveyed" if water is conveyed (transported) on tax lot, and "used" if water will be put to beneficial use on tax lot. More than one box may be checked. (Attach extra sheets as necessary.) 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.

Tax Lot I.D.	Plan Designation (e.g. Rural Residential/RR-5)	Water to be: (check all that apply)		
<u>341w B 102</u>	<u>(FR)</u>	<input checked="" type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used
<u>341w B 403</u>	<u>(OSL)</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used
<u>341w B 404</u>	<u>(OSL)</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used

List counties and cities where water is proposed to be diverted, conveyed, or used. JACKSON

C. Description of Water Use

Indicate what the water will be used for. Include the beneficial use (found in the instructions for your water right application) and use the space below to describe the key characteristics of the project.

Beneficial Use(s): GENERAL IRRIGATION OF 257.33 ACRES

Briefly describe: IRRIGATION WATER WILL BE PURCHASED FROM THE BUREAU OF RECLAMATION (LOST CREEK RESERVOIR WATER) AND PUMPED FROM THE RIVER, THE PUMPING STATION WILL BE ON THE LOT No. 341W16DA-1701

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WATER RESOURCES DEPT.
SALEM, OREGON

D. Source

Indicate the source for the proposed water use:

Reservoir/Pond Ground Water Surface Water LOST CREEK RESERVOIR
(source)

E. Quantity

Indicate the estimated quantity of water the use will require:

1030 CFS GPM Acre-Feet

Application No. 011-11111

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless your project will be located entirely within the city limits. In this case, only the city planning agency must complete this form. Please request additional forms as needed or feel free to copy.

A. Allowed Use

Check the appropriate box below and provide requested information.

* see below

- Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): 218.030(1), 210.030(5) Go to section B "Approval" below
254.040(8), 280.060, 222.020(3)
- Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below.

Type of Land Use Approval Needed (e.g. plan amendments, rezones, conditional use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Check the item that applies: 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

Note: Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action plus accompanying findings is sufficient.)

B. Approval

Please provide printed name and written signature.

Name: Michael Savage Date: 2-22-01
 Title: Planner II Phone: (541) 774-6909
 Signature: Michael Savage

C. Additional Comments

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

Irrigation for farm use is outright permitted in EF4, FR, WR, USR, & RR zones subject to normal (common) practices for applications. [218.030(1), 210.030(5), 222.020(3)]

* Dispersion points for irrigation purposes are outright permitted IF there are no structures proposed.

Construction must comply w/ Riparian Vegetation requirements outlined in 280.060(2), Attached.

Note: If this form cannot be completed while the applicant waits, sign and detach the receipt stub as instructed below. You will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD will presume the land use associated with the proposed water right is compatible with local comprehensive plans. (See attached letter.)



Oregon Water Resources Department Land Use Information Form

SHEET 2 OF 4

This information is needed to determine compatibility with local comprehensive plans as required by ORS 197.180. The Water Resources Department will use this and other information to evaluate the water use application. DO NOT fill out this form if water is to be diverted, conveyed, or used only on federal lands.

To Be Completed By Applicant

The following section includes information about proposed water use. This section must be completed by the individual or group that is filing an application for a water right with the Water Resources Department.

A. Applicant

Name: Row BOEHM

Address: P.O. Box 697

City: SHANNY COVE State: OR Zip: 97539 Day Phone: (541) 878-2948

B. Land and Location

Please provide information as requested below for all tax lots on or through which water will be diverted, conveyed, or used. Check "diverted" if water is diverted (taken) from its source on tax lot, "conveyed" if water is conveyed (transported) on tax lot, and "used" if water will be put to beneficial use on tax lot. More than one box may be checked. (Attach extra sheets as necessary.) 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.

Tax Lot I.D.	Plan Designation (e.g. Rural Residential/RR-5)	Water to be: (check all that apply)		
341w B 400	(OR)	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used
341w B 301	(??)	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used
341w B 300	(WR)	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used

List counties and cities where water is proposed to be diverted, conveyed, or used. JACKSON

C. Description of Water Use

Indicate what the water will be used for. Include the beneficial use (found in the instruction booklet for your water right application) and use the space below to describe the key characteristics of the project.

Beneficial Use(s): _____

Briefly describe: _____

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MAR 26 2001

WATER RESOURCES DEPT.
SALEM, OREGON

Application No. 254706
Permit No.

D. Source

Indicate the source for the proposed water use:

Reservoir/Pond Ground Water Surface Water _____
(source)

E. Quantity

Indicate the estimated quantity of water the use will require:



Oregon Water Resources Department Land Use Information Form

SHEET 3 OF 4

This information is needed to determine compatibility with local comprehensive plans as required by ORS 197.180. The Water Resources Department will use this and other information to evaluate the water use application. DO NOT fill out this form if water is to be diverted, conveyed, or used only on federal lands.

To Be Completed By Applicant

The following section includes information about proposed water use. This section must be completed by the individual or group that is filing an application for a water right with the Water Resources Department.

A. Applicant

Name: Row BOEHM

Address: P.O. Box 697

City: SHAWY Cove State: OR Zip: 97539 Day Phone: (541) 878-2948

B. Land and Location

Please provide information as requested below for all tax lots on or through which water will be diverted, conveyed, or used. Check "diverted" if water is diverted (taken) from its source on tax lot, "conveyed" if water is conveyed (transported) on tax lot, and "used" if water will be put to beneficial use on tax lot. More than one box may be checked. (Attach extra sheets as necessary.) 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.

Tax Lot I.D.	Plan Designation (e.g. Rural Residential/RR-5)	Water to be: (check all that apply)		
341w/6 200	(OSR)	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used
341w/6 400	(OSR)	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used
3d1w/6 501	RR-5	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used

List counties and cities where water is proposed to be diverted, conveyed, or used. JACKSON

C. Description of Water Use

Indicate what the water will be used for. Include the beneficial use (found in the instruction booklet for your water right application) and use the space below to describe the key characteristics of the project.

Beneficial Use(s): _____

Briefly describe: _____

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MAR 26 2001

Application No. 84706
Permit No. _____

WATER RESOURCES DEPT.
SALEM, OREGON

D. Source

Indicate the source for the proposed water use:

Reservoir/Pond Ground Water Surface Water _____
(source)

E. Quantity

Indicate the estimated quantity of water the use will require:



Oregon Water Resources Department Land Use Information Form

SHEET 4 OF 4

This information is needed to determine compatibility with local comprehensive plans as required by ORS 197.180. The Water Resources Department will use this and other information to evaluate the water use application. DO NOT fill out this form if water is to be diverted, conveyed, or used only on federal lands.

To Be Completed By Applicant

The following section includes information about proposed water use. This section must be completed by the individual or group that is filing an application for a water right with the Water Resources Department.

A. Applicant

Name: ROX BOEHM

Address: P.O. Box 697

City: SHAWY COVE State: OR Zip: 97539 Day Phone: (541) 878-2948

B. Land and Location

Please provide information as requested below for all tax lots on or through which water will be diverted, conveyed, or used. Check "diverted" if water is diverted (taken) from its source on tax lot, "conveyed" if water is conveyed (transported) on tax lot, and "used" if water will be put to beneficial use on tax lot. More than one box may be checked. (Attach extra sheets as necessary.) 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.

Tax Lot I.D.	Plan Designation (e.g. Rural Residential/RR-5)	Water to be: (check all that apply)		
341w16 500	RR-5	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used
341w16 604	(EFU)	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used
341w16 606	(OSR)	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used

List counties and cities where water is proposed to be diverted, conveyed, or used. _____

C. Description of Water Use

Indicate what the water will be used for. Include the beneficial use (found in the instruction booklet for your water right application) and use the space below to describe the key characteristics of the project.

Beneficial Use(s): _____

Briefly describe: _____

Application No. 84806
Permit No. _____

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WATER RESOURCES DEPT.
SALEM, OREGON

D. Source

Indicate the source for the proposed water use: _____

Reservoir/Pond Ground Water Surface Water _____
(source)

E. Quantity

Indicate the estimated quantity of water the use will require: _____



Application No. AS4706

Oregon Water Resources Department
Permit No. _____
Land Use Information Form

This information is needed to determine compatibility with local comprehensive plans as required by ORS 197.180. The Water Resources Department will use this and other information to evaluate the water use application. DO NOT fill out this form if water is to be diverted, conveyed, or used only on federal lands.

To Be Completed By Applicant

The following section includes information about proposed water use. This section must be completed by the individual or group that is filing an application for a water right with the Water Resources Department.

A. Applicant

Name: ROLF BOEHM

Address: P.O. Box 697

City: SHARY COVE State: OR Zip: 97539 Day Phone: (541) 878-2900

B. Land and Location

Please provide information as requested below for all tax lots on or through which water will be diverted, conveyed, or used. Check "diverted" if water is diverted (taken) from its source on tax lot, "conveyed" if water is conveyed (transported) on tax lot, and "used" if water will be put to beneficial use on tax lot. More than one box may be checked. (Attach extra sheets as necessary.) 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.

Tax Lot I.D.	Plan Designation (e.g. Rural Residential/RR-5)	Water to be: (check all that apply)		
<u>341W16D4 1701</u>	<u>R1-40</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used
<u>341W16D4 200</u>	<u>R1-20</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used
		<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used

List counties and cities where water is proposed to be diverted, conveyed, or used. CITY OF SHARY COVE, JACKSON COUNTY

C. Description of Water Use

Indicate what the water will be used for. Include the beneficial use (found in the instruction booklet for your water right application) and use the space below to describe the key characteristics of the project.

Beneficial Use(s): IRRIGATION

Briefly describe: APPLICATION WILL BE SUBMITTED TO PURCHASE COST
COST RESERVOIR WATER FROM THE BUREAU OF RECLAMATION
FOR IRRIGATION OF YARD, GARDEN AND LANDSCAPE

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WATER RESOURCES DEPT.
SALEM, OREGON

D. Source

Indicate the source for the proposed water use:

Reservoir/Pond Ground Water Surface Water COST CLIFF RESERVOIR
(source)

E. Quantity

Indicate the estimated quantity of water the use will require:

6.52 CFS GPM Acre-Feet

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless your project will be located entirely within the city limits. In this case, only the city planning agency must complete this form. Please request additional forms as needed or feel free to copy.

A. Allowed Use

Check the appropriate box below and provide requested information.

- Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s); _____ Go to section B "Approval" below
- Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below.

Type of Land Use Approval Needed (e.g. plan amendments, rezones, conditional use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Check the item that applies: 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

Note: Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action plus accompanying findings is sufficient.)

B. Approval

Please provide printed name and written signature.

Name: Gretchen Meloth Date: 3/2/01
 Title: Planning Secretary Phone: (571) 878-8204
 Signature: Gretchen Meloth

C. Additional Comments

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

Note: If this form cannot be completed while the applicant waits, sign and detach the receipt stub as instructed below. You will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD will presume the land use associated with the proposed water right is compatible with local comprehensive plans. (See attached letter.)



Jackson County Title

DIVISION OF OREGON TITLE INSURANCE COMPANY

"Insuring the American Dream"

CONSUMER INFORMATION REPORT

Date: February 14, 2001

To: Kaiser Surveying
Attention: Gary

Prepared by:
Cynde & Angela

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MAR 26 2001

WATER RESOURCES DEPT.
SALEM, OREGON

Property Address: Document Requested

This title information has been furnished without charge in conformance with the guidelines approved by the State of Oregon Insurance Commissioner. The Insurance Division cautions intermediaries that this service is designed to benefit the ultimate insured; indiscriminate use only benefiting intermediaries will not be permitted. Said services may be discontinued. No liability is assumed for any errors in this report.

Application No. A 84706
Permit No.

SUBSIDIARY OF LandAmerica Financial Group, Inc.

1555 E. McANDREWS RD., SUITE 100 • MEDFORD, OREGON 97504

P.O. BOX 218 • MEDFORD, OREGON 97501

(541) 779-2811 • FAX: (541) 772-6079

Application No. 84706
Permit No.

FAX TRANSMISSION

KAISER SURVEYING TRUST
1944B HWY. 62
EAGLE POINT, OR 97524

GARY D. KAISER
R.P.L.S. ORE. 803
C.W.R.E. ORE. 73

PHONE: (541) 878-3995
FAX: (541) 878-3995

DATE: 2-13-01
TO: CYRIL - SHERIE & AUGUSTA
COMPANY: _____
FAX NUMBER: 776-0411
TELEPHONE NUMBER: _____
NUMBER OF PAGES: 1 (includes cover)

COMMENTS: LATEST PERMS - DO NOT NEED TO FAX - DELIVER THROUGH UPPER ROGUE

RECEIVED

MAR 26 2001

WATER RESOURCES DEPT.
SALEM, OREGON

upon 10/22

① R.W BOORM - 34 1W 16 - 200, 203, 400, 500, 501, 602 & 606
34 1W 8 - 102, 300, 301, 400, 401, 403 & 404
34 1W 16DA - 1701 - 91 - 17773

410-5123

② CITY OF MM - 36 2W 13 - 801 & 1300 - 324 pg 241

③ TIM CHASSIN - 35 1W 29 - 402 - 98-11523

~~TIM BEAUSKIP~~

① 341W16 200 - 98-60379 TALKS
203 - 98-60379
400 - 98-59818 GRAS
500 - 88-22759
501 - 90-29599 V324 p241
604 - 93-20248
606 - 96-22324

341W8 102 - 96-15812
300 - 96-16196
301 - purged
400 - 48-18855
401 - 86-19879
403 - 96-31652
404 - 93-20279

98-60379

TL 203
ALN 200

12:50

25.00
10.00
20.00

After Recording Return to:

HUYCKE, BOYD & MAULDING, LLP
835 alder Creek Drive, Suite A
Medford, Oregon 97504

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

Ron Boehm
c/o TransBox
P. O. Box 6278
Oakland Airport
Oakland, California 94603

BARGAIN AND SALE DEED

RON J. BOEHM, aka R.J. BOEHM and REINHARDT JOHN BOEHM,
Grantor, conveys to THE WALKER STUDY CENTER, INC., an Oregon non-
profit corporation, Grantee, all of his right, title and interest
in and to the following described property:

See Exhibit "A", attached hereto.

There is no monetary consideration involved in this
transfer. However, the actual consideration consists of value
given or promised which is the whole consideration. This gift is
intended as a charitable contribution.

DATED this ____ day of _____, 1998.

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.

-1- BARGAIN AND SALE DEED

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MAR 26 2001

WATER RESOURCES DEPT.
SALEM, OREGON

Application No. *A84706*
Permit No.

98-60379

THE PROPERTY DESCRIBED IN THIS INSTRUMENT MAY NOT BE WITHIN A FIRE PROTECTION DISTRICT PROTECTING STRUCTURES. THE PROPERTY IS SUBJECT TO LAND USE LAWS AND REGULATIONS, WHICH, IN FARM OR FOREST ZONES, MAY NOT AUTHORIZE CONSTRUCTION OR SITING OF A RESIDENCE AND WHICH LIMITED LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.390 IN ALL ZONES. 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 EXISTENCE OF FIRE PROTECTION FOR STRUCTURES.

Ron J Boehm

Ron J. Boehm, aka R.J. Boehm and Reinhardt John Boehm

STATE OF CALIFORNIA)
) ss. _____, 1998
County of _____)

Personally appeared the above named RON J. BOEHM, aka R.J. BOEHM and REINHARDT JOHN BOEHM and acknowledged the foregoing instrument to be his voluntary act.

Before me:

Notary Public for California
My Commission Expires: _____

22- BBA8GAEANANDSSAEEDDED

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MAR 26 2001

WATER RESOURCES DEPT.
SALEM, OREGON

Application No. *A 84706*
Permit No.

EXHIBIT "A"

TRACT A: The Northeast Quarter of the Northwest Quarter of Section 16 in Township 34 South, Range 1 West of the Willamette Meridian in Jackson County, Oregon.

TRACT B: The West Half of the Northeast Quarter of Section 16 in Township 34 South, Range 1 West of the Willamette Meridian in Jackson County, Oregon. EXCEPTING THEREFROM the following: Beginning at the southwest corner of the Southwest Quarter of the Northeast Quarter of Section 16 in township 34 South, Range 1 West of the Willamette Meridian in Jackson County, Oregon; thence North 330.0 feet; thence East 660.0 feet; thence South 330.0 feet; thence West 660.0 feet to the point of beginning.



SUBJECT TO:

1. Right of way for the transmission and distribution of electricity and for other purposes, granted to Prospect Construction Company, an Oregon corporation, by instrument recorded September 6, 1911, in Volume 90 page 610 of the Deed Records of Jackson County, Oregon. (Affects Tract B)
2. Right of way for the transmission and distribution of electricity and for other purposes, granted to The California Oregon Power Company, a California corporation, by instrument recorded January 2, 1953, in Volume 375 page 353 of the Deed Records of Jackson County, Oregon. (Affects Tract B)
3. Right of way for the transmission and distribution of electricity and for other purposes, granted to Pacific Power & Light Company, a corporation, by instrument recorded January 16, 1970, as No. 70-00416 of the Official Records of Jackson County, Oregon.
4. Non-exclusive easement to use the existing roadway known as Foeller's Road, granted to Carl N. Jantzer et al by instrument recorded July 25, 1972, as No. 72-09656 of the Official Records of Jackson County, Oregon.

3'

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MAR 26 2001

WATER RESOURCES DEPT.
SALEM, OREGON

Application No.
Permit No.

84706

5. Easement to be used for access, set out in instrument recorded June 15, 1977, as No. 77-12008 of the Official Records of Jackson County, Oregon. (Affects Tract A)
6. Non-exclusive easement to use the existing roadway known as Foeller's Road, also known as Sawyer's Road, granted to William L. Brewster et al by instrument recorded August 4, 1978, as No. 78-17705 of the Official Records of Jackson County, Oregon.
7. Non-exclusive easement to use the existing roadway known as Foeller's Road, also known as Sawyer's Road, granted to Ronald W. Wall et ux, by instrument recorded September 28, 1979, as No. 79-21579 of the Official Records of Jackson County, Oregon.
8. Non-exclusive easement to use the existing roadway known as Foeller's Road, also known as Sawyer's Road, granted to Clinton D. Miller et ux, by instrument recorded September 28, 1979, as No. 79-21580 of the Official Records of Jackson County, Oregon.
9. Non-exclusive easement to use the existing roadway known as Foeller's Road, also known as Sawyer's Road, granted to Melvina Buttram by instrument recorded September 28, 1979, as No. 79-21581 of the Official Records of Jackson County, Oregon.
10. Non-exclusive easement to use the existing roadway known as Foeller's Road, also known as Sawyer's Road, granted to James C. Jack et al by instrument recorded September 28, 1979, as No. 79-21582 of the Official Records of Jackson County, Oregon.
11. Non-exclusive easement to use the existing roadway known as Foeller's Road, also known as Sawyer's Road, granted to Sheldon Jack et ux by instrument recorded September 28, 1979, as No. 79-21583 of the Official Records of Jackson County, Oregon.

4'

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MAR 26 2001

WATER RESOURCES DEPT.
SALEM, OREGON

Application No. 154706
Permit No.

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

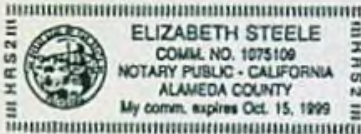
State of California

County of Alameda

On 12/28/98 before me, Elizabeth Steele, Notary Public

personally appeared Ron J Bachon

personally known to me - OR - proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Elizabeth Steele
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: Jackson County, Oregon

Recorded
OFFICIAL RECORDS

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

Signer's Name: _____ DEC 29 1998

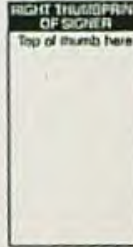
- Individual
- Corporate Officer
- Title(s): _____
- Partner -- Limited General
- Attorney-in-Fact
- Trustee
- Guardian or Conservator
- Other: _____

- Individual
- Corporate Officer
- Title(s): _____
- Partner -- Limited General
- Attorney-in-Fact
- Trustee
- Guardian or Conservator
- Other: _____

12:50 PM
Robert J. Reed
COUNTY CLERK

Signer Is Representing: _____

Signer Is Representing: _____



51

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MAR 26 2001

WATER RESOURCES DEPT.
SALEM, OREGON

Application No. 184706
Permit No.

(d.w.)

15.00
10.00
20.00
1:39

TL 400



**CRATER
TITLE
INSURANCE**

300 West Main • P.O. Box 250
Medford, Oregon 97501
(541) 779-7250 • FAX (541) 779-4013

ORDER # 98213913TO

BARGAIN AND SALE DEED

KNOW ALL MEN BY THESE PRESENTS, That Trans-Box Systems, Inc., Grantor(s), in consideration of Dollars \$ 0 paid by Walker Study Center, Inc., Grantee(s), do hereby grant, bargain, sell and convey unto the said Grantee(s), their heirs and assigns all the following real property, with the tenements, hereditaments and appurtenances, situated in the County of Jackson, and State of Oregon, bounded and described as follows, to-wit:

See Exhibit A attached hereto and made a part hereof.

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.

To Have and to Hold, the above described and granted premises unto the said Grantee(s), their heirs and assigns forever.

Witness our hand(s) and seal(s) this 22ND day of DECEMBER, 1998

Trans-Box Systems, Inc.

By: Ron J Boehm
Ron J. Boehm

STATE OF OREGON)
) ss.
County of Jackson)

The foregoing instrument was acknowledged before me this _____ day of _____
by _____
and by _____
of _____, a corporation, on behalf of the corporation.

(seal)

Notary Public for Oregon
My commission expires: _____

Until a change is requested,
send all tax statements to:
SAME AS OF RECORD

Return document to:

RECEIVED

MAR 26 2001

WATER RESOURCES DEPT.
SALEM, OREGON

Application No. AS 4706
Permit No.

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Alameda

On 12/27/98 before me, Elizabeth Steele

Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared Ron J Boehm

Name(s) of Signer(s)

personally known to me - OR - proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s); or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.



Elizabeth Steele
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

- Individual
- Corporate Officer
- Title(s): _____
- Partner — Limited General
- Attorney-in-Fact
- Trustee
- Guardian or Conservator
- Other: _____



Signer Is Representing: _____

Signer's Name: _____

- Individual
- Corporate Officer
- Title(s): _____
- Partner — Limited General
- Attorney-in-Fact
- Trustee
- Guardian or Conservator
- Other: _____



Signer Is Representing: _____

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MAR 26 2001

WATER RESOURCES DEPT.
SALEM, OREGON

Application No. A 84706
Permit No.

98-59818

The following legal description was prepared to describe the new adjusted boundary of Tax Lot 400, Assessor's Map 34 1W 16.

Exhibit "A"

A parcel of land lying within the Northeast 1/4 of Section 16, Township 34 South, Range 1 West, Willamette Meridian, Jackson County, Oregon, more particularly described as follows:

Commencing at the Center 1/4 corner of said Section 16, thence, North 89°57'30" East, 1325.23 feet (record of North 89°57'30" East, 1324.80 feet) to the Southeast corner of the Southwest 1/4 of the Northeast 1/4 of said Section 16; thence, North 00°02'29" East, 200.01 feet to the Point of Beginning;; thence, North 90°00'00" West, 195.16 feet; thence, North 70°33'00" West, 291.31 feet to a point of curvature; thence, along the arc of a 650.00 foot radius curve to the right (the long chord to which bears North 65°43'52" West, 109.20 feet), a distance of 109.33 feet; thence, North 60°54'45" West, 242.54 feet; thence, North 26°04'40" West, 367.59 feet, more or less, to the centerline of an existing electric transmission and distribution easement as recorded in Document No. 70-00416, Official records of Jackson County, Oregon, Vol. 90, pg. 610 and Vol. 375, pg. 610, Jackson County, Oregon, Deed records; thence, along said centerline, North 31°31'30" East, 1,073.99 feet; thence, leaving said centerline, North 90°00'00" East, 382.47 feet, more or less, to the east line of the West 1/2 of the Northeast 1/4 of said Section 16; thence, South 00°02'29" West, 1,043.94 feet; thence, South 89°59'55" East, 661.88 feet; thence, South 00°00'12" East, 512.51 feet; thence, North 90°00'00" West, 410.00 feet; thence, North 71°28'15" West, 160.57 feet; thence, North 90°00'00" West, 100.00 feet, more or less, to the Point of Beginning. Containing 1,357,385 Sq. Ft. (31 acres), more or less.



Jackson County, Oregon
Recorded
OFFICIAL RECORDS
DEC 23 1998
1:39 PM
[Signature]
COUNTY CLERK

Expires: June 30, 2000

3-

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MAR 26 2001
WATER RESOURCES DEPT.
SALEM, OREGON

Application No. 184706
Permit No.

98-18855

JACKSON COUNTY TITLE
DIVISION OF OREGON TITLE INSURANCE COMPANY
502 W. Main Street (P. O. Box 218) Medford, OR 97501 (541) 779-2811

78934mg BT 10
10
20

TENANTS BY ENTIRETY
WARRANTY DEED

2:10

KNOW ALL MEN BY THESE PRESENTS, that .

WILLIAM L. BREWSTER and DONNA D. BREWSTER

TC 400

hereinafter called the Grantor, for the consideration hereinafter stated, to Grantor paid by

RON J. BOEHM and CHARLOTTE BOEHM

husband and wife, Grantees, do hereby grant, bargain, sell and convey unto the Grantees, as tenants by the entirety, the heirs of the survivor and their assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of JACKSON, State of Oregon, described as follows, to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

TO HAVE AND TO HOLD the same unto the said Grantee and Grantee's heirs, successors and assigns forever.

And Grantor hereby covenants to and with Grantees and the heirs of the survivor and their assigns, that Grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances, EXCEPT

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

and that Grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

THE TRUE AND ACTUAL CONSIDERATION paid for this transfer, stated in terms of dollars is \$ 250,000.00

WHERE THE CONTEXT SO REQUIRES, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to individuals and to corporations.

IN WITNESS WHEREOF, the grantor has executed this instrument this 28th day of April, 1998.

"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 30.240."

William L. Brewster
WILLIAM L. BREWSTER

Donna D. Brewster
DONNA D. BREWSTER

STATE OF OREGON
COUNTY OF Jackson

The foregoing instrument was acknowledged before me this 28th day of April, 1998, by
WILLIAM L. BREWSTER and DONNA D. BREWSTER

Michelle A. Green
Notary Public for Oregon
My commission expires _____

Mail Tax Statements to:

Grantees
PO Box 6278
Oakland CA
94603



RECEIVED

MAR 26 2001

WATER RESOURCES DEPT.
SALEM, OREGON

Application No. 84706
Permit No.

98-18855

EXHIBIT A

Commencing at the northeast corner of the South Half of the South Half of the Northeast Quarter of the Southeast Quarter of Section 8 in Township 14 South, Range 1 West of the Willamette Meridian in Jackson County, Oregon; thence West 20.0 feet to the true point of beginning; thence continue West, along the north line of the South Half of the South Half of said quarter-quarter, 860.0 feet to the southeast corner of tract described in deed recorded as No. 67-08984 of the Official Records, said County and State; thence North, along the east line of said tract, 900.0 feet to intersect the southerly right of way line of a 60.0 foot road known as Poellers Road; thence Southeasterly, along said southerly right of way line, to a point north of the true point of beginning; thence South to the true point of beginning.

(Code 9-2, Account #1-22218-8, Map #341WS, Tax Lot #400)
(Code 9-6, Account #1-86786-7, Map #341WS, Tax Lot #400)

SUBJECT TO:

1. Right(s) of way for the transmission and distribution of electricity, and for other purposes, granted to PacifiCorp, an Oregon corporation, or its predecessor in interest, by instrument(s) recorded February 19, 1970 as No. 70-01354 of the Official Records of Jackson County, Oregon.

Jackson County, Oregon
Recorded
OFFICIAL RECORDS

APR 30 1998

2:10 PM
[Signature]
COUNTY CLERK

RECEIVED

MAR 26 2001

WATER RESOURCES DEPT.
SALEM, OREGON

Application No. *A 84706*
Permit No.

2-

96-22324

JACKSON COUNTY TITLE DIVISION
CONTINENTAL LAWYERS TITLE COMPANY
502 W. Main Street (P. O. Box 218) Medford, OR 97501 (541) 779-2811

64081-CH: JIS

10-
10-
20

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that,

CAMERON H. COOK

43
24-10-16
A605

hereinafter called the Grantor, for the consideration hereinafter stated, to Grantor paid by

RON J. BOEHM

TL 606

hereinafter called the Grantee, does hereby grant, bargain, sell and convey unto the said Grantee and Grantee's heirs, successors and assigns, that certain real property with the tenements, hereditaments and appurtenances thereto belonging or appertaining, situated in the County of JACKSON, State of Oregon, described as follows to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF

TO HAVE AND TO HOLD the same unto the said Grantee and Grantee's heirs, successors and assigns forever.

And Grantor hereby covenants to and with Grantees and the heirs of the survivor and their assigns, that Grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances, EXCEPT

SEE EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF

and that Grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

THE TRUE AND ACTUAL CONSIDERATION paid for this transfer, stated in terms of dollars is \$ 1.00

WHERE THE CONTEXT SO REQUIRES, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to individuals and to corporations.

IN WITNESS WHEREOF, the grantor has executed this instrument this 21st day of

June, 1996.

"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 LIABILITIES OR LAWSUITS AGAINST FURNING OR FOREST PRACTICES AS DEFINED IN ORS 30.930."

Cameron H. Cook
CAMERON H. COOK

STATE OF OREGON CALIFORNIA
COUNTY OF San Francisco

The foregoing instrument was acknowledged before me this 21st day of June, 1996,
by CAMERON H. COOK



SPACE FOR RECORDER'S USE

Notary Public for Oregon California
My commission expires 5/27/98

Mail Tax Statements to:
Grantee
PO BOX 6278
OAKLAND, CA 94603

RETURN TO JACKSON COUNTY TITLE DIVISION
502 WEST MAIN ST., MEDFORD, OR 97501

RECEIVED

MAR 26 2001

WATER RESOURCES DEPT
SALEM, OREGON

Application No. AS4706
Permit No.

69061 96-22324

EXHIBIT A

Commencing at a 3/4" iron pin set for the southeast corner of the Southeast quarter of the Northwest quarter of Section 16 in Township 34 South, Range 1 West of the Willamette Meridian in Jackson County, Oregon, thence North 0°06' East, along the westerly boundary of said quarter-quarter, 492.76 feet to the true point of beginning; thence North 89°57'30" East 534.19 feet; thence North 0°07'50" East 278.28 feet; thence South 89°57'30" West 534.34 feet to the westerly boundary of said quarter-quarter; thence South 0°06' West, along said boundary, 278.28 feet to the true point of beginning.

(Code 9-2, Account #1-22276-1, Map #341W16, Tax Lot #606)

SUBJECT TO:

1. The promises herein described are within the Sams Valley Irrigation District, notice of which is given by Instrument recorded May 29, 1980 as #80-10053 of the Official Records of Jackson County, Oregon, and are subject to statutory powers, including the power of assessment.
2. Right of way for the transmission and distribution of electricity, and for other purposes, granted to The California Oregon Power Company, a California corporation, by Instrument recorded January 2, 1953 in Volume 375 page 354 of the Deed Records of Jackson County, Oregon.
3. Right of way for the transmission and distribution of electricity, and for other purposes, granted to Pacific Power & Light Company, a corporation, by Instrument recorded July 12, 1968 as 68-06895 of the Official Records of Jackson County, Oregon.
4. Easement for sewer and rights in connection therewith, granted to the City of Shady Cove, Oregon, by Instrument recorded July 30, 1979 as No. 79-16061 of the Official Records of Jackson County, Oregon.
5. Right of way for the transmission and distribution of electricity, and for other purposes, granted to Pacific Power & Light Company, a corporation, by Instrument recorded December 17, 1979 as No. 79-27599 of the Official Records of Jackson County, Oregon.
6. Terms and provisions of easements for ingress and egress and for use of a well as set out in Instruments recorded August 28, 1995 as Nos. 95-24129 and 95-24130, Official Records of Jackson County, Oregon.

Jackson County, Oregon
Recorded
OFFICIAL RECORDS

JUL 03 1996
2:10 PM
[Signature]
County Clerk

11

2

RECEIVED

MAR 26 2001

WATER RESOURCES DEPT.
SALEM, OREGON

Application No. 284706
Permit No.

FORM No. 413—WARRANTY DEED (Individual or Co.)
1-1-74 96-16196

CT-ACCOM
WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That CARL N. JANTZER and ANITA J. JANTZER,
husband and wife,
hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by R. J. BOEHM
hereinafter called
the grantee, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and
assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or ap-
pertaining, situated in the County of Jackson and State of Oregon, described as follows, to-wit:
The Southwest Quarter of the Southeast Quarter of Section 8 in Township 34 South, Range
1 West of the Willamette Meridian in Jackson County, Oregon.

(Code 9-2, Account #1-54747-7, Map #341WB, Tax Lot #301)

SUBJECT TO THE FOLLOWING EXCEPTION:

As noted on the tax roll, the premises herein described are forest lands and are
potentially subject to increased taxes.

This instrument filed for record is an accommodation only
It has not been examined as to its contents or as to its
effect upon the title.
Josephine - Data Title Insurance Co.

TC
301

IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE
To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.
And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that
grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances

and that
grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims
and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$40,000.00
However, the actual consideration consists of or includes other property or value given or promised which is
part of the consideration (indicate which). (The sentence between the symbols @, if not applicable, should be deleted. See ORS 93.028.)

In construing this deed and where the context so requires, the singular includes the plural and all grammatical
changes shall be implied to make the provisions hereof apply equally to corporations and individuals.

In Witness Whereof, the grantor has executed this instrument this 21 day of May, 1982;
if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by
order of its board of directors.

Carl N. Jantzer
Anita J. Jantzer

If executed by a corporation,
affix corporate seal

STATE OF OREGON,
County of Jackson } ss.
May 21 1982.

Personally appeared the above named
CARL N. JANTZER and ANITA J. JANTZER,

and acknowledged the foregoing instru-
ment to be their voluntary act and deed.
Notary Public for Oregon
My commission expires 1-28-85

STATE OF OREGON, County of _____) ss.
Personally appeared _____ and _____

_____ who, being duly sworn,
each for himself and not one for the other, did say that the former is the
_____ president and that the latter is the
secretary of _____

_____ a corporation,
and that the seal affixed to the foregoing instrument is the corporate seal
of said corporation and that said instrument was signed and sealed in the
hall of said corporation by authority of its board of directors; and each of
them acknowledged said instrument to be its voluntary act and deed.
Before me:

Notary Public for Oregon
My commission expires:

Carl N. Jantzer and Anita J. Jantzer

R. J. Boehm

After recording return to: R. J. Boehm
Top Trans - Eas Systems, Inc.
P.O. Box 6378
Clackamas, OR 97003

Send a change of record of this instrument shall be sent to the following address:
R. J. Boehm - same as above

STATE OF OREGON,
County of _____) ss.

Jackson County, Oregon
Recorded
OFFICIAL RECORDS

MAY 17 1996
8:00P
Spokane County Clerk

By _____ Deputy

RECEIVED

MAR 26 2001

WATER RESOURCES DEPT
SALEM, OREGON

Application No. 284706
Permit No.

96-15812

11

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OT-ACCOM
WARRANTY DEED

Handwritten notes in Arabic script.

KNOW MEN BY THESE PRESENTS, THAT CARL N. JANTZER and ANITA JOYCE JANTZER, hereinafter called the "Grantor", for the consideration hereinafter stated, to Grantor paid by RON BOEHM, hereinafter called "Grantee", do hereby grant, bargain, sell and convey unto the said Grantee and Grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Jackson, State of Oregon, described as follows, to-wit:

Handwritten circled text: TC 102

(See Exhibit "A" attached hereto and by this reference incorporated herein.)

TO HAVE AND TO HOLD the same unto the said Grantee and Grantee's heirs, successors and assigns forever.

And said Grantor hereby covenants to and with said Grantee and Grantee's heirs, successors and assigns, that Grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances, except as above noted, and that Grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$154,000.00.

This instrument will not allow use of the property described

This instrument filed for record as an accommodation only. It has not been examined as to its execution or as to its effect upon the title. Josephine - Oregon Title Insurance Co.

- 1 - WARRANTY DEED

SEND TAX STATEMENTS TO:
RON BOEHM
c/o TRANS-BOX
P O BOX 6278 OAKLAND CA 94603

Law Office of
GRANTLAND SMITH & GRENSKY
204 West 9th St
Medford, OR 97501
(503) 773-8712

RECEIVED

MAR 26 2001

WATER RESOURCES DEPT.
SALEM, OREGON

Application No. 8476
Permit No.

96-15812

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.

In construing this Deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the Grantor executed this instrument this 26 day of Nov., 1986.

Carl N. Jantzer
Carl N. Jantzer

Anita Joyce Jantzer
Anita Joyce Jantzer

STATE OF OREGON)
) ss.
County of Jackson)

Personally appeared before me this 26 day of Nov., 1986, the above named CARL N. JANTEER and ANITA JOYCE JANTEER, and acknowledged the foregoing instrument to be their voluntary act and deed.

[Signature]
Notary Public for Oregon
My Commission Expires 1-10-87



Until a change is requested, AFTER RECORDING, RETURN TO:
all tax statements shall be sent to the following address: GRANTLAND, SMITH & GRENSKY

Ron Boelm c/o Trans-Box

ATTORNEYS AT LAW
204 West 9th St.
Medford, OR 97501

P. O. Box 6278

Oakland, CA 94603

- 2- WARRANTY DEED

RECEIVED
MAR 26 2001
WATER RESOURCES DEPT.
SALEM, OREGON

Application No. 184706
Permit No.

96-15812

Jackson County, Oregon
Recorded
OFFICIAL RECORDS

EXHIBIT "A"

MAY 15 1996

2007
John J. Quinn
County Clerk

PARCEL I:

The Northeast Quarter, the North Half of the Northwest Quarter, and the Southeast Quarter of the Northwest Quarter of Section 8 in Township 34 South, Range 1 West of the Willamette Meridian in Jackson County, Oregon.

SAVE AND EXCEPT the southerly 250 feet of the Southwest Quarter of the Northeast Quarter of Section 8 in Township 34 South, Range 1 West of the Willamette Meridian, Jackson County, Oregon.

PARCEL II:

The southerly 250 feet of the Northwest Quarter of the Southeast Quarter of Section 8 in Township 34 South, Range 1 West of the Willamette Meridian, Jackson County, Oregon.

INCLUDING a general easement 60 feet in width, plus any additional widths required for necessary cuts and fills, for any and all purposes, within the west 100 feet of the following described real property of Seller:

The southerly 250 feet of Southwest one-quarter of the Northeast one-quarter of Section 8, Township 34 South, Range 1 West of the Willamette Meridian, Jackson County, Oregon, and;

The Northwest one-quarter of the Southeast one-quarter of Section 8, Township 34 South, Range 1 West of the Willamette Meridian, Jackson County, Oregon.

LESS AND EXCEPT the southerly 250 feet of the Northwest one-quarter of the Southeast one-quarter of Section 8, Township 34 South, Range 1 West of the Willamette Meridian, Jackson County, Oregon.

RESERVING unto Seller the right to grant a right-of-way easement to provide ingress to and egress from the real property located immediately to the west of Seller's real property. Said easement will be located on Seller's real property but will cross the 60-foot general easement granted to Purchaser.

SUBJECT TO:

1. The premises under search are classified and assessed as "Forest Land", such classified lands are potentially subject to increased taxes.
2. Easement over any portion lying within Sawyer Road. (Foeller's Road)

FL 102

3'

EXHIBIT "A"

RECEIVED

MAR 26 2001

WATER RESOURCES DEPT.
SALEM, OREGON

Application No. 84706
Permit No.

93-20248

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That MARGARET K. BARTON and JOHN E. BARTON

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by

R.J. BOEHM

hereinafter called the grantee, does hereby grant, warrant, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Jackson and State of Oregon, described as follows, to-wit:

That real property and improvements thereon more particularly described in Exhibit "A" attached hereto and by this reference incorporated herein

Together with a non-exclusive easement for use of an existing roadway as set forth in the attached Exhibit "A" and by this reference incorporated herein

SUBJECT TO those encumbrances set forth in Exhibit "B" attached hereto and by this reference incorporated herein.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever. And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances except as set forth in Exhibit "B" attached hereto and by this reference incorporated herein

and that grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$65,000.00

However, the actual consideration consists of or includes other property or value given or promised which is the whole part of the consideration (indicate which). (The sentence between the symbols @, if not applicable, should be deleted. See ORS 93.030.)

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this day of July, 1989; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

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.

MARGARET K. BARTON
JOHN E. BARTON

STATE OF UTAH, County of Hatch, July 1989

STATE OF OREGON, County of Jackson, 1989

BEFORE ME:

Personally appeared the above named Margaret K. Barton and John E. Barton

and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:

Utah Notary Public for Jackson My commission expires:

Notary Public for Oregon My commission expires:

(OFFICIAL SEAL)

John and Margaret Barton P.O. Box 577 5th Hatch, Utah 84735

R.J. Boehm, c/o Trans-Box Systems, Inc. P.O. Box 6278 Oakland, CA 94603

After recording return to: Jackson County Title 502 West Main Street Medford, OR 97501

Until a change is requested all tax statements shall be sent to the following address: R.J. Boehm, c/o Trans-Box Systems, Inc. P.O. Box 6278 Oakland, CA 94603

Before me, personally appeared Margaret K. Barton & John E. Barton and acknowledged the foregoing instrument to be their voluntary act and deed.

STATE OF OREGON, County of Jackson, 1989

I certify that the within instrument was received for records on the 5 day of July, 1989, at 1 o'clock P.M. and recorded in book / reel / volume / page

Notary Public Seal: STATE OF UTAH, Notary Public, Jackson, UT, 84730

Application No. AS4706 Permit No.

RECEIVED MAR 26 2001 WATER RESOURCES DEPT. SALEM, OREGON

93-20248

EXHIBIT "A"

Beginning at the southwest corner of the Southeast Quarter of the Northwest Quarter of Section 16 in Township 34 South, Range 1 West of the Willamette Meridian in Jackson County, Oregon; thence North 0°06'00" East 492.76 feet; thence North 89°57'30" East 1325.93 feet, more or less, to a point where said projected line intersects the east line of the Northwest Quarter of said Section 16; thence South 0°07'50" West 492.76 feet to the southeast corner of the Northwest Quarter of said Section 16; thence West, along the south line of the Northwest Quarter of said Section, 1325.93 feet to the point of beginning.

TC
604

Together with a non-exclusive easement for use of an existing roadway, subject to the reservations, rights and conditions thereto, as set out in deed recorded September 18, 1979 as No. 79-21583 of the Official Records of Jackson County, Oregon, and by instrument recorded February 15, 1980 as No. 80-02991 of said Official Records.

8'
RECEIVED
MAR 26 2001
WATER RESOURCES DEPT.
SALEM, OREGON

Application No. *A 84706*
Permit No.

EXHIBIT "B"

SUBJECT TO printed exceptions, exclusions, conditions, and stipulations which are part of said policy, and to the following:

1. The premises under search are classified and assessed as "Forest Land", and such classified lands are potentially subject to increased taxes.
2. The premises herein described are within the Sams Valley Irrigation District, notice of which is given by instrument recorded May 29, 1980 as #80-10053 of the Official Records of Jackson County, Oregon, and are subject to statutory powers, including the power of assessment.
3. Right of way for the transmission and distribution of electricity, also right to install guys and anchors, and for other purposes, granted to The California Oregon Power Company, a California corporation, by instrument recorded January 2, 1953 in Volume 375 page 354 of the Deed Records of Jackson County, Oregon.
4. Right of way for the transmission and distribution of electricity, also right to install guys and anchors, and for other purposes, granted to Pacific Power & Light Company, a corporation, by instrument recorded July 12, 1968 as No. 68-06895 of the Official Records of Jackson County, Oregon.

Jackson County, Oregon
Recorded
OFFICIAL RECORDS

2:02 JUN 22 1993 PM

KATHLEEN S. BECKETT
CLERK and RECORDER

Cheryl [Signature]
Deputy

3
RECEIVED

MAR 26 2001

WATER RESOURCES DEPT.
SALEM, OREGON

Application No. *A84706*
Permit No.

919
93-02219

L4255b 1971 100
1980
200

3
WARRANTY DEED

ARTHUR L. MCGONAGLE, Grantor, conveys and warrants to R.J. BOEHM, Grantee, the following described real property, free of encumbrances except as specifically set forth herein:

See Exhibit "B" attached hereto and incorporated herein by reference.

The true consideration for this conveyance is the sum of \$10,000.00, which is the whole consideration.

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.

DATED this 5th day of November, 1990.

Arthur L. McGonagle
Arthur L. McGonagle

903 # 802

STATE OF OREGON)
) ss.
County of Jackson)

Personally appeared before me the above named Arthur L. McGonagle, and acknowledged the foregoing instrument to be his voluntary act and deed.

Janice D. McNamee
Notary Public for Oregon
My Commission Expires: 7/27/91



Send tax statements to:
RJ Boehm
c/o Trans-Box Courier Systems, Inc.
P.O. Box 6278
Oakland, CA 94603

WARRANTY DEED - 1

RECEIVED

MAR 26 2001

WATER RESOURCES DEPT.
SALEM, OREGON

Application No. 84706
Permit No.

93-02219

EXHIBIT B

TRACT B: The northerly 200.0 feet of the following described tract: Commencing at the northwest corner of the Northeast Quarter of the Southeast Quarter of Section 8 in Township 34 South, Range 1 West of the Willamette Meridian in Jackson County, Oregon, thence East along the north line of said quarter-quarter, 440.0 feet to the northeast corner of tract described in Instrument recorded September 11, 1967, as No. 67-08984 of the Official Records of Jackson County, Oregon, for the true point of beginning; thence continue East, along said north line of said quarter-quarter, to the northeast corner thereof; thence South, along the east line of said Section 8, a distance of 930 feet, more or less, to the easterly right-of-way line of the 60 foot wide county road right-of-way (Follers Road); thence Northwesterly, along said easterly right-of-way line to its intersection with the line bearing South from the true point of beginning; thence North 60 feet, more or less, to the point of beginning.

Handwritten circled note: *TC 403 2/4/93*

(Code 9-2, Account #1-22222-8, Map #341W8, Tax Lot #404)

SUBJECT TO THE FOLLOWING EXCEPTIONS:

1. Right of way for the transmission and distribution of electricity, and for other purposes, granted to Pacific Power & Light Company, a corporation, by instrument recorded February 19, 1970 of the 70-01354 Records of Jackson County, Oregon.

Jackson County, Oregon
Recorded
OFFICIAL RECORDS

11:32 JAN 22 1993 A.M.

KATHLEEN S. BECKETT
CLERK and RECORDER

Alanna Bartlett
Deputy

2

RECEIVED

MAR 26 2001

WATER RESOURCES DEPT.
SALEM, OREGON



Application No. *284706*
Permit No.

LE45135-1401 1006
1006
5006

91-17773

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that ,

LEONARD W. ZABLOUDIL and LINDA S. ZABLOUDIL

hereinafter called the Grantor, for the consideration hereinafter stated, to Grantor paid by

RON BOEHM

hereinafter called the Grantee, does hereby grant, bargain, sell and convey unto the said Grantee and Grantee's heirs, successors and assigns, that certain real property with the tenements, hereditaments and appurtenances thereto belonging or appertaining, situated in the County of JACKSON , State of Oregon, described as follows to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

1701

TO HAVE AND TO HOLD the same unto the said Grantee and Grantee's heirs, successors and assigns forever.

And Grantor hereby covenants to and with Grantees and the heirs of the survivor and their assigns, that Grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances, EXCEPT SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

and that Grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

THE TRUE AND ACTUAL CONSIDERATION paid for this transfer, stated in terms of dollars is \$ 77,500.00

WHERE THE CONTEXT SO REQUIRES, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to individuals and to corporations.

IN WITNESS WHEREOF, the grantor has executed this instrument this 25th day of July, 1991.

"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."

Leonard W. Zabloudil
LEONARD W. ZABLOUDIL

Linda S. Zabloudil
LINDA S. ZABLOUDIL

STATE OF OREGON CALIFORNIA
COUNTY OF RIVERSIDE

The foregoing instrument was acknowledged before me this 25th day of JULY, 1991, by LEONARD W. ZABLOUDIL and LINDA S. ZABLOUDIL who executed this document freely and voluntarily

SPACE FOR RECORDER'S USE

Jilly Russell
Notary Public for Oregon CALIFORNIA
My commission expires JAN. 9, 1994

RECEIVED

MAR 26 2001

WATER RESOURCES DIV.
SALEM, OREGON

Application No. 84706
Permit No.

Mail Tax Statements to:
Grantee

1020 W-378
adland CA
94463



91-17773

EXHIBIT A

Commencing at a 1" iron pipe marking the quarter corner common to Sections 15 and 16 in Township 34 South, Range 1 West of the Willamette Meridian in Jackson County, Oregon, thence South 00°03'50" East (record South), along the east line of said Section 16, a distance of 189.40 feet (record 183.60 feet) to a point on the southerly right of way line of Rogue River Drive (County Road), thence South 79°34'00" West, along said right of way line, 250.95 feet to a 5/8" iron pin, thence continue along said right of way line, on the arc of a 630.00 foot radius curve right, a distance of 115.33 feet to a 5/8" iron pin, thence North 89°56'40" West, along said right of way line, 124.74 feet to a 5/8" iron pin, being the northwesterly corner of tract described in deed recorded as No. 71-03238 of the Official Records of Jackson County, Oregon, thence continue North 89°56'40" West, along said right of way line, 25.00 feet, thence South 20°25'00" East, parallel with the westerly line of said tract, 175.0 feet, thence South 60°00'00" West 150.0 feet, more or less, to a point on the center of the creek bed of Red Lick Gulch Creek, said point also being on the easterly line of tract described in deed recorded as No. 75-06703, said Official Records, thence Southerly, along said easterly line, 180 feet, more or less, to a point 180 feet Southerly of, when measured at right angles to, the southerly line or its westerly extension of tract described in No. 79-06897, said Official Records, for the true point of beginning; thence North 60°00'00" East, parallel with said southerly line, to a point on the westerly line of tract described in No. 71-03238, said Official Records; thence South 20°25'00" East, along said westerly line, to the southwest corner of said tract, being a point on the northerly bank of Rogue River; thence Southwesterly, along said northerly bank to the easterly line of tract described in No. 75-06703, said Official Records; thence Northerly, along said easterly line to the true point of beginning.

TL
170'

(Code 9-15, Account #1-62283-1, Map #341W16DA, Tax Lot #1701)

SUBJECT TO:

1. 1991-92 Property Taxes, a lien not yet due or payable.
2. The premises herein described are within the Sams Valley Irrigation District, notice of which is given by instrument recorded May 29, 1980 as #80-10053 of the Official Records of Jackson County, Oregon, and are subject to statutory powers, including the power of assessment.
3. Rights of the public and the right, title and interest of the State of Oregon, to that part lying below the high-water line of Rogue River.
4. Permanent easement for an underground sewer line, and rights in connection therewith, granted to the City of Shady Cove, Oregon, by instrument recorded April 10, 1980 as No. 80-06966 of the Official Records of Jackson County, Oregon.
5. Restriction and condition: No mobile homes allowed, as set out in deeds recorded October 22, 1986 as No. 86-21218, and recorded October 21, 1986 as No. 86-21093 of the Official Records of Jackson County, Oregon.

Jackson County, Oregon
Recorded
OFFICIAL RECORDS

8:44 JUL 31 1991 A.M.

KATHLEEN S. BECKETT
CLERK and RECORDER

By *[Signature]* Deputy

RECEIVED

MAR 26 2001

WATER RESOURCES DEPT.
SALEM, OREGON

Application No. 84706
Permit No.

90-28599

1500
20.00

MEMORANDUM OF AGREEMENT ①

L-42113-KRM
16-34-1W ②

THIS DOCUMENT is executed and acknowledged in conformity with ORS 93.635 as a memorandum of that certain agreement and contract to convey the hereinafter described real property, entered into between A. GORDON KEYES, JR., Seller, and R.J. BOEHM, Buyer, dated November 5, 1990; the full, true and actual consideration being the sum of \$30,000.00.

TL
501

The description of the real property contained in said sale agreement is as follows:

See Exhibit "A" attached hereto and incorporated herein by reference.

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

WITNESS our hands this 30 day of October, 1990.



A. Gordon Keyes, Jr. - Seller
A. Gordon Keyes, Jr., Seller

R.J. Boehm By John Rhoads his Attorney in Fact.
R.J. Boehm, Buyer

GENERAL ACKNOWLEDGMENT

State of CALIFORNIA
County of SAN BERNARDINO } SS.

On this the 30th day of OCTOBER, 1990, before

MARYANN R. ZEPEDA

the undersigned Notary Public, personally appeared

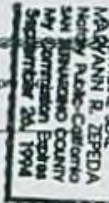
A. GORDON KEYES JR.



personally known to me
 proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) HE subscribed to the within instrument, and acknowledged that HE executed it
WITNESS my hand and official seal.

Notary's Signature

Maryann R Zepeda



MEMORANDUM OF AGREEMENT - 1

RECEIVED

MAR 26 2001

WATER RESOURCES DEPT
SALEM, OREGON

Application No. 184706
Permit No.

90-28599

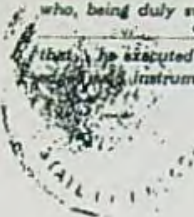
FORM No. 15A—ACKNOWLEDGMENT BY ATTORNEY-IN-FACT

STATE OF OREGON,

County of Jackson } ss.

On this the 5th day of November, 19 90 personally appeared JOHN RHODES

who, being duly sworn (or affirmed), did say that he is the attorney in fact for RON J. BOEHM aka R.J. Boehm and that he executed the foregoing instrument by authority of and in behalf of said principal; and he acknowledges the instrument to be the act and deed of said principal.



(Official Seal)

Before me:

[Handwritten Signature]
(Signature)

My commission expires 1/21/93

(Title of Officer)

MEMORANDUM OF AGREEMENT - 2

RECEIVED

MAR 26 2001

WATER RESOURCES DEPT.
SALEM, OREGON

Application No. *A 84706*
Permit No.

90-28599

EXHIBIT A

Commencing at the southwest corner of the Southwest Quarter of the Northeast Quarter of Section 16 in Township 34 South, Range 1 West of the Willamette Meridian in Jackson County, Oregon, thence East, along the south line of said quarter-quarter 264.0 feet to the true point of beginning; thence North 330.0 feet; thence East 396.0 feet; thence South 330.0 feet to the south line of said quarter-quarter; thence West, along said line, 396.0 feet to the true point of beginning.

(Code 9-2, Account #1-22269-1, Map #341W16, Tax Lot #501)

Jackson County, Oregon
Recorded
OFFICIAL RECORDS

3:19 NOV 13 1990 P.M.

KATHLEEN S. BECKETT
CLERK and RECORDER

[Signature] Deputy

3 -

RECEIVED

MAR 26 2001

WATER RESOURCES DEPT.
SALEM, OREGON

Application No. *A84706*
Permit No.

Individual

88-22759

Jackson County Title

Division of Continental Land Title Co.

502 WEST MAIN STREET • P.O. BOX 218 • MEDFORD, OREGON 97501 • (503) 779-2811

LE-34911-^{B3}

341W16 (44)

5.00
12/00

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That PAUL R. MAYES and MARY E. MAYES

hereinafter called the Grantor, for the consideration hereinafter stated, to Grantor paid by TRANS-BOX SYSTEMS, INC., a California corporation

hereinafter called the Grantee, does hereby grant, bargain, sell and convey unto the said Grantee and Grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Jackson State of Oregon, described as follows, to-wit:

Beginning at the southwest corner of the Southwest Quarter of the Northeast Quarter of Section 16 in Township 34 South, Range 1 West of the Willamette Meridian in Jackson County, Oregon; thence East, along the south line of said quarter-quarter, 264.0 feet; thence North 330.0 feet; thence West 264.0 feet to the west line of said quarter quarter; thence South, along said west line, 330.0 feet to the point of beginning.
(Code 9-6, Account #1-25273-3, Map #341W16, Tax Lot #500)

TO HAVE AND TO HOLD the same unto the said Grantee and Grantee's heirs, successors and assigns forever.

And said Grantor hereby covenants to and with said Grantee and Grantee's heirs, successors and assigns, that Grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances except 1988-89 real property taxes, a lien not yet due or payable and easements and right of ways now of record.

and that Grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

THE TRUE AND ACTUAL CONSIDERATION paid for this transfer, stated in terms of dollars, is \$ 31,000.00

WHERE THE CONTEXT SO REQUIRES, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to individuals and to corporations.

IN WITNESS WHEREOF, the grantor has executed this instrument this 14th day of October, 1988; if a corporate grantor, it has caused its name to be signed by its officers, duly authorized thereto by order of its board of directors.

"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."

Paul R. Mayes
Paul R. Mayes

Mary E. Mayes
Mary E. Mayes

STATE OF OREGON (INDIVIDUAL)
COUNTY OF Jackson

STATE OF OREGON (CORPORATE)
COUNTY OF _____

The foregoing instrument was acknowledged before me this 14th day of October, 1988, by Paul R. Mayes and Mary E. Mayes

The foregoing instrument was acknowledged before me this _____ day of _____, 19____, by _____ president, and by _____ secretary of _____

[Signature]
Notary Public for Oregon 11/18/89
My commission expires _____

A corporation, on behalf of the corporation.

Notary Public for Oregon
My commission expires _____

When recording return to

NAME, ADDRESS, ZIP
Should a change in requested all tax statements shall be sent to the following address:
Trans-Box Systems, Inc.

P.O. BOX 6278
Oakland, CA 94603
NAME, ADDRESS, ZIP

Jackson County, Oregon
Recorded
OFFICIAL RECORDS

2:48 OCT 25 1988 P.M.

KATHLEEN S. BECKETT
CLERK and RECORDER

By [Signature] Deputy

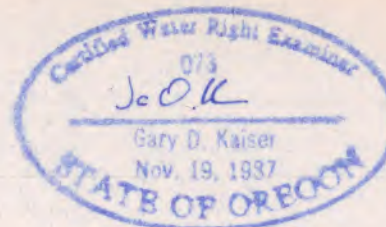
RECEIVED

MAR 26 2001

WATER RESOURCES DEPT.
SALEM, OREGON

Application No. 284706
Permit No.

T.34S.,R.1W.,W.M.
Jackson County, Oregon
Tax Lot Nos. 341W 8 - 102, 300,
301, 400, 403 & 404



RECEIVED

MAR 26 2001

WATER RESOURCES DEPT.
SALEM, OREGON

SCALE: 1" = 300'

MAP TO ACCOMPANY AN
APPLICATION TO USE
SURFACE WATER

PREPARED BY:

Gary D. Kaiser
19440 Highway 62
Eagle Point, OR. 97524

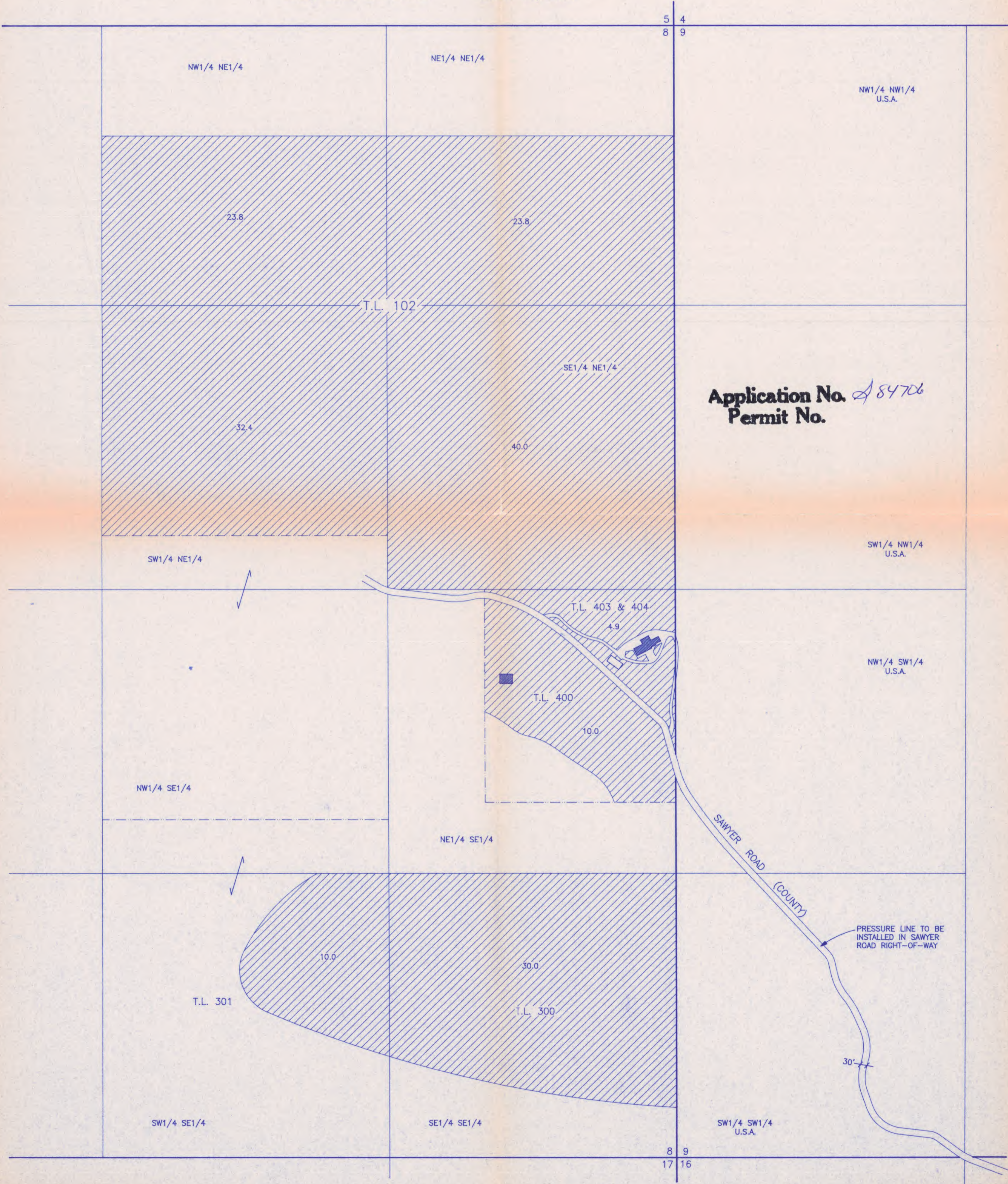
FOR:

Ron Boehm
P.O. Box 697
Shady Cove, OR. 97539

DATE:

March 19, 2001

NOTE: MAP PREPARED FOR
WATER RIGHT PURPOSES ONLY,
NOT FOR PROPERTY BOUNDARY
LOCATIONS.



Application No. 84706
Permit No.

SW1/4 NW1/4
U.S.A.

NW1/4 SW1/4
U.S.A.

SAWYER ROAD (COUNTY)

PRESSURE LINE TO BE
INSTALLED IN SAWYER
ROAD RIGHT-OF-WAY

30'

8 9
17 16

MAR 26 2001

T.34S.,R.1W.,W.M.
Jackson County, Oregon
Tax Lot Nos. 341W 16 - 200, 400, 500, 501,
604 & 606, 341W 16DA - 200 & 1701

MAP TO ACCOMPANY AN
APPLICATION TO USE
SURFACE WATER

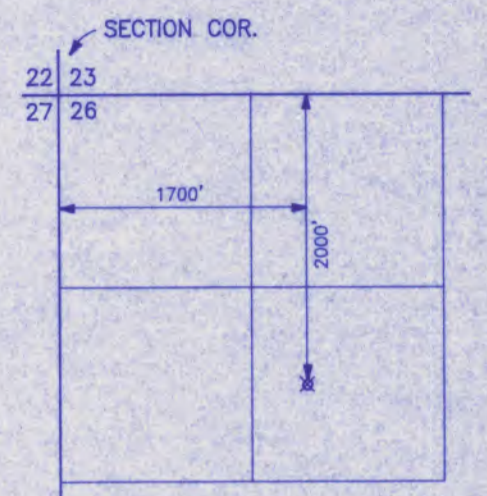
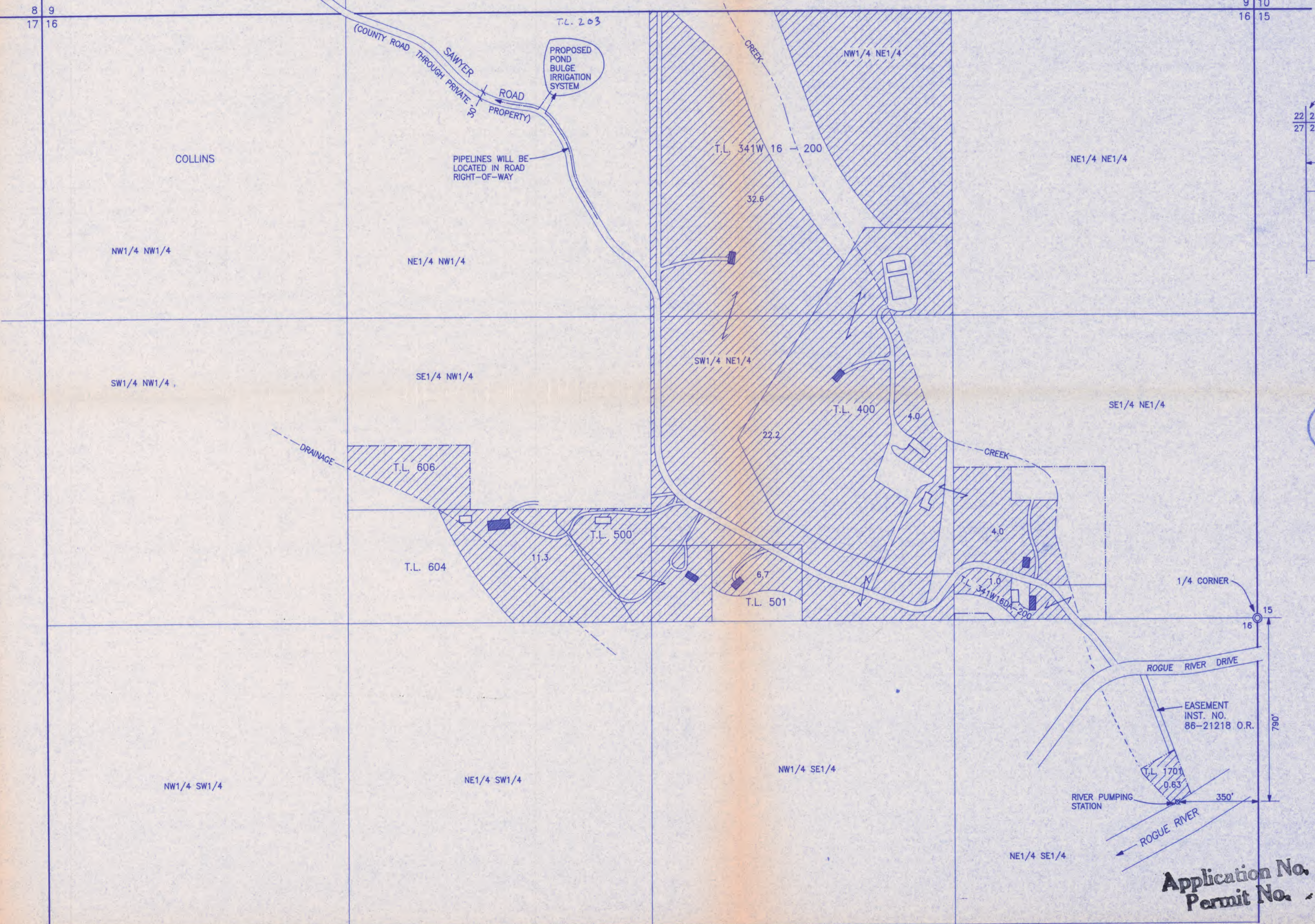
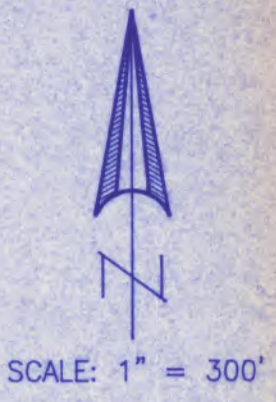
PREPARED BY:
Gary D. Kaiser
19440 Highway 62
Eagle Point, OR. 97524

WATER RESOURCES DEPT.
SALEM, OREGON

NOTE: MAP PREPARED FOR
WATER RIGHT PURPOSES ONLY,
NOT FOR PROPERTY BOUNDARY
LOCATIONS.

FOR:
Ron Boehm
P.O. Box 697
Shady Cove, OR. 97539

DATE:
March 19, 2001



LOST CREEK RESERVIOR
POINT OF DIVERSION
T.33S.,R.1E.,W.M.
SCALE 1" = 1320'



Application No. 84706
Permit No.

T.34S.,R.1W.,W.M.
Jackson County, Oregon
Tax Lot Nos. 341W 16 - 200, 400, 500, 501,
604 & 606, 341W 16DA - 200 & 1701

MAP TO ACCOMPANY AN
APPLICATION TO USE
SURFACE WATER

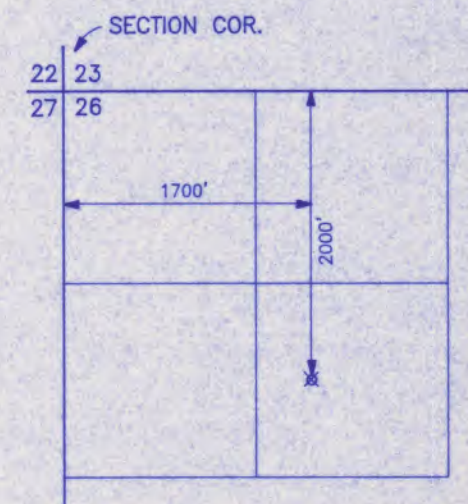
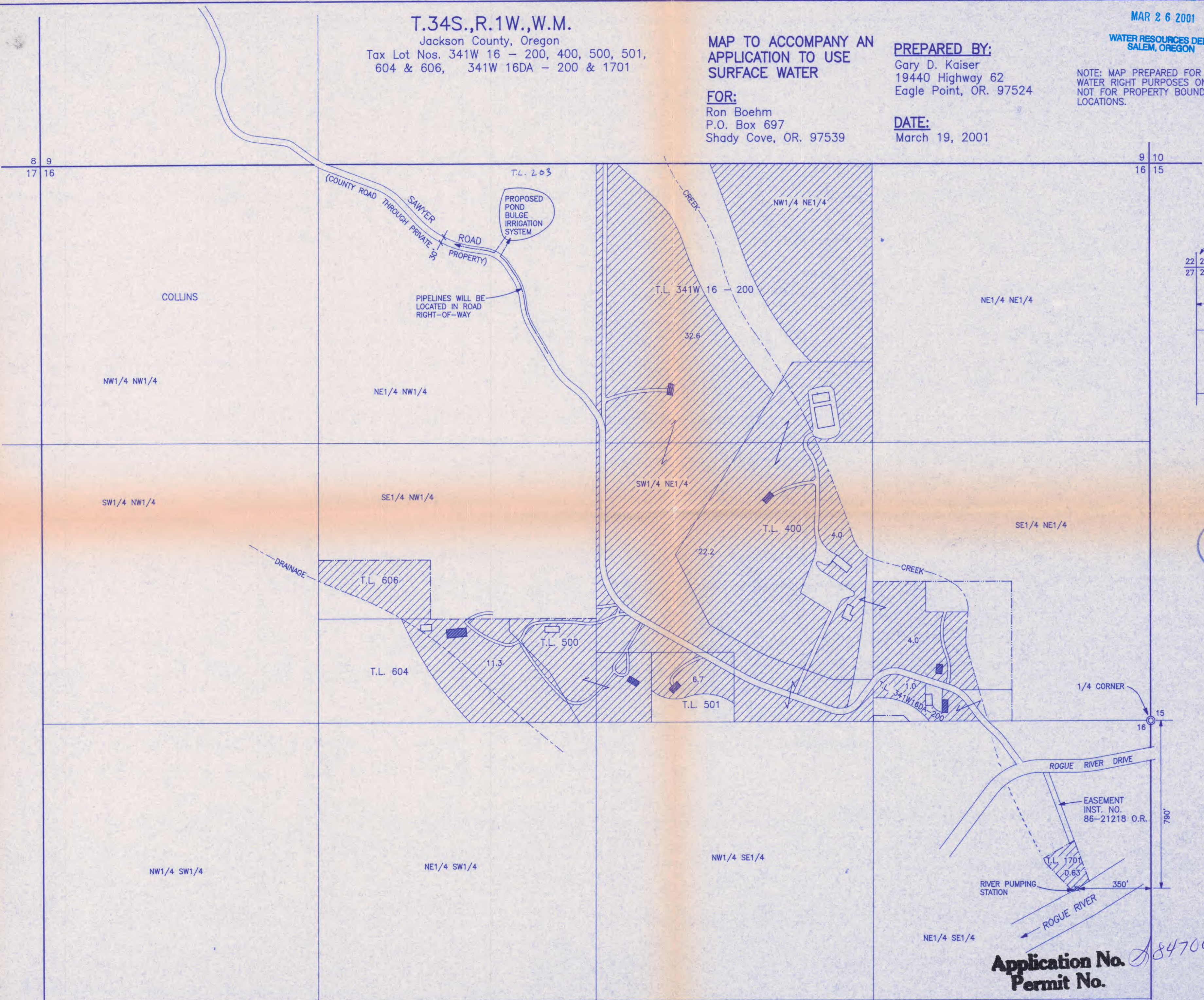
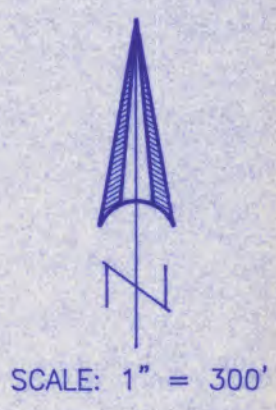
PREPARED BY:
Gary D. Kaiser
19440 Highway 62
Eagle Point, OR. 97524

WATER RESOURCES DEPT.
SALEM, OREGON

NOTE: MAP PREPARED FOR
WATER RIGHT PURPOSES ONLY,
NOT FOR PROPERTY BOUNDARY
LOCATIONS.

FOR:
Ron Boehm
P.O. Box 697
Shady Cove, OR. 97539

DATE:
March 19, 2001



LOST CREEK RESERVIOR
POINT OF DIVERSION
T.33S.,R.1E.,W.M.
SCALE 1" = 1320'



Application No. 84706
Permit No.

T.34S.,R.1W.,W.M.
Jackson County, Oregon
Tax Lot Nos. 341W 16 - 200, 400, 500, 501,
604 & 606, 341W 16DA - 200 & 1701

MAP TO ACCOMPANY AN
APPLICATION TO USE
SURFACE WATER

PREPARED BY:
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19440 Highway 62
Eagle Point, OR. 97524

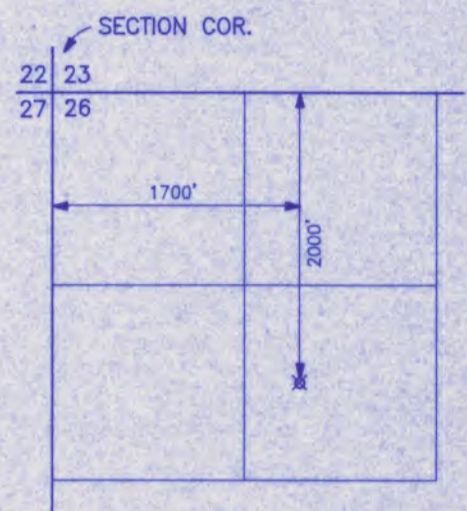
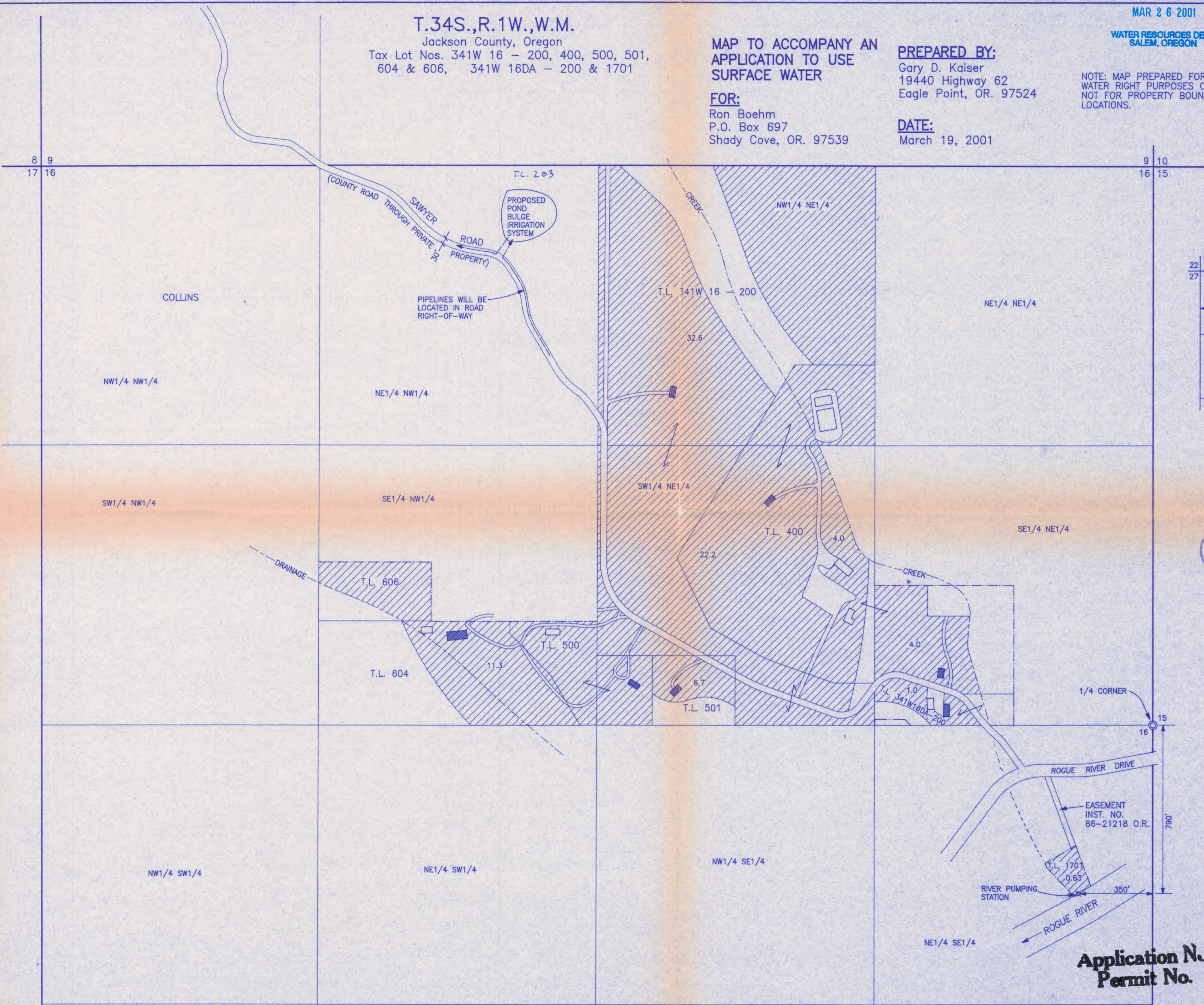
NOTE: MAP PREPARED FOR
WATER RIGHT PURPOSES ONLY,
NOT FOR PROPERTY BOUNDARY
LOCATIONS.

FOR:
Ron Boehm
P.O. Box 697
Shady Cove, OR. 97539

DATE:
March 19, 2001



SCALE: 1" = 300'



LOST CREEK RESERVOIR
POINT OF DIVERSION
T.33S.,R.1E.,W.M.
SCALE 1" = 1320'



Application No. 84706
Permit No.

T.34S.,R.1W.,W.M.
Jackson County, Oregon
Tax Lot Nos. 341W 16 - 200, 400, 500, 501,
604 & 606, 341W 16DA - 200 & 1701

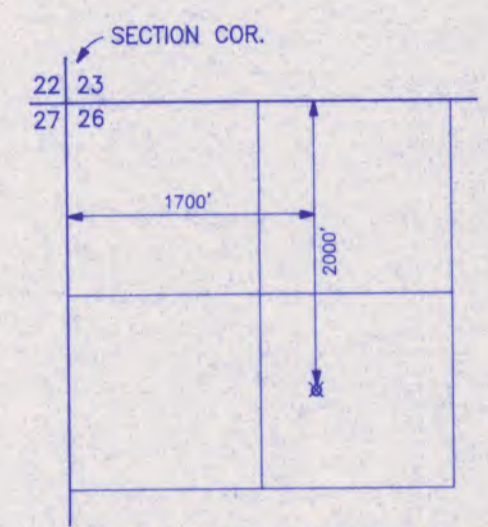
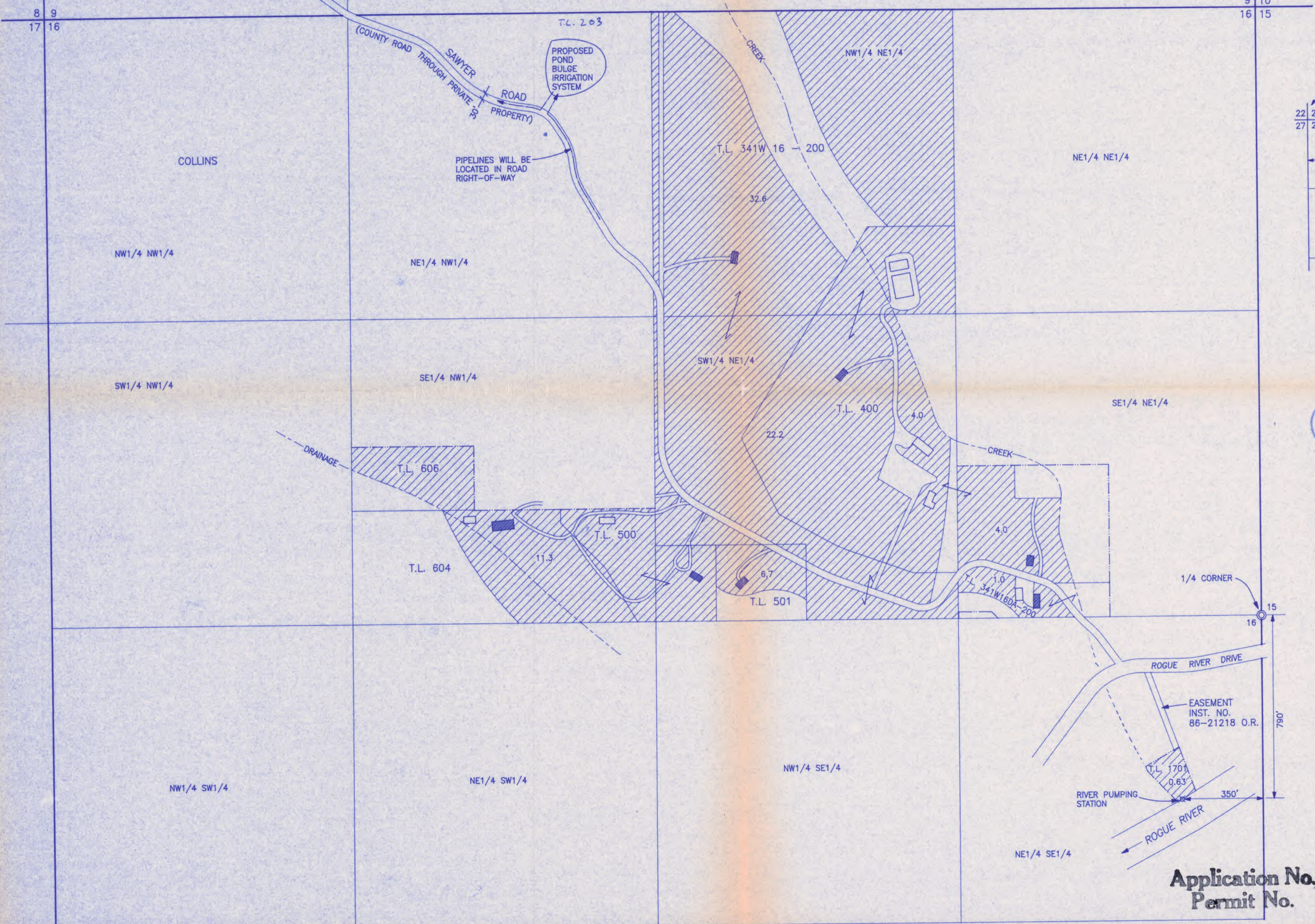
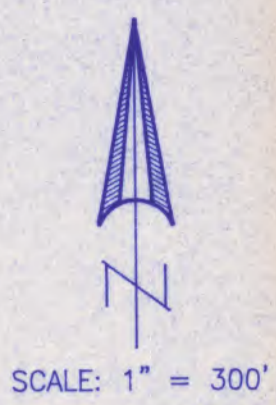
MAP TO ACCOMPANY AN
APPLICATION TO USE
SURFACE WATER

PREPARED BY:
Gary D. Kaiser
19440 Highway 62
Eagle Point, OR. 97524

WATER RESOURCES DEPT.
SALEM, OREGON
NOTE: MAP PREPARED FOR
WATER RIGHT PURPOSES ONLY,
NOT FOR PROPERTY BOUNDARY
LOCATIONS.

FOR:
Ron Boehm
P.O. Box 697
Shady Cove, OR. 97539

DATE:
March 19, 2001



LOST CREEK RESERVIOR
POINT OF DIVERSION
T.33S.,R.1E.,W.M.
SCALE 1" = 1320'



Application No. 84706
Permit No.

T.34S.,R.1W.,W.M.
Jackson County, Oregon
Tax Lot Nos. 341W 8 - 102, 300,
301, 400, 403 & 404



RECEIVED

MAR 26 2001

WATER RESOURCES DEPT.
SALEM, OREGON



SCALE: 1" = 300'

MAP TO ACCOMPANY AN
APPLICATION TO USE
SURFACE WATER

PREPARED BY:

Gary D. Kaiser
19440 Highway 62
Eagle Point, OR. 97524

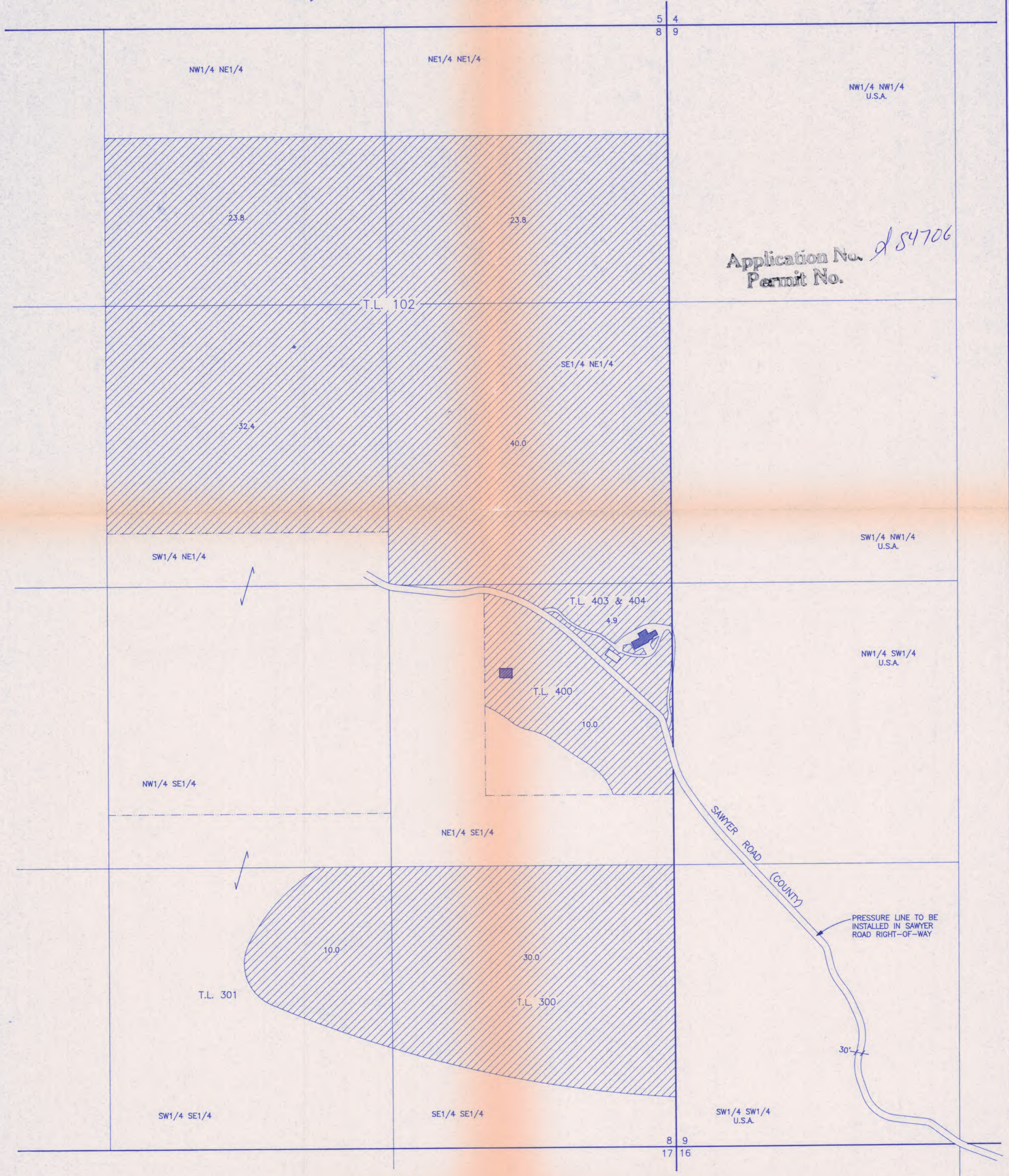
NOTE: MAP PREPARED FOR
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FOR:

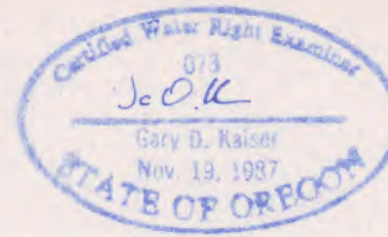
Ron Boehm
P.O. Box 697
Shady Cove, OR. 97539

DATE:

March 19, 2001



T.34S.,R.1W.,W.M.
Jackson County, Oregon
Tax Lot Nos. 341W 8 - 102, 300,
301, 400, 403 & 404



RECEIVED

MAR 26 2001

WATER RESOURCES DEPT.
SALEM, OREGON



SCALE: 1" = 300'

MAP TO ACCOMPANY AN
APPLICATION TO USE
SURFACE WATER

FOR:

Ron Boehm
P.O. Box 697
Shady Cove, OR. 97539

PREPARED BY:

Gary D. Kaiser
19440 Highway 62
Eagle Point, OR. 97524

DATE:

March 19, 2001

NOTE: MAP PREPARED FOR
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NOT FOR PROPERTY BOUNDARY
LOCATIONS.



T.34S.,R.1W.,W.M.
Jackson County, Oregon
Tax Lot Nos. 341W 8 - 102, 300,
301, 400, 403 & 404



RECEIVED

MAR 26 2001

WATER RESOURCES DEPT.
SALEM, OREGON



SCALE: 1" = 300'

MAP TO ACCOMPANY AN
APPLICATION TO USE
SURFACE WATER

PREPARED BY:

Gary D. Kaiser
19440 Highway 62
Eagle Point, OR. 97524

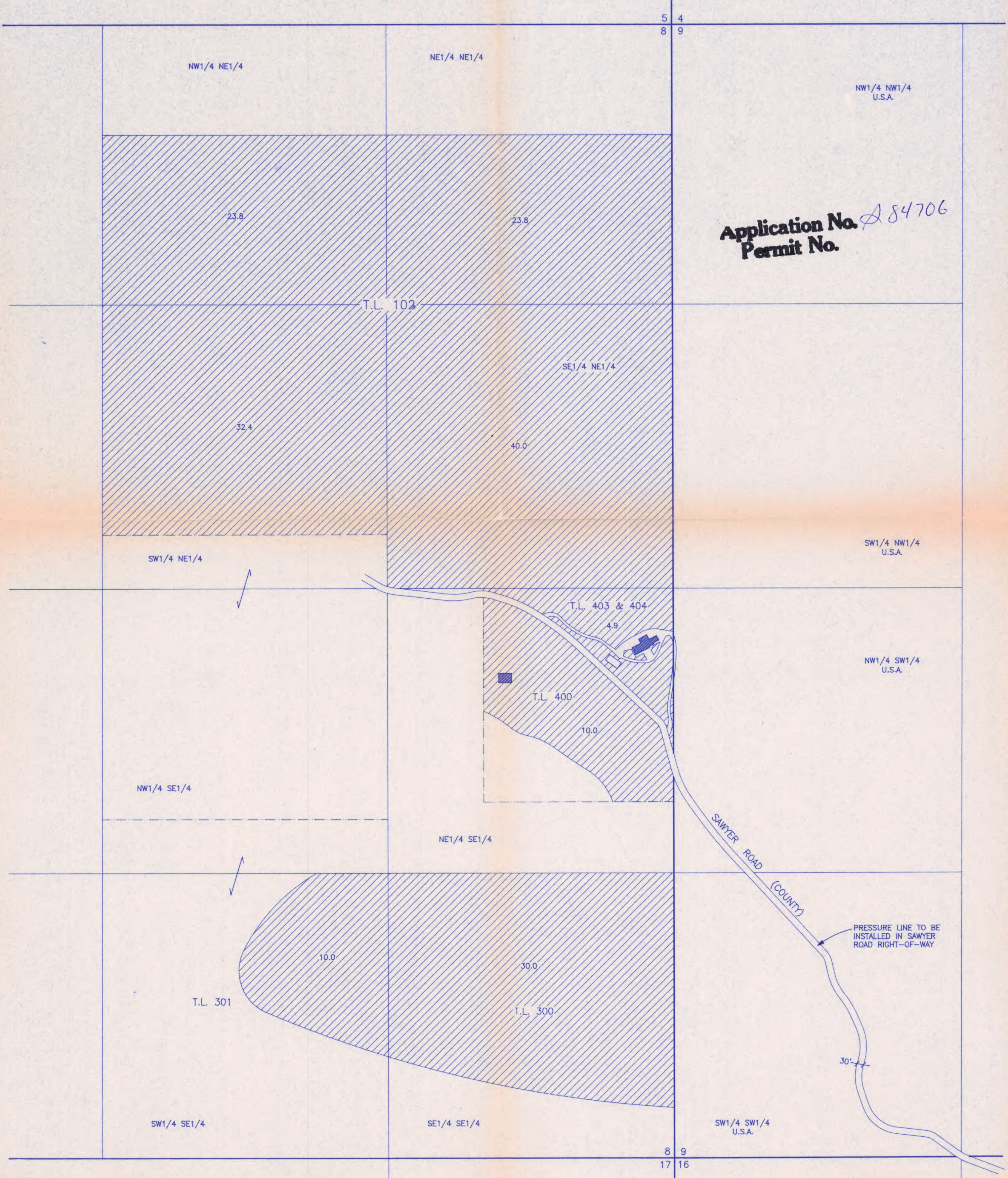
NOTE: MAP PREPARED FOR
WATER RIGHT PURPOSES ONLY,
NOT FOR PROPERTY BOUNDARY
LOCATIONS.

FOR:

Ron Boehm
P.O. Box 697
Shady Cove, OR. 97539

DATE:

March 19, 2001



Application No. *A 84706*
Permit No.

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **108102**

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

INVOICE # _____

RECEIVED FROM: Scott Valley Bank
BY: _____

APPLICATION	S-84706
PERMIT	S-53818
TRANSFER	

CASH: CHECK: # 124832 OTHER: (IDENTIFY) _____

TOTAL REC'D \$ 150.00

1083 TREASURY 4170 WRD MISC CASH ACCT

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

0243 VS Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

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

WATER RIGHTS:

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

WELL CONSTRUCTION

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

0200 OTHER (IDENTIFY) Claim of Beneficial Use (CABU) \$ 150.00

0536 TREASURY 0437 WELL CONST. START FEE

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

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

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

RECEIPT: **108102**

DATED: 2-15-13 BY: C. Andrews

ASSIGNED

Application No. 84706
Permit No. S-53818
Certificate No. _____

Name partial FILE#: S 84706
By RON BOEHM
Address PO BOX 697
SHADY COVE, OR 97539

FEES PAID		
Date	Amount	Receipt No.
3-26-0	625.00	43876
4-11-01	572.33	44254
8/2/02	175.00	54571
5-8-06	250.00	81329
10-5-09	50.00 Cert. Fee	98110

Stream Index, Page No. _____
Also see S-86478
G-16710
R-86479

FEES REFUNDED		
Date	Amount	Check No.

Action suspended until CH
"on extend"

Return to applicant _____
Date of approval _____

ASSIGNED 10/5/2009
partial
10/19/2009

PREMIER WEST BANK
P O BOX 40
MEDFORD OR 97501
SCOTT VALLEY BANK
P.O. BOX 69
YREKA CA 96097

ASSIGNMENTS				
Date	To Whom	Address	Volume	Page

CONSTRUCTION
Date for beginning 8/22/03

Date for completion _____
Extended to _____

Date for application of water 10-1-06
Extended to 10-1-2011

REMARKS			
Date	Amount	Receipt No.	
10-19-09	75.00	98281	
2-15-13	150.00	108102	

9-16-2024 Proposed Certificate Sent

PROSECUTION OF WORK

Form "A" filed _____
Form "B" filed _____
Form "C" filed _____

FINAL PROOF

Blank mailed _____
Proof received partial - Scott Valley Bank
013W 2/15/2013
Date Certificate issued _____

map shows well to be measured from
the e'ly corner, see 16...

not the ne corner as pfo states

App 5-84706

11-10-09

Lehman & Cheryl Adams
214 Loper Lane
Trail, OR 97541

(541) 878-3478

cjadams@comcast.net



GREY OAKS DEVELOPMENT, INC.
 20462 Sawyer Road
 Post Office Box 697
 Shady Cove, Oregon 97539



WATER RESOURCES DEPT.
 WATER RIGHTS DIVISION
 158 12TH ST. NE
 SALEM, OREGON

97301-4172

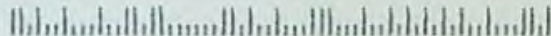
ATTN: HERB OR ROGER

RECEIVED

APR 11 2001

WATER RESOURCES DEPT.
 SALEM, OREGON

97301+4172



STATE OF OREGON
 WATER RESOURCES DEPARTMENT

RECEIPT # **43876**

158 12TH ST. N.E.
 SALEM, OR 97310-0210
 378-8455 / 378-8130 (FAX)

INVOICE # _____

RECEIVED FROM: Grey Oaks Development

APPLICATION	S-84706
PERMIT	
TRANSFER	

BY: _____

CASH: CHECK: # 155 OTHER: (IDENTIFY)

TOTAL REC'D \$ 625.00

0417 WRD MISC CASH ACCT

ADJUDICATIONS	\$
PUBLICATIONS / MAPS	\$
OTHER: (IDENTIFY)	\$
OTHER: (IDENTIFY)	\$

REDUCTION OF EXPENSE

CASH ACCT. \$

PCA AND OBJECT CLASS VOUCHER #

0427 WRD OPERATING ACCT

0407	MISCELLANEOUS	\$
0410	COPY & TAPE FEES	\$
0408	RESEARCH FEES	\$
(New) TC162	MISC REVENUE: (IDENTIFY)	\$
	DEPOSIT LIAB. (IDENTIFY)	\$
	WATER RIGHTS:	
0201	SURFACE WATER	\$
0203	GROUND WATER	\$
0205	TRANSFER	\$
	WELL CONSTRUCTION	
0218	WELL DRILL CONSTRUCTOR	\$
	LANDOWNER'S PERMIT	\$
	OTHER (IDENTIFY)	\$

PCA # 06111

EXAM FEE		RECORD FEE
\$ <u>625.00</u>	0202	\$
\$	0204	\$
\$	0206	\$
EXAM FEE		LICENSE FEE
\$	0219	\$
	0220	\$

0437 WELL CONST. START F

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

0539 LOTTERY PROCEEDS

1302	LOTTERY PROCEEDS	\$
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0467 HYDRO ACTIVITY

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

572.33
 OWES
 APP: S-84706

RECEIPT # **43876**

DATED: 3-26-01 BY: [Signature]

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **43876**

158 12TH ST. N.E.
SALEM, OR 97310-0210
378-8455 / 378-8130 (FAX)

INVOICE # _____

RECEIVED FROM: Grey Oaks Development APPLICATION S-84700
BY: _____

PERMIT	
TRANSFER	

CASH: CHECK: # 1055 OTHER: (IDENTIFY)
1055

TOTAL REC'D \$ 6025.00

0417 WRD MISC CASH ACCT

ADJUDICATIONS	\$
PUBLICATIONS / MAPS	\$
OTHER: (IDENTIFY)	\$
OTHER: (IDENTIFY)	\$

REDUCTION OF EXPENSE

CASH ACCT. \$

PCA AND OBJECT CLASS VOUCHER #

0427 WRD OPERATING ACCT

0407 MISCELLANEOUS COPY & TAPE FEES	\$
0410 RESEARCH FEES	\$
0408 MISC REVENUE: (IDENTIFY)	\$
(New) TC162 DEPOSIT LIAB. (IDENTIFY)	\$

PCA # 606111

WATER RIGHTS:

0201 SURFACE WATER	EXAM FEE \$ <u>6025.00</u>	0202 RECORD FEE \$
0203 GROUND WATER	\$	0204 \$
0205 TRANSFER	\$	0206 \$
0216 WELL DRILL CONSTRUCTOR	EXAM FEE \$	0219 LICENSE FEE \$
LANDOWNER'S PERMIT		0220 \$

OTHER (IDENTIFY) _____

0437 WELL CONST. START FEE

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

OTHER (IDENTIFY) _____

0539 LOTTERY PROCEEDS

1302 LOTTERY PROCEEDS \$

0467 HYDRO ACTIVITY

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

RECEIPT # **43876**

DATED: 3-20-01 BY: [Signature]

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **43876**

158 12TH ST. N.E.
SALEM, OR 97310-0210
378-8455 / 378-8130 (FAX)

INVOICE # _____

RECEIVED FROM: Grey Oaks Development

APPLICATION	S-84100
PERMIT	
TRANSFER	

BY: _____

CASH: CHECK: # 155 OTHER: (IDENTIFY)

TOTAL REC'D \$ 625.00

0417 WRD MISC CASH ACCT

ADJUDICATIONS	\$
PUBLICATIONS / MAPS	\$
OTHER: (IDENTIFY)	\$
OTHER: (IDENTIFY)	\$

REDUCTION OF EXPENSE

CASH ACCT.	\$
VOUCHER #	

0427 WRD OPERATING ACCT

0407	MISCELLANEOUS		\$
0410	COPY & TAPE FEES		\$
0408	RESEARCH FEES		\$
(New) TC162	MISC REVENUE: (IDENTIFY)		\$
	DEPOSIT LIAB. (IDENTIFY)		\$
WATER RIGHTS:			
0201	SURFACE WATER	EXAM FEE	RECORD FEE
0203	GROUND WATER	\$ <u>625.00</u>	\$
0205	TRANSFER	\$	\$
	WELL CONSTRUCTION	EXAM FEE	LICENSE FEE
0218	WELL DRILL CONSTRUCTOR	\$	\$
	LANDOWNER'S PERMIT		\$
	OTHER (IDENTIFY)		

PCA # 106111

0437 WELL CONST. START FEE

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

0539 LOTTERY PROCEEDS

1302	LOTTERY PROCEEDS	\$
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0467 HYDRO ACTIVITY

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

RECEIPT # **43876**

DATED: 3-26-01 BY: [Signature]

GREY OAKS DEVELOPMENT, INC.
PO BOX 697 541-878-2948
SHADY COVE, OREGON 97539

WESTERN BANK
MEDFORD, OR 97501
96-455/1232 - 55

6622

4-4-01

PAY TO THE
ORDER OF

WATER RESOURCES DEPT

\$ 572.33

FIVE HUNDRED SEVENTY TWO & 33/100

DOLLARS

MEMO

PERMIT FOR IRRIGATION WATER

Rene Amis
AUTHORIZED SIGNATURE

SECURITY FEATURES INCLUDED. DETAILS ON BACK.

684706

Application No.
Permit No.

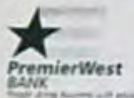
TRANS-BOX SYSTEMS
ROLAND PROJECT
PO BOX 697
SHADY COVE, OR 97539

103

98-659

DATE 7-27-02

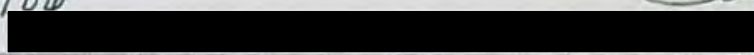
PAY TO THE ORDER OF Oregon Water Resources Dept. \$ 175⁰⁰
One Hundred Seventy Five & ⁰⁰/₁₀₀ DOLLARS



1455 East McAndrews Road • Medford, OR 97504
24 Hour Voice Response Number: 1-877-489-2269
Ph. 541-776-7480

[Handwritten Signature]

File # 5-84706



RECEIVED
AUG 02 2002
WATER RESOURCES DEPT
SALEM, OREGON

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **54571**

158 12TH ST. N.E.
SALEM, OR 97310-0210
378-8455 / 378-8130 (FAX)

INVOICE # _____

RECEIVED FROM: Trans-Box System
BY: _____

APPLICATION	584706
PERMIT	
TRANSFER	

CASH: CHECK: # 96-659 OTHER: (IDENTIFY)

TOTAL REC'D \$ 175.00

0417 WRD MISC CASH ACCT

ADJUDICATIONS	\$
PUBLICATIONS / MAPS	\$
OTHER: (IDENTIFY)	\$
OTHER: (IDENTIFY)	\$

REDUCTION OF EXPENSE

PCA AND OBJECT CLASS	CASH ACCT.	\$
	VOUCHER #	

0427 WRD OPERATING ACCT

0407 MISCELLANEOUS COPY & TAPE FEES	\$
0410 RESEARCH FEES	\$
0408 MISC REVENUE: (IDENTIFY)	\$
(New) TC162 DEPOSIT LIAB. (IDENTIFY)	\$

WATER RIGHTS:	EXAM FEE		RECORD FEE
0201 SURFACE WATER	\$	0202	\$ <u>175.00</u>
0203 GROUND WATER	\$	0204	\$
0205 TRANSFER	\$	0206	\$
WELL CONSTRUCTION	EXAM FEE		LICENSE FEE
0218 WELL DRILL CONSTRUCTOR	\$	0219	\$
LANDOWNER'S PERMIT		0220	\$

OTHER (IDENTIFY) _____

0437 WELL CONST. START FEE

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

OTHER (IDENTIFY) _____

0539 LOTTERY PROCEEDS

1302 LOTTERY PROCEEDS	\$
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0467 HYDRO ACTIVITY

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

RECEIPT # **54571**

DATED: 1/12/96 BY: Connie Vance

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **44254**

158 12TH ST. N.E.
SALEM, OR 97310-0210
378-8455 / 378-8130 (FAX)

INVOICE # _____

RECEIVED FROM: Grey Oaks Development

APPLICATION	
PERMIT	
TRANSFER	

BY: _____

CASH: CHECK: # 96-45 OTHER: (IDENTIFY)

TOTAL REC'D \$ 572.33

0417 WRD MISC CASH ACCT

ADJUDICATIONS	\$
PUBLICATIONS / MAPS	\$
OTHER: (IDENTIFY)	\$
OTHER: (IDENTIFY)	\$

REDUCTION OF EXPENSE

CASH ACCT. \$

PCA AND OBJECT CLASS VOUCHER #

0427 WRD OPERATING ACCT

MISCELLANEOUS	\$
0407 COPY & TAPE FEES	\$
0410 RESEARCH FEES	\$
0408 MISC REVENUE: (IDENTIFY)	\$
(New) TC162 DEPOSIT LIAB. (IDENTIFY)	\$

PCA# 66011

WATER RIGHTS:	EXAM FEE	RECORD FEE
0201 SURFACE WATER	\$ <u>572.33</u>	0202 \$
0203 GROUND WATER	\$	0204 \$
0205 TRANSFER	\$	0206 \$
WELL CONSTRUCTION	EXAM FEE	LICENSE FEE
0218 WELL DRILL CONSTRUCTOR	\$	0219 \$
LANDOWNER'S PERMIT		0220 \$

OTHER (IDENTIFY) _____

0437 WELL CONST. START FEE

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

OTHER (IDENTIFY) _____

0539 LOTTERY PROCEEDS

1302 LOTTERY PROCEEDS	\$
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0467 HYDRO ACTIVITY

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

RECEIPT # **44254**

DATED: 4/11/01 BY: Mig B

5-84706

STATE OF OREGON
WATER RESOURCES DEPARTMENT

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

RECEIPT # 98281

INVOICE # _____

RECEIVED FROM: Scott Valley Bank
BY: Oregon DRED

APPLICATION	<u>see below</u>
PERMIT	
TRANSFER	

CASH: CHECK: # 1060 OTHER: (IDENTIFY)

TOTAL REC'D \$ 150.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES	\$
OTHER: (IDENTIFY)	\$
0243 VS Lease	
0244 Muni Water Mgmt. Plan	
0245 Cons. Water	

4270 WRD OPERATING ACCT

0407 MISCELLANEOUS		
0407 COPY & TAPE FEES	<u>R14327 = \$75.00</u>	\$
0410 RESEARCH FEES	<u>S53818 = \$75.00</u>	\$
0408 MISC REVENUE: (IDENTIFY)	<u>Assignment</u>	\$ <u>150.00</u>
TC162 DEPOSIT LIAB. (IDENTIFY)		\$
0240 EXTENSION OF TIME		\$
WATER RIGHTS:		
0201 SURFACE WATER	EXAM FEE	RECORD FEE
0203 GROUND WATER	\$	0202 \$
0205 TRANSFER	\$	0204 \$
WELL CONSTRUCTION		
0218 WELL DRILL CONSTRUCTOR	EXAM FEE	LICENSE FEE
LANDOWNER'S PERMIT	\$	0219 \$
OTHER (IDENTIFY)		0220 \$

0536 TREASURY 0437 WELL CONST. START FEE

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

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

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

RECEIPT: 98281

DATED: 10-19-09 BY: LSB

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **98110**

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

INVOICE # _____

RECEIVED FROM: Huycke, O'Connor Jarvis
BY: + Johnson LLP

APPLICATION	<u>Soe Babu</u>
PERMIT	
TRANSFER	

CASH: CHECK # 20168 OTHER: (IDENTIFY)

TOTAL REC'D \$ 100.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES	\$
OTHER: (IDENTIFY)	\$
0243 I/S Lease	
0244 Muni Water Mgmt. Plan	
0245 Cons. Water	

4270 WRD OPERATING ACCT

MISCELLANEOUS	<u>R-86449 = \$50.00</u>	\$
0407 COPY & TAPE FEES	<u>R-89706 = \$50.00</u>	\$
0410 RESEARCH FEES		\$
0408 MISC REVENUE: (IDENTIFY)	<u>Assignments</u>	\$ <u>100.00</u>
TC162 DEPOSIT LIAB. (IDENTIFY)		\$
0240 EXTENSION OF TIME	<u>46111</u>	\$
WATER RIGHTS:		
0201 SURFACE WATER	EXAM FEE \$	RECORD FEE \$
0203 GROUND WATER	\$	0204 \$
0205 TRANSFER	\$	
WELL CONSTRUCTION		
0218 WELL DRILL CONSTRUCTOR	EXAM FEE \$	LICENSE FEE \$
LANDOWNER'S PERMIT		0219 \$
OTHER (IDENTIFY)		0220 \$

0536 TREASURY 0437 WELL CONST. START FEE

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

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

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

RECEIPT: **98110**

DATED: 10-5-04 BY: JR