

Narr. S-89181
 By Daniel R & Elizabeth A Withers
 Address 38438 Withers Road
 Paisley OR 97636

Priority 11-18-2021
 County Lake WM# 12

RELATED FILES

DEVELOPMENT

Date

Completion _____

Extended to _____

Final Proof received _____

Proposed Cert. Mailed _____

Application No. S-89181

Permit No. _____

Certificate No. _____

Date

DENIED _____

MISFILED _____

WITHDRAWN _____

CANCELLED _____

Volume Page

FEES PAID

| Date | Amount | Receipt No. |
|-------------------|-------------------|---------------|
| <u>11-1-2021</u> | <u>\$4160.00</u> | <u>136739</u> |
| <u>11-18-2021</u> | <u>\$1,640.00</u> | <u>136902</u> |
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Cert. Fee

FEES REFUNDED

| Date | Amount | Receipt No. |
|------|--------|-------------|
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ASSIGNMENTS

| Date | To Whom | Address |
|------|---------|---------|
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| | | |

REMARKS _____



MAP LOCATION _____

Daniel & Elizabeth Withers Map of Proposed New Water Rights Primary

T 31 S, R 16 E
Sec 3 & 10

Map 1 of 2

Legend

- Point of Diversion (POD)
-  New Water Right Primary
39.41 ac. season 3-1 to 9-30
-  New Water Right Primary
201.5 ac. season 3-1 to 4-30
- Unnamed creek
- - - Summer Lake ID Canal

POD #1- 2337 feet North &
157 feet East

POD #2- 2200 feet North &
1161 feet East

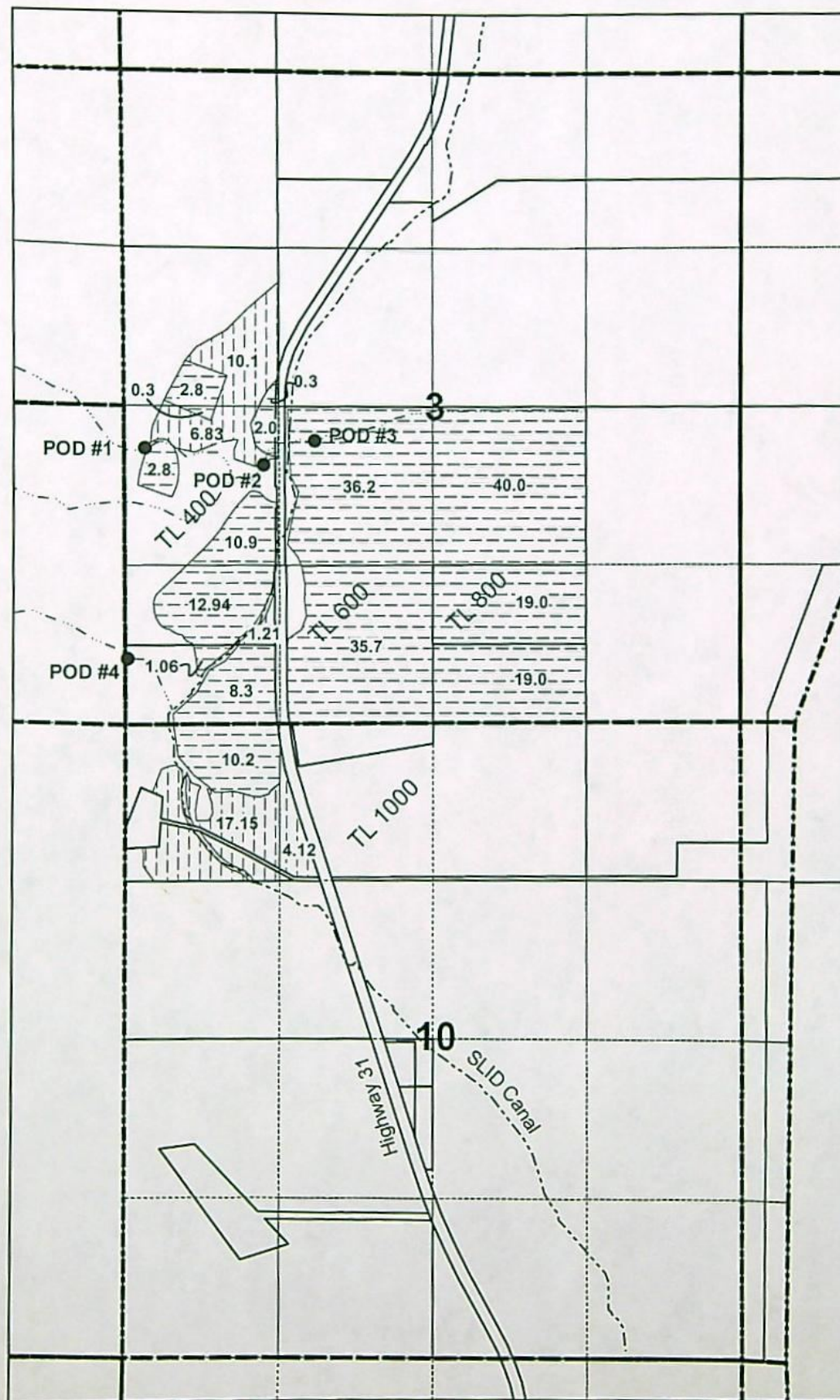
POD #3- 2404 feet North &
1594 feet East

POD #4- 560 feet North &
16 feet East

All from the SW Corner of Section 3
T 31 S, R 16 E.



1 inch = 1,320 feet



Daniel & Elizabeth Withers
Map of Proposed New Water Rights
Supplemental

T 31 S, R 16 E
Sec 3 & 10





Map 2 of 2

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Legend

-  New Water Right 100.4 ac
Supplemental 5-1 to 9-30
-  Point of Diversion (POD)
-  Unnamed creek
-  Summer Lake ID Canal

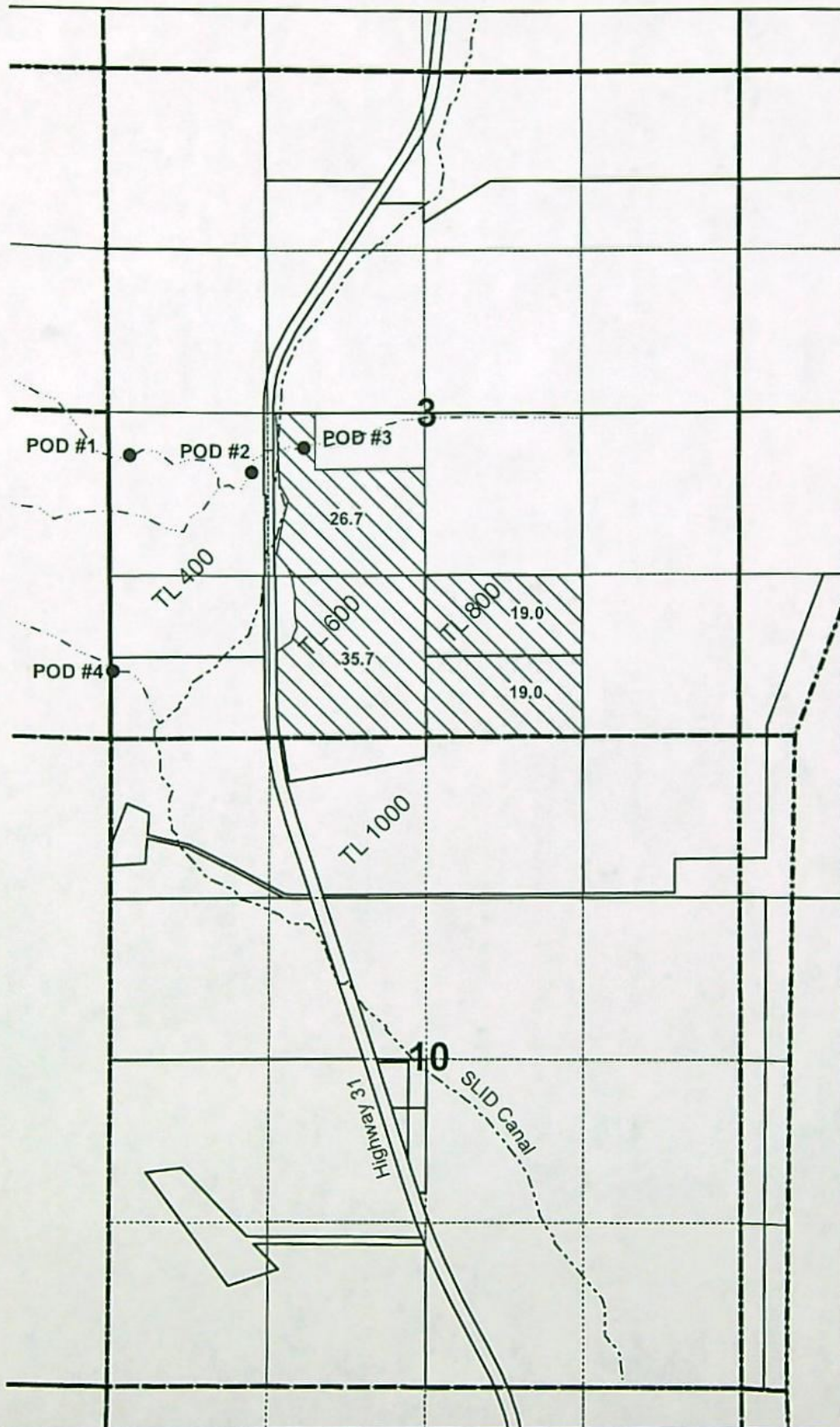
POD #1- 2337 feet North &
157 feet East

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1161 feet East

POD #3- 2404 feet North &
1594 feet East

POD #4- 560 feet North &
16 feet East

All from the SW Corner of Section 3
T 31 S, R 16 E.



1 inch = 1,320 feet

OWRD Memo

To: Lisa Graham
From: Matt Anderson
cc: Kyle Gorman
Date: 12/29/22
Re: WA for application S-891181 and WA form

On December 15, 2022, I and Kyle Gorman visited the location of the proposed water right application. There was about 6 to 8" of snow on the ground and two of the proposed points of diversion were readily visible. The stream source near POD 2 and POD 3 was flowing about 1 cubic foot per second. It appears that this is probably a low flow condition and there may be some additional runoff when the snowmelt is in full. It is unlikely that the flow from this source would reach 5 cfs at any time given the channel conditions and capacity of the culverts etc. There are other water rights within the vicinity and this application would directly affect the water available to those prior rights. It is not known whether the ownership, being the same landowner, would create conflict between this new water right and the existing. There is some water available for the new appropriation but it is unlikely to meet the full requested amount. Included are some pictures I took while on the site visit.

Photo of the stream looking toward POD 1:



Photo of the stream nearby POD 2:



Photo of the stream nearby POD 3:



SURFACE WATER AVAILABILITY REPORT

Application S 89181

A WAB does not exist for the POD location proposed by the attached application. If the source is a well, it has been determined to have the potential for substantial interference with surface water, therefore surface water availability must be considered. Based on the definitions below, please make a determination of surface water availability by completing this form.

Determination Exceedance Level ☐ 50% ☒ 80%

Do water rights exist downstream from the proposed point of diversion? ☒ Yes ☐ No

Is there a history of regulation at/near this proposed point of diversion? ☐ Yes ☒ No

Note: if there is no history of regulation, the Department could find water is available.

Is there enough water available to satisfy the proposed use plus the consumption portion of all relevant rights of record during the full season requested? ☐ Yes ☐ No ☒ Unsure

What information was used to determine water availability?

- ☐ Investigation of stream flow or groundwater measurement records
- ☐ Watermaster distribution records ☐ Flow requirements of existing water rights
- ☐ Stream flow modeling in ungauged basins ☐ Minimum perennial streamflows
- ☐ Scenic waterway flow requirements ☒ Other Site Visit

If a permit is issued, what conditions would you recommend from the following list?

☐ The period of use has been limited to Mar 1 through Sep 30.

☐ **Med MRR** Before water use may begin under this permit, the permittee shall install a totalizing flow meter at each point of diversion/appropriation. The permittee shall maintain the device in good working order.

☐ **Lrg MRR** Before water use may begin under this permit, the permittee shall install a totalizing flow meter at each point of diversion/appropriation. The permittee shall maintain the device in good working order; AND the permittee shall keep a complete record of the volume of water diverted each month, and shall submit a report which includes water-use measurements to the Department annually

☐ **Staff Gage** Before water use may begin under this permit, a staff gage that measures the entire range and stage between full reservoir level and dead-pool storage shall be installed in the reservoir. If no dead-pool, the gage must measure the full depth of the reservoir. The permittee shall maintain the device in good working order.

It seems unlikely there would be enough water for the existing water rights and the amounts asked for in this application.

Comments

The source of the stream seems to be from springs which would have a more stable flow rate and does not appear to have a large area for snow

melt/ runoff in the early part of the irrigation season. A site visit in the spring would be needed to determine true water availability.

Signature Matthew Anderson
Digitally signed by Matthew Anderson
Date: 2022.12.16 11:37:56 -08'00'

Date 12/16/2022

Watermaster Water Availability Form

Revised 2/16/2022

ORS 690-300-0100(58): "Water Availability Analysis" means the investigation of stream flow or groundwater measurement records, watermaster distribution records, flow requirements of existing water rights, stream flow modeling in ungauged basins, minimum perennial streamflows, or scenic waterway flow requirements to determine if water is available to support the proposed water use.

ORS 690-300-0100(57): "Water is Available," when used in OAR 690-310-0080, 690-310-0110 and 690-310-0130, means:

(a) The requested source is not over-appropriated under OAR 690-400-0010 and 690-410-0070 during any period of the proposed use; or

(b) If the requested source is already over-appropriated for any portion of the period of use proposed in a new application:

(A) The applicant can show the proposed use requires water only during the period of time in which the requested source is not already over-appropriated;

(B) The applicant has obtained or has shown the applicant can obtain authorization to use water from an alternate source to provide water needed during any period of use in which the source is over-appropriated; or

(C) If the applicant has shown they can obtain authorization to use water from an alternate source during the time water is unavailable, the department conditions the approval of the application to require that prior to diversion of water the applicant obtains authorization for use of water from the alternate source.

(c) For surface water applications received before July 17, 1992, the provisions of subsection (a) of this section shall apply except that the determination of whether a requested source is over-appropriated under OAR 690-400-0010 and 690-410-0070 shall be based upon whether the quantity of water available during a specified period is not sufficient to meet the expected demands for all water rights at least 50 percent of the time during that period.

OAR 690-400-0010(11)(a) "Over-Appropriated" means a condition of water allocation in which:

(A) The quantity of surface water available during a specified period is not sufficient to meet the expected demands from all water rights at least 80 percent of the time during that period; or

(B) The appropriation of groundwater resources by all water rights exceeds the average annual recharge to a groundwater source over the period of record or results in the further depletion of already over-appropriated surface waters.

(b) The standards for determining over-appropriation described in paragraph (A) of this subsection shall apply to water availability determination for permit applications submitted after July 17, 1992.

Application for a Permit to Use Surface Water



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

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SECTION 1: APPLICANT INFORMATION AND SIGNATURE

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Applicant

| | | | | |
|--|-------------|----------------------------|------------------------------------|------|
| NAME DANIEL R. AND ELIZABETH A. WITHERS | | PHONE (HM) 541-219-1022 | | OWRD |
| PHONE (WK) | CELL | FAX | | |
| ADDRESS 38438 WITHERS RANCH RD. | | | | |
| CITY PAISLEY | STATE OR | ZIP 97636 | E-MAIL * DRWITHERSWRI@YAHOO.COM | |

Organization

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

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

| | | | | |
|---|-------------|----------------------|---|-----|
| AGENT / BUSINESS NAME HOLLIE CANNON / WATER RIGHT SOLUTIONS, LLC | | PHONE | | FAX |
| ADDRESS 3246 HAMMER ST. | | CELL 541-821-5848 | | |
| CITY KLAMATH FALLS | STATE OR | ZIP 97603 | E-MAIL * HCANNON@WATERRIGHTSOLUTIONS.COM | |

Note: Attach multiple copies as needed

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

By my signature below I confirm that I understand:

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

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

Daniel R Withers

Applicant Signature

Daniel R. Withers

Print Name and Title if applicable

10/27/21

Date

Elizabeth A Withers

Applicant Signature

Elizabeth A. Withers

Print Name and Title if applicable

10/27/21

Date

For Department Use: App. Number: _____

SECTION 2: PROPERTY OWNERSHIP

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

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

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

Legal Description: You must provide the legal description of: 1. The property from which the water is to be diverted, 2. Any property crossed by the proposed ditch, canal or other work, and 3. Any property on which the water is to be used as depicted on the map. See attached deeds.

SECTION 3: SOURCE OF WATER

A. Proposed Source of Water

Provide the commonly used name of the water body from which water will be diverted, and the name of the stream or lake it flows into (if unnamed, say so), and the locations of the point of diversion (POD):

| | |
|---|---------------------------|
| Source 1: Unnamed Stream | Tributary to: Summer Lake |
| TRSQQ of POD#1: Located in the NWSW of Section 3, T31S, R16E, WM. 2337 feet North & 157 feet East from the SW Corner of Section 3, T31S, R16E | |
| Source 2: Unnamed Stream | Tributary to: Summer Lake |
| TRSQQ of POD#2: Located in the NWSW of Section 3, T31S, R16E, WM. 2200 feet North & 1161 feet East from the SW Corner of Section 3, T31S, R16E | |
| Source 3: Unnamed Stream | Tributary to: Summer Lake |
| TRSQQ of POD#3: Located in the NESW of Section 3, T31S, R16E, WM. 2404 feet North & 1594 feet East from the SW Corner of Section 3, T31S, R16E | |
| Source 4: Unnamed Stream | Tributary to: Summer Lake |
| TRSQQ of POD#4: Located in the SWSW of Section 3, T31S, R16E, WM. 560 feet North & 16 feet East from the SW Corner of Section 3, T31S, R16E | |

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

N/A

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B. Applications to Use Stored Water

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

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

If *all* sources listed in Section 3A are stored water, the Department will review your application using the expedited process provided in ORS 537.147, unless you check the box below. Please see the instruction booklet for more information.

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

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

SECTION 4: SENSITIVE, THREATENED OR ENDANGERED FISH SPECIES PUBLIC INTEREST INFORMATION

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

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

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

https://apps.wrd.state.or.us/apps/misc/lkp_trsqq_features/

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

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

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

☐ Yes ☒ No

If yes, you are notified that the Water Resources Department will consult with numerous federal, state, local and tribal governmental entities so it may determine whether the proposed use is consistent with the "Columbia River Basin Fish and Wildlife Program" adopted by the Northwest Power Planning Council in 1994 for the

protection and recovery of listed fish species. The application may be denied, heavily conditioned, or if appropriate, mitigation for impacts may be needed to obtain approval for the proposed use.

If yes,

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

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

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

☐ Yes ☒ No

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

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

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

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

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

Statewide - OAR 690-033-0330 thru -0340

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

☒ Yes ☐ No

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

agencies will recommend denial of the application unless they conclude that the proposed use would not harm the species.

SECTION 5: WATER USE

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

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

| SOURCE | USE | PERIOD OF USE | AMOUNT |
|----------------|-------------------------|------------------|---|
| Unnamed Stream | Primary Irrigation | Mar 1 – Sept 30 | 0.99 <input checked="" type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af |
| Unnamed Stream | Primary Irrigation | Mar 1 – April 30 | 5.00 <input checked="" type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af |
| Unnamed Stream | Supplemental Irrigation | May 1 to Sept 30 | 2.51 <input checked="" type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af |
| | | | <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af |

Please indicate the number of primary, supplemental and/or nursery acres to be irrigated.

Primary: 240.91 Acres

Supplemental: 100.4 Acres

Nursery Use: _____ Acres

If supplemental acres are listed, provide the Permit or Certificate number of the underlying primary water right(s): C64860 and C82735

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 1023.93

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

SECTION 6: WATER MANAGEMENT

A. Diversion and Conveyance

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

- ☐ Pump (give horsepower and type):
- ☒ Other means (describe): Gravity and open ditch

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

Each point of diversion will have either a steel or concrete weir with board slots for backing up the flow. The water will divert into the irrigation system and the volume controlled by the number of boards placed in the diversion weir. Two PODs will divert water to open ditch and two will divert to pipeline.

B. Application Method

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

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C. Conservation

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

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The amount of water requested is mostly supplemental to existing water right and therefore the same as the primary allocation. The portion of this application that is Primary will infill a patchwork of existing water right. Having the right to irrigate in larger blocks will allow us to explore more efficient application methods.

SECTION 7: RESOURCE PROTECTION

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

- ☒ Diversion will be screened per ODFW specifications in ORS 498.301 through 498.346 to prevent uptake of fish and other aquatic life.

Describe planned actions: The POD will be screened according to ODFW requirements.

- ☒ Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.

Note: If disturbed area is more than one acre, applicant should contact the Department of Environmental Quality to determine if a 1200C permit is required.

Describe planned actions and additional permits required for project implementation: **No excavation or clearing will be done as this is an existing POD.**

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

Describe planned actions and additional permits required for project implementation: **No equipment in the water body as will be gravity fed for flood irrigation.**

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

Describe planned actions: **No chemicals are used on the crops now grown. The crop is grass for hay and pasture, which is sodded in and there is no erosion. The flood irrigation is done carefully so as to limit runoff.**

- ☐ List other federal and state permits or contracts to be obtained, if a water right permit is granted.
N/A

SECTION 8: PROJECT SCHEDULE

- a) Date construction will begin: June 2022
- b) Date construction will be completed: October 2027
- c) Date beneficial water use will begin: October 2027

SECTION 9: WITHIN A DISTRICT

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

| | | | |
|---|----------------------|--------------|-------------------------|
| Irrigation District Name Summer Lake Irrigation District | Address PO Box 33 | Zip 97640 | RECEIVED NOV 01 2021 |
| City Summer Lake | State OR | | |

SECTION 10: REMARKS

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

The source of water is springs that rise out of the base of Summer Rim a short distance from the listed points of diversion.

Minimum Requirements Checklist

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

Include this checklist with the application

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

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

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

Include the following additional items:

- ☒ Land Use Information Form with approval and signature of local planning department (*must be an original*) or signed receipt.
- ☒ Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.
- ☒ Fees - Amount enclosed: **\$4,160.00**
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.
- ☒ Map that includes the following items:
 - ☒ Permanent quality and drawn in ink
 - ☒ Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
 - ☒ North Directional Symbol
 - ☒ Township, Range, Section, Quarter/Quarter, Tax Lots
 - ☒ Reference corner on map
 - ☒ Location of each diversion, by reference to a recognized public land survey corner (distances north/south and east/west)
 - ☒ Indicate the area of use by Quarter/Quarter and tax lot identified clearly.
 - ☒ Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
 - ☒ Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)

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Water-Use Permit Application Processing

1. Completeness Determination

The Department evaluates whether the application and accompanying map contain all of the information required under OAR 690-310-0040 and OAR 690-310-0050. The Department also determines whether the proposed use is prohibited by statute. If the Department determines that the application is incomplete, all fees have not been paid, or the use is prohibited by statute, the application and all fees submitted are returned to the applicant.

2. Initial Review

The Department reviews the application to determine whether water is available during the period requested, whether the proposed use is restricted or limited by rule or statute, and whether other issues may preclude approval of or restrict the proposed use. An Initial Review (IR) containing preliminary determinations is mailed to the applicant. The applicant has 14 days from the mailing date to withdraw the application from further processing and receive a refund of all fees paid minus \$310. The applicant may put the application on hold for up to 180 days and may request additional time if necessary.

3. Public Notice

Within 7 days of the mailing of the initial review, the Department gives public notice of the application in the weekly notice published by the Department at www.oregon.gov/owrd. The public comment period is 30 days from publication in the weekly notice.

4. Proposed Final Order Issued

The Department reviews any comments received, including comments from other state agencies related to the protection of sensitive, threatened or endangered fish species. Within 60 days of completion of the IR, the Department issues a Proposed Final Order (PFO) explaining the proposed decision to deny or approve the application. A PFO proposing approval of an application will include a draft permit, and may request additional information or outstanding fees required prior to permit issuance.

5. Public Notice

Within 7 days of issuing the PFO, the Department gives public notice in the weekly notice. Notice includes information about the application and the PFO. Protest must be received by the Department within 45 days after publication of the PFO in the weekly notice. Anyone may file a protest. The protest filing fee is \$480.00 for the applicant and \$950.00 for non-applicants. Protests are filed on approximately 10 percent of Proposed Final Orders. If a protest is filed the Department will attempt to settle the protest but will schedule a contested case hearing if necessary.

6. Final Order Issued

If no protests are filed, the Department can issue a Final Order within 60 days of the close of the period for receiving protest. If the application is approved, a permit is issued. The permit specifies the details of the authorized use and any terms, limitations or conditions that the Department deems appropriate.

Land Use Information Form



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

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NOV 01 2021

Applicant

| | | | | |
|--|-------------|----------------------------|----------------------------------|-------------|
| NAME DANIEL R. AND ELIZABETH A. WITHERS | | PHONE (HM) 541-219-1022 | | OWRD |
| PHONE (WK) | CELL | FAX | | |
| ADDRESS 38438 WITHERS RANCH RD. | | | | |
| CITY PAISLEY | STATE OR | ZIP 97636 | E-MAIL DRWITHERSWRI@YAHOO.COM | |

A. Land and Location

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

| Township | Range | Section | ¼ ¼ | Tax Lot # | Plan Designation (e.g., Rural Residential/RR-5) | Water to be: | | | Proposed Land Use: |
|----------|-------|---------|-------|-----------|---|--|--|--|--------------------|
| 31 S | 16 E | 3 | SW NW | 400 | | <input type="checkbox"/> Diverted | <input checked="" type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | IR & IS |
| 31 S | 16 E | 3 | NE SW | 600 | | <input checked="" type="checkbox"/> Diverted | <input checked="" type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | IR & IS |
| 31 S | 16 E | 3 | NW SW | 400 | | <input checked="" type="checkbox"/> Diverted | <input checked="" type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | IR & IS |
| 31 S | 16 E | 3 | SW SW | 400 | | <input type="checkbox"/> Diverted | <input checked="" type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | IR & IS |
| 31 S | 16 E | 3 | SW SW | 1000 | | <input checked="" type="checkbox"/> Diverted | <input checked="" type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | IR & IS |
| 31 S | 16 E | 3 | SE SW | 600 | | <input type="checkbox"/> Diverted | <input checked="" type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | IR & IS |
| 31 S | 16 E | 3 | SW SE | 800 | | <input type="checkbox"/> Diverted | <input checked="" type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | IR & IS |
| 31 S | 16 E | 3 | SW SE | 1000 | | <input type="checkbox"/> Diverted | <input checked="" type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | IR & IS |
| 31 S | 16 E | 10 | NE NW | 1000 | | <input type="checkbox"/> Diverted | <input checked="" type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | IR |
| 31 S | 16 E | 10 | NW NW | 1000 | | <input type="checkbox"/> Diverted | <input checked="" type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | IR |

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

Lake County

B. Description of Proposed Use

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

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

Source of water: ☐ Reservoir/Pond ☐ Groundwater ☒ Surface Water (name: Unnamed Stream tributary to Summer Lake)Estimated quantity of water needed: 1023.93 ☐ cubic feet per second ☐ gallons per minute ☒ acre-feet

Intended use of water: ☒ Irrigation ☐ Commercial ☐ Industrial ☐ Domestic for _____ household(s)
☐ Municipal ☐ Quasi-Municipal ☐ Instream ☐ Other _____

Briefly describe:

Irrigation for crops

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

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For Local Government Use Only

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

Please check the appropriate box below and provide the requested information

- ☒ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): Snake County Zoning Ordinance Article 2+3
- ☐ Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below. (Please attach documentation of applicable land use approvals which have already been obtained. Record of Action/land use decision and accompanying findings are sufficient.) If approvals have been obtained but all appeal periods have not ended, check "Being pursued."

| Type of Land Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.) | Cite Most Significant, Applicable Plan Policies & Ordinance Section References | Land Use Approval | |
|--|---|--|--|
| | | <input type="checkbox"/> Obtained <input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued |
| | RECEIVED | <input type="checkbox"/> Obtained <input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued |
| | NOV 01 2021 | <input type="checkbox"/> Obtained <input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued |
| | OWRD | <input type="checkbox"/> Obtained <input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued |
| | | <input type="checkbox"/> Obtained <input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued |

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

31-16-(3,10)-(400,600,800,1000)

| | | |
|-------------------------------|----------------------------|---------------------------------|
| NAME: <u>Darwin Johnson</u> | | TITLE: <u>Planning Director</u> |
| SIGNATURE: <u>[Signature]</u> | PHONE: <u>541-947-6036</u> | DATE: <u>27 Oct 2021</u> |
| GOVERNMENT ENTITY | | |

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

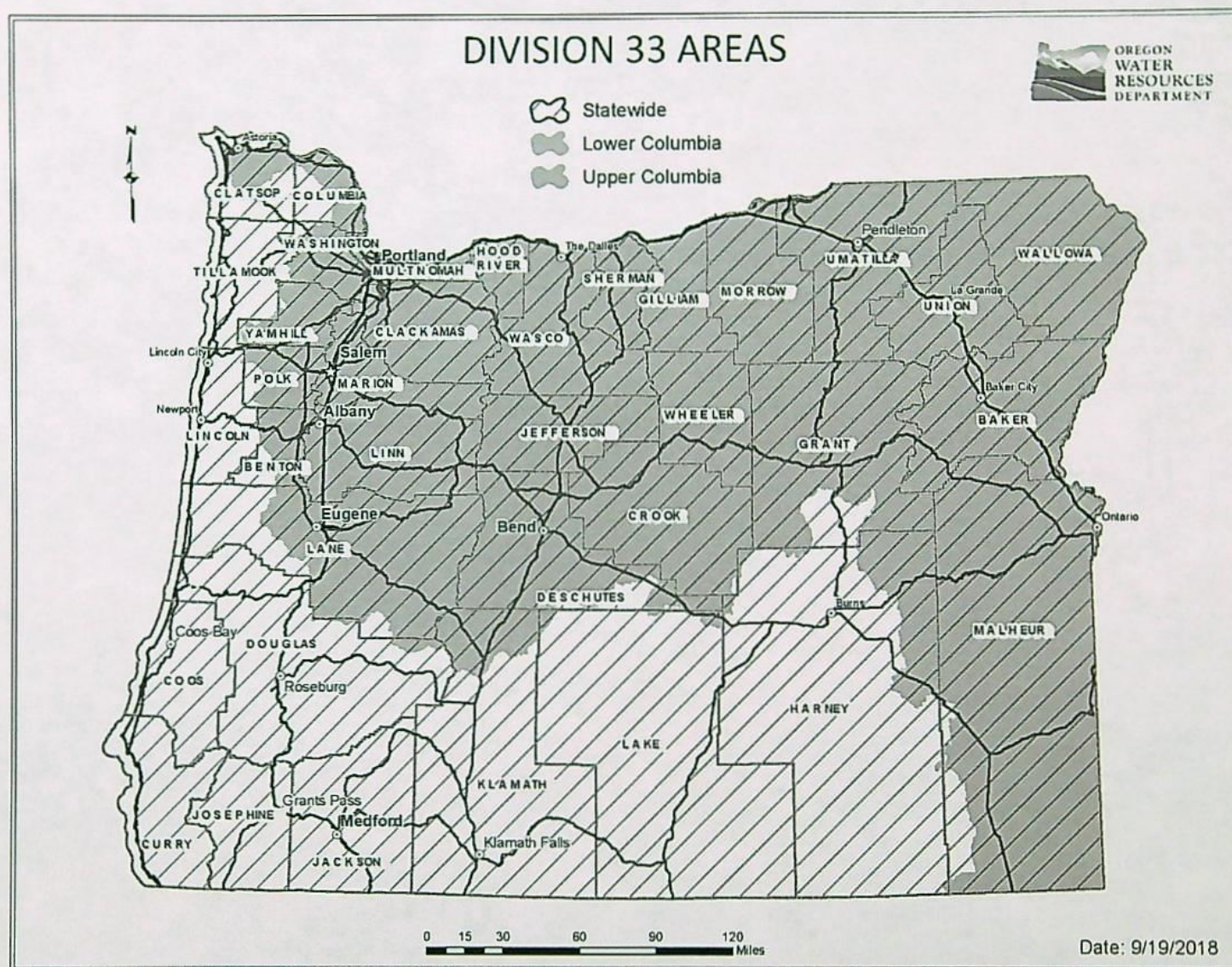
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Figure 1: Map of Division 33 Areas



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For more detailed information, click on the following link and enter the TRSQQ or the Lat/Long of a POD and click on "Submit" to retrieve a report that will show which section, if any, of the Division 33 rules apply: https://apps.wrd.state.or.us/apps/misc/lkp_trsqq_features/

NOV 01 2012

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GRANTOR'S NAME AND ADDRESS:

Alan G. Withers & V. Ginger Withers
42642 Highway 31
Paisley, OR 97636

GRANTEE'S NAME AND ADDRESS:

Daniel R. Withers & Elizabeth A. Withers
38438 Withers Ranch Road
Paisley, OR 97630

AFTER RECORDING RETURN TO:

James C. Lynch
P. O. Box 351
Lakeview, OR 97630

LAKE COUNTY, OREGON 2012-000041
D-MEMOSALSE
Crt=1 Pgs=5 01/17/2012 11:20:15 AM
\$25.00 \$11.00 \$15.00 \$10.00 Total:\$61.00



00002220201200000410050057

I, Stacie Geaney, County Clerk for Lake County, Oregon
certify that the instrument identified herein was
recorded in the Clerk records.

Stacie Geaney - County Clerk

MEMORANDUM OF SALE

BE IT REMEMBERED that on the 17th day of January, 2012, Alan G. Withers and V. Ginger Withers, husband and wife, did enter into a contract of sale with Daniel R. Withers and Elizabeth A. Withers, tenants in common, conveying the following described real property from Alan G. Withers and V. Ginger Withers, to Daniel R. Withers and Elizabeth A. Withers, which real property is more particularly described as follows, to-wit:

SEE EXHIBIT "A" ATTACHED.

The true and actual consideration paid for this transfer, stated in terms of dollars is \$1.00. However, the actual consideration consists of and includes other property or value given which is the whole of the consideration.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTION 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTION 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009.

2012000041

In construing this deed and where the context so requires, the singular includes the plural.

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

Daniel R. Withers
38438 Withers Ranch Road
Paisley, OR 97636

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Alan G. Withers
Alan G. Withers

Daniel R. Withers
Daniel R. Withers

V. Ginger Withers
V. Ginger Withers
SELLERS

Elizabeth A. Withers
Elizabeth A. Withers
PURCHASERS

STATE OF OREGON, County of Lake) ss.

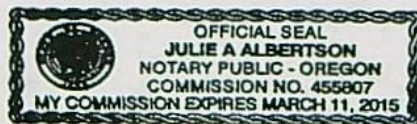
On this 17 day of January, 2012, personally appeared before me the above named ALAN G. WITHERS and V. GINGER WITHERS and acknowledged the foregoing instrument to be their voluntary act and deed.



Julie A. Albertson
Notary Public for Oregon
My Commission Expires: 03-11-2015

STATE OF OREGON, County of Lake) ss.

On this 17 day of January, 2012, personally appeared before me the above named DANIEL R. WITHERS and ELIZABETH A. WITHERS and acknowledged the foregoing instrument to be their voluntary act and deed.



Julie A. Albertson
Notary Public for Oregon
My Commission Expires: 03-11-2015

EXHIBIT "A"

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Parcel No. 1:

Township 33 South, Range 17 East of the Willamette Meridian,
 Section 1: Lots 3, 4, 5, SE $\frac{1}{4}$ SE $\frac{1}{4}$.
 Section 10: SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{4}$ SE $\frac{1}{4}$.
 Section 11: S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$.
 Section 12: E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$,

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AND

Beginning at the Northeast corner of the NE $\frac{1}{4}$ of Section 12, Township 33 South, Range 17 East of the Willamette Meridian, running thence Westerly along the section line 630.15 feet; thence South parallel to the East line of said Section 12, 1825.3 feet to the North margin of the Fremont Highway (State No. 31); thence Easterly along the Northerly margin of said Fremont Highway, as the same was located on July 1, 1965, to the East line of said Section 12; thence North along the East line of said Section 12 to the point of beginning.

AND

That part of the S $\frac{1}{2}$ NE $\frac{1}{4}$ and that part of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 12, Township 33 South, Range 17 East of the Willamette Meridian, lying South of Fremont Highway (State No. 31), as the same was located on July 1, 1965.

Section 13: NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$.
 Section 14: NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$.
 Section 15: NE $\frac{1}{4}$ NE $\frac{1}{4}$.

Township 33 South, Range 18 East of the Willamette Meridian,
 Section 3: S $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$.
 Section 7: Lot 1 (NW $\frac{1}{4}$ NW $\frac{1}{4}$), S $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, Lot 2 (SW $\frac{1}{4}$ NW $\frac{1}{4}$), S $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Lots 3 and 4, NW $\frac{1}{4}$ SE $\frac{1}{4}$.
 Section 10: N $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$.
 Section 12: S $\frac{1}{2}$ SE $\frac{1}{4}$.
 Section 13: N $\frac{1}{2}$ NE $\frac{1}{4}$.

33 17 00 - 002, 018, 027

33 18 00 - 027, 040, 003,
004, 006

2012000041

Parcel No. 2:

Township 31 South, Range 16 East of the Willamette Meridian,

Section 3: S $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$.Section 10: NW $\frac{1}{4}$ NE $\frac{1}{4}$ and N $\frac{1}{2}$ NW $\frac{1}{4}$, EXCEPTING THEREFROM the following described tract:

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Beginning at the South Quarter corner of Section 3, Township 31 South, Range 16 East of the Willamette Meridian, thence South 89°51' West along the South boundary of said Section 3, 1207.6 feet to the East margin of the Fremont Highway; thence Southerly along the East margin of said Fremont Highway 373.5 feet; thence North 80°19' East 1159.5 feet; thence North 0°08' West 174 feet to the place of beginning. ALSO EXCEPTING THEREFROM the following described tract:

That part of the South 25 feet of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 10 lying East of the Fremont Highway (State Highway 31) and the South 25 feet of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 10, Township 31 South, Range 16 East of the Willamette Meridian, AND FURTHER EXCEPTING THEREFROM AND RESERVING THEREFROM the following tract:

Beginning at a $\frac{1}{4}$ inch iron pin that bears South 00°53'36" West 927.98 feet from the Northwest corner of Section 10, Township 31 South, Range 16 East of the Willamette Meridian, thence North 27°01'34" East 414.78 feet to a $\frac{1}{2}$ inch pipe, South 63°30'14" East 155.38 feet to a $\frac{1}{2}$ inch pipe, South 03°45'26" West 418.38 feet to a $\frac{3}{4}$ inch iron pin, South 86°49'18" West 294.70 feet to an iron pin, and North 02°30'53" West 133.79 feet to the point of beginning.

Centerline of road right of way 30 feet in width:

Beginning at a point that bears South 00°53'36" West 927.98 feet; North 27°01'34" East 414.78 feet; South 63°30'14" East 155.38 feet; and South 03°45'26" West 200.00 feet from the Northwest corner of Section 10, Township 31 South, Range 16 East of the Willamette Meridian, thence South 77°36'39" East 332.03 feet; South 63°57'09" East 466.59 feet; thence South 62°17'15" East 437.80 feet and South 87°50'32" East 293.62 feet to the centerline of the Fremont Highway.

311600-010

LAKE COUNTY RECORDING NO.

2012000041

Parcel No. 3:

A parcel of land located in portions of Sections 1, 2, 11 and 12, Township 33 South, Range 17 East of the Willamette Meridian, Lake County, Oregon, more particularly described as follows:

Beginning at a 2½ inch brass cap located at the special meander corner of Section 2, Township 33 South, Range 17 East of the Willamette Meridian; thence South 73°04'46" East along said meander line a distance of 7.92 feet to a point; thence South 64°49'13" East along said meander line a distance of 1145.71 feet to a ¾ inch iron rod; thence South 64°49'07" East along said meander line a distance of 317.84 feet to a point; thence South 57°30'37" East along said meander line a distance of 615.49 feet to a point; thence North 89°48'10" East along said meander line a distance of 813.68 feet to a ¾ inch iron rod with a damaged yellow plastic cap; thence leaving said meander line, South 00°05'42" West a distance of 531.47 feet to a point; thence South 01°10'26" West a distance of 1883.96 feet to a ¾ inch iron rod with a yellow plastic cap stamped "AES, INC.", said rod being the North right-of-way line of Highway 31; thence North 86°26'28" West along said right-of-way line a distance of 1584.06 feet to a ¾ inch iron rod with a yellow plastic cap stamped "AES, INC."; thence North 86°26'28" West along said right-of-way line a distance of 2417.54 feet to a ¾ inch iron rod with a yellow plastic cap stamped "AES, INC."; thence leaving said right-of-way line, North 01°11'08" East a distance of 340.11 feet to a ¾ inch iron rod with a yellow plastic cap stamped "AES, INC."; thence South 89°17'01" East a distance of 1330.29 feet to a ¾ inch iron rod with a yellow plastic cap stamped "AES, INC."; thence North 01°17'43" East a distance of 1334.90 feet to a ¾ inch iron rod with a yellow plastic cap stamped "AES, INC."; thence North 00°02'29" East a distance of 1461.49 feet to a 2½ inch brass cap and the point of beginning.

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331700 - 603, 029

RECORDER'S INFORMATION:

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LAKE COUNTY, OREGON 2014-000511
D-WDEED 04/21/2014 09:58:26 AM
Crt=1 Pgs=4
\$20.00 \$11.00 \$20.00 \$10.00 Total:\$61.00

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Until a change is requested, all tax
statements shall be sent to:
Dan and Betty Withers
38438 Withers Ranch Road
Paisley, OR 97636

After recording return to:
Yturi Rose LLP
PO Box "S"
Ontario, OR 97914



00008239201400005110040047

I, Stacie Geaney, County Clerk for Lake County, Oregon
certify that the instrument identified herein was
recorded in the Clerk's records.

Stacie Geaney - County Clerk

WARRANTY DEED

DANIEL R. WITHERS and ELIZABETH A. WITHERS, as tenants by the entirety, Grantors, convey and warrant to, DANIEL R. WITHERS and ELIZABETH A. WITHERS, each as to an undivided one-half interest as tenants in common, Grantees, the following described real property free of encumbrances except as specifically set forth herein:

See Exhibit A attached hereto and by this reference incorporated herewith

SUBJECT TO AND TOGETHER WITH:

1. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
2. Easements, encumbrances, or claims thereof, not shown by the public records, reservations or exceptions in patents or in acts authorizing the issuance thereof.
3. Discrepancies, conflicts in boundary lines, shortage in area, encroachments or any other facts which a correct survey would disclose.

See Exhibit B attached hereto and by this reference incorporated herein

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

The true consideration for this conveyance is \$0.00. [Estate Planning]

YTURI ROSE LLP
ATTORNEYS AT LAW
P.O. BOX "S"
ONTARIO, OREGON 97914
(503) 899-5368
(503) 899-5432 - Fax
180.212.0000.0000

WARRANTY DEED (Withers / Withers) - Page 1
134014.0/d2/14-Mar-13/scd

LAKE COUNTY RECORDING NO.

2014000511

Dated this 14th day of April, 2014.

Daniel R. Withers
Daniel R. Withers

Betty A. Withers
Betty A. Withers

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State of Oregon)
County of Seaside) ss.

The foregoing instrument was acknowledged before me this 14th day of April, 2014, by Daniel R. Withers.



Kristen C. Wells
Notary Public for
My commission expires: 6-18-2016

State of Oregon)
County of Seaside) ss.

The foregoing instrument was acknowledged before me this 14th day of April, 2014, by Betty A. Withers.



Kristen C. Wells
Notary Public for
My commission expires: 6-18-2016

EXHIBIT A
(Real Property)

LAKE COUNTY RECORDING NO.
2014000511

Real property located in the County of Lake, State of Oregon as follows:

PARCEL 1

Township 29 South, Range 16 East of the Willamette Meridian,
Section 4: Lots 4, 5, 6 and 7.
Section 5: Lot 1.

291600-002

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PARCEL 2-3

Township 31 South, Range 16 East of the Willamette Meridian,
Section 3: The E $\frac{1}{4}$ of the SW $\frac{1}{4}$;
The NW $\frac{1}{4}$ of the SE $\frac{1}{4}$;
The N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$;

311600-006, 008

OWRD

PARCEL 4

Township 31 South, Range 16 East of the Willamette Meridian,
Section 3: E $\frac{1}{2}$ of the SW $\frac{1}{4}$; NW $\frac{1}{2}$ of the SE $\frac{1}{4}$; N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$.
Section 10: Beginning at the South quarter corner of Section 3, Township 31 South, Range 16 East of the Willamette Meridian, thence South 89°51' West, along the South line of said Section 3, 1207.6 feet to the East margin of the Fremont Highway; thence Southerly along the East margin of said Fremont Highway 373.5 feet; thence North 80°19' East 1159.5 feet; thence North 0°8' West 174 feet to the place of beginning.

EXCEPTING THEREFROM, those parcels previously conveyed to the State of Oregon, by and through its State Highway Commission, recorded in Book 80, Page 289, and Book 80, Page 352, Record of Deeds.

311600-009

YVONNE ROSE LLP
ATTORNEYS AT LAW
P.O. BOX 737
ONTARIO, OREGON 97141
(503) 895-1300
(503) 895-3432 - fax
yvonne@yvrllp.com

WARRANTY DEED (Withers / Withers) - Page 3
134014.0/d2/14-Mar-13/scd

LAKE COUNTY RECORDING NO.

EXHIBIT B
(Exceptions)

2014000511

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We also find the following apparent encumbrances within ten years prior to the effective date hereof:

1. Mortgage, subject to the terms and provisions thereof, given to secure an indebtedness with interest thereon and such future advance as may be provided therein;
Dated: December 27, 2012
Recorded: December 31, 2012
Book: 2012 at Page 001842 Lake County Records, Oregon
Amount: \$375,000.00
Mortgagor: Daniel R. Withers and Elizabeth A. Withers
Mortgagee: Panhandle State Bank, including its Divisions, Intermountain Community Bank and Magic Valley Bank

YUJARI ROSE LLP
ATTORNEYS AT LAW
P.O. BOX 111
ONTARIO, OREGON 97146
(541) 899-1388
(541) 899-2432 - fax
law@yujarirose.com

WARRANTY DEED (Withers / Withers) - Page 4
134014.0/d2/14-Mar-13/scd

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RECORDING REQUESTED BY:


Western Title & Escrow

2365 NW Kline Street, Suite 101
Roseburg, OR 97471

AFTER RECORDING RETURN TO:

Order No.: WT0201525-M3
Marquita Brown
Western Title & Escrow Company
2365 NW Kline Street, Suite 101
Roseburg, OR 97471

SEND TAX STATEMENTS TO:

Withers Land & Cattle, LLC
38374 Withers Ranch Rd
Paisley, OR 97636

APN: 9128

| | |
|--|------------------------|
| LAKE COUNTY, OREGON | 2020-002489 |
| D-WDEED | 12/14/2020 01:18:00 PM |
| Cnt=1 Pgs=5 | \$106.00 |
| \$25.00 \$11.00 \$10.00 \$60.00 | |
| I, Stacie Geaney, County Clerk for Lake County, Oregon, certify that the instrument identified herein was recorded in the Clerk records. | |
| Stacie Geaney - County Clerk | |

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Loosley Development Company, LLC, Grantor, conveys and warrants to Withers Land & Cattle, LLC, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Lake, State of Oregon:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS TWO HUNDRED NINETY-TWO THOUSAND NINE HUNDRED FIFTY AND NO/100 DOLLARS (\$292,950.00). (See ORS 93.030).

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

31 16 00-004

RECEIVED

NOV 01 2021

OWRD

STATUTORY WARRANTY DEED
(continued)

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Dated: 12/10/2020

Loosley Development Company, LLC

BY: [Signature]
Stephen J. Loosley
Co-Manager

BY: _____
Judith L. Sweeney
Co-Manager

State of OREGON
County of DOUGLAS

This instrument was acknowledged before me on 12/10/2020 by Judith L. Sweeney, as Co-Manager
for Loosley Development Company, LLC and Stephen J. Loosley, as Co-Manager for Loosley Development
Company, LLC.

[Signature]
Notary Public - State of Oregon

My Commission Expires: 11/21/21



RECEIVED

NOV 01 2021

OWRD

STATUTORY WARRANTY DEED

(continued)

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Dated: 12/10/2020

Loosley Development Company, LLC

BY: _____
Stephen J. Loosley
Co-Manager

BY: Judith L. Sweeney
Judith L. Sweeney
Co-Manager

State of OREGON
County of DOUGLAS

This instrument was acknowledged before me on _____ by Judith L. Sweeney, as Co-Manager
for Loosley Development Company, LLC and Stephen J. Loosley, as Co-Manager for Loosley Development
Company, LLC.

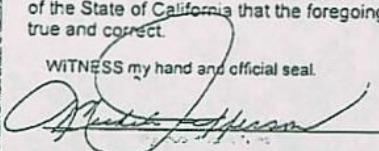

Notary Public - State of Oregon

My Commission Expires: _____

RECEIVED

NOV 01 2021

OWRD

| California All-Purpose Certificate of Acknowledgment | |
|---|------|
| A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document. | |
| State of California | S.S. |
| County of <u>Orange</u> | |
| On <u>December 10, 2020</u> before me, <u>Michele Jefferson, notary public</u> | |
| personally appeared <u>Judith L. Sweeney</u> | |
| who 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. | |
| I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct. | |
| WITNESS my hand and official seal. | |
|  | |
|  | |
| THE NOTARY COMMISSION EXTENDED PURSUANT TO EXECUTIVE ORDER N-71-20 | |
| OPTIONAL INFORMATION | |
| Description of Attached Document | |
| The preceding Certificate of Acknowledgment is attached to a document titled for the purpose of <u>Statutory Warranty Deed</u> | |
| containing <u>2</u> pages, and dated <u>December 10, 2020</u> | |
| The signer(s) capacity or authority is/are as: | |
| <input type="checkbox"/> Individual(s) | |
| <input type="checkbox"/> Attorney-in-fact | |
| <input checked="" type="checkbox"/> Corporate Officer(s) <u>Co-Manager</u> | |
| <input type="checkbox"/> Guardian/Conservator | |
| <input type="checkbox"/> Partner - Limited/General | |
| <input type="checkbox"/> Trustee(s) | |
| <input type="checkbox"/> Other: <u>Limited Liability Corporation</u> | |
| representing: _____ | |
| Method of Signer Identification | |
| Proved to me on the basis of satisfactory evidence: | |
| <input checked="" type="checkbox"/> form(s) of identification <input type="checkbox"/> credible witness(es) | |
| Notarial event is detailed in notary journal on | |
| Page # _____ Entry # _____ | |
| Notary contact: _____ | |
| Signer | |
| <input type="checkbox"/> Additional Signer <input type="checkbox"/> Signer(s) Thumbprint(s) | |

RECEIVED

NOV 01 2021

OWRD

EXHIBIT "A"
LEGAL DESCRIPTION

In the County of Lake, State of Oregon, as follows:

Township 31 South, Range 16 East of the Willamette Meridian,
Section 3: SW1/4 NW1/4; NW1/4 SW1/4; N1/2 SW1/4 SW1/4, EXCEPTING THEREFROM any portion lying
within State Highway 31.

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

0 475 950 1,900 Feet

T.31S. R.16E. W.M.
LAKE COUNTY
1" = 2000'

31S16E

5/3/2018

CANCELLED
1202

11-02

SUMMER

LAKE

31S16E

E-2 App☒ Yes☒ No**Standard Application Completeness Checklist****Groundwater and Surface Water Applications Only**

Minimum Application Requirements (OAR 690-310-0040 & -0050)

For use by WRD staff only

| | | | |
|-----------------|------------------------------|-------------------|---|
| Application #: | S-89181 | Receipt #: | 136739 & 136902 |
| Applicant Name: | Daniel R & Elizabeth Withers | Amount Requested: | 8.5 CFS |
| Priority Date: | 11/18/2021 | Proposed Use: | IR & Supl IR |
| County: | Lake | POD's TRS & TL: | 31S/16E/3/SW-NW/400 |
| WM #: | 12 Brian Mayer | Caseworker: | <input checked="" type="checkbox"/> KF <input checked="" type="checkbox"/> LG |
| Reviewed by: | Judy | Reviewed Date: | 11/24/2021 |

☒ Applicant/Organization Name and Mailing Address☒ Signature of all applicants (include title or authority of representative if applicant is an organization or corporation). Note: Applicant's agent may NOT sign the application on behalf of the applicant.☒ Property Ownership: Does the applicant own all the land for the proposed project? ☒ Yes ☒ No

If No:

☒ The affected landowner's name(s) and mailing address(s) must be listed.☒ A signed statement declaring the existence of either written authorization or an easement permitting access to land crossed by the proposed ditch canal or other work must be submitted.☒ **For a SW Application:** Source of water must be indicated.☒ If the source is stored water, is the stored water component filled out and does the applicant own the reservoir or include a non-expired agreement for stored water? (ORS 537.400)☒ If for stored water, is the source authorized under a permit, certificate, or decree?Permit or Certificate issued: ☒ Y ☒ N

Permit or Certificate #: 64860 & 82735

NOTE: An expedited secondary (E2) application and a reservoir application cannot be filed at the same time. The reservoir must be legally authorized first, under an existing water right, in order to accept and process an E2 application.☒ **For a GW Application:** Well development table completed and a well log report included (if existing)☒ Division 33 (Sensitive, Threatened, Endangered, Fish Species)☒ Proposed Water Use:☒ Amount of water from *each* source in GPM, CFS, or AF☒ Period of use indicated☒ If for supplemental irrigation, primary acreage or underlying permit or certificate number listed.

(Note: Primary and Supplemental Irrigation counts as 2 uses)

☒ Water Management Section☒ Resource Protection Section

- ☒ Project schedule. (Note: If system is already completed, indicates "existing.", (Note: Estimates are okay if the water system has not been designed))
- ☒ Supplemental data sheets enclosed (if needed)
- ☐ Form M (Municipal or Quasi-Municipal)
- ☒ A completed **Land-Use Form** or receipt signed and dated by the appropriate planning department. Please be certain that the Land-Use form lists all lands involved and all uses proposed. Date of signature must be within the past 12 months.
- ☒ A **Legal Description** of all the properties involved where water is diverted, conveyed, and used. The legal description includes a metes and bounds or other government survey description. A copy of the deed, land sales contract or title insurance policy can provide this information, or applicant may submit a lot book report prepared by a title company. Copies of tax bills are not acceptable
- ☒ The proposed source ☐ IS ☒ IS NOT restricted or withdrawn from further appropriation. **NOTE:** If it is withdrawn under ORS 538, reject/return application and fees.
- ☒ The **map** must meet all the minimum requirements of OAR 690-310-0050.
- ☒ Township, Range, Section
 - ☐ Location of main canals, ditches, pipelines or flumes (if POA/POD is outside of POU)
 - ☒ Place of use, 1/4-1/4's and tax lot clearly identified
 - ☒ Even map scale not less than 4" = 1 mile (1" = 1320 ft.); examples: 1" = 100 ft., 1" = 200 ft.
 - ☒ Location of each diversion point or well by reference to a recognized public land survey corner.
 - ☐ Multiple wells shall be uniquely labeled, and identified on well logs, if existing.
 - ☒ Reference corner on map
 - ☒ North directional symbol
 - ☐ Number of acres per 1/4 1/4 if for irrigation, nursery, or agriculture
- ☒ **Fees:** Amount of Water Requested: 8.5 CFS Name on Check: Daniel R Withers & Elizabeth A With

| | |
|---------------------|---|
| Exam Fee Due: | \$ 5,190.00 |
| Exam Fee Submitted: | \$ 5,190.00 |
| Difference: | \$0.00 |
| Recording Fee Paid? | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No \$ 610.00 |
| Total: | \$ 5,800.00 |



Oregon
Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A
Salem, OR 97301
(503) 986-0900
Fax (503) 986-0904

November 24, 2021

Daniel R & Elizabeth A Withers
38438 Withers Ranch Road
Plaisley OR 97636

Dear Applicant:

The Oregon Water Resources Department has received your surface water application for a water use permit. Your application has been assigned file number **S-89181**. Please refer to this number when contacting the Department. Should you have any questions about your application, please contact the following Water Rights Specialist assigned to your application:

| | |
|--------------------------------------|---|
| Lisa Graham, Water Rights Specialist | Phone: 503-986-0808 |
| | Email: elisabeth.a.graham@oregon.gov |

A description of the steps that are used for processing a surface water application are shown on the reverse side of this letter. Surface water applications that propose to use stored water exclusively are reviewed using an expedited process and contain slightly different processing steps.

The Department's goal is to process applications within statutory deadlines. The first step in the process is issuance of an Initial Review, which summarizes the Department's preliminary determinations. Surface water applications typically receive an Initial Review in approximately two to three months. Copies of the Initial Review, Proposed Final Order, and Final Order will be mailed to you. Applications proposing to use stored water only under the expedited process will receive a Final Order.

Please note that your application is subject to review and comment from other state agencies and interested parties.

Sincerely,

Judy Ferrell
Customer Service Representative
Oregon Water Resources Department

cc: File S-89181
Hollie Cannon, Agent

Water-Use Permit Application Processing Steps

Oregon Water Resources Department

Standard Process for a Surface Water Application:

1. Initial Review

The Department reviews the application to determine whether water is available during the period requested, whether the proposed use is restricted or limited by rule or statute, and whether other issues may preclude approval of or restrict the proposed use. An Initial Review (IR) containing preliminary determinations is mailed to the applicant. The applicant has 14 days from the mailing date to withdraw the application from further processing and receive a refund of all fees paid minus \$310.00. The applicant may put the application on hold for up to 180 days and may request additional time if necessary.

2. Public Notice

Within 7 days of the mailing of the Initial Review, the Department gives public notice of the application in the weekly notice published by the Department at www.oregon.gov/owrd. The public comment period is 30 days from publication in the weekly notice.

3. Proposed Final Order Issued

The Department reviews any comments received, including comments from other state agencies related to the protection of sensitive, threatened, or endangered fish species. Within 60 days of completion of the Initial Review, the Department issues a Proposed Final Order (PFO) explaining the proposed decision to deny or approve the application. A PFO proposing approval of an application will include a draft permit and may request additional information or outstanding fees required prior to permit issuance.

4. Public Notice & Protest Opportunity

Within 7 days of issuing the PFO, the Department gives public notice in the weekly notice. Notice includes information about the application and the PFO. A protest must be received by the Department within 45 days after publication of the PFO in the weekly notice. Anyone may file a protest. The protest filing fee is \$480.00 for the applicant and \$950.00 for non-applicants. Protests are filed on approximately 10 percent of Proposed Final Orders. If a protest is filed the Department will attempt to settle the protest but will schedule a contested case hearing, if necessary.

5. Final Order Issued

If no protests are filed, the Department can issue a Final Order within 60 days of the close of the period for receiving protest. If the application is approved, a permit is issued. The permit will specify the details of the authorized use and any terms, limitations, or conditions that the Department deems appropriate.

Expedited Process for a Surface Water Application:

Note: The expedited process only applies to an application using stored water only under ORS 537.147.

The expedited process allows the Department to process an application within several weeks in cases where no public interest concerns are identified. It does not provide an opportunity to protest the Department's recommendation unless public interest issues are identified, in which case the Department will then evaluate the application using the standard process and a protest opportunity will be available. For expedited applications, the Department issues a Final Order only. Once accepted by the Department, these applications are published in the weekly public notice every Tuesday and a 30-day public comment period begins. Following the public comment period, the Department can issue the Final Order.

Oregon Water Resources Department
Surface Water Application

Main

Help

Return

Contact Us

Today's Date: Tuesday, November 9, 2021

| | | |
|---|-------------|------------|
| Base Application Fee. | | \$1,090.00 |
| Number of proposed cubic feet per second (cfs) to be diverted. (1 cfs = 448.83 gallons per minute) | 5.99 | \$2,460.00 |
| Number of proposed Use's for the appropriated water. (i.e. Irrigation, Supplemental Irrigation, Pond Maintenance, Industrial, Commercial, etc) * | 2 | \$410.00 |
| Number of proposed Surface Water points of diversions. ** | 4 | \$1,230.00 |
| Number of Acre Feet to be diverted from Stored Water. (if the application is appropriating water from a pond/reservoir) | 0 | |
| Subtotal: | | \$5,190.00 |
| Permit Recording Fee. *** | | \$610.00 |
| <p>* the 1st Water Use is included in the base cost.</p> <p>** the 1st Surface Water point of diversion is included in the base cost.</p> <p>*** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.</p> | Recalculate | |
| Estimated cost of Permit Application | | \$5,800.00 |

MONEY SLIP

DATE: 11-1-2021

RECEIPT #: 136739

RECEIVED FROM: Daniel R. Withers
Elizabeth A. Withers

APPLICATION
PERMIT
TRANSFER

CASH ☐ CHECK # ☒ 2013 OTHER (IDENTIFY) ☐

TOTAL REC'D \$4,160.00

1083 TREASURY 4170 MISC CASH ACCT.

0407 COPIES

OTHER: (IDENTIFY)

\$

\$

0243 Instream Lease

0244 Muni Water Mgmt. Plan

0245 Cons. Water

1083 TREASURY 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

0203 GROUND WATER

0205 TRANSFER

EXAM FEE

\$

\$

\$

0202

0204

RECORD FEE

\$

\$

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR

LANDOWNER'S PERMIT

OTHER (IDENTIFY)

EXAM FEE

\$

0219

0220

RECORD FEE

\$

\$

0607 TREASURY 0467 HYDROELECTRIC

0233 POWER LICENSE FEE (FW/WRD)

0231 HYDRO LICENSE FEE (FW/WRD)

LIC NUMBER

\$

\$

HYDRO APPLICATION

\$

SPECIAL INSTRUCTIONS:

☐ RETURN TO APPLICANT - LETTER ATTACHED

MONEY SLIP

DATE: 11-18-2021 RECEIPT #: 136902

RECEIVED FROM: Daniel R. Withers
Elizabeth A. Withers

APPLICATION S-8918
PERMIT
TRANSFER

CASH ☐ CHECK # ☒ 2012 OTHER (IDENTIFY) ☐

TOTAL REC'D \$ 1640.00

1083 TREASURY 4170 MISC CASH ACCT.

0407 COPIES \$
OTHER: (IDENTIFY) \$

0243 Instream Lease 0244 Muni Water Mgmt. Plan 0245 Cons. Water

1083 TREASURY 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~~ ~~EXAM FEE~~ ~~RECORD FEE~~
~~0201 SURFACE WATER \$10.30 - 0202 \$6.10 -~~
0203 GROUND WATER \$ 0204 \$
0205 TRANSFER \$

WELL CONSTRUCTION EXAM FEE RECORD FEE
0218 WELL DRILL CONSTRUCTOR \$ 0219 \$
LANDOWNER'S PERMIT 0220 \$
OTHER (IDENTIFY)

0607 TREASURY 0467 HYDROELECTRIC

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

HYDRO APPLICATION \$

SPECIAL INSTRUCTIONS:

☐ RETURN TO APPLICANT - LETTER ATTACHED

**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 # **136739**

INVOICE # _____

RECEIVED FROM: Daniel R. Withers
BY: Elizabeth A. Withers

| | |
|-------------|----------------|
| APPLICATION | <u>S-89181</u> |
| PERMIT | |
| TRANSFER | |

CASH: ☐ CHECK: # 2013 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 4,160.00

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 | | |
| 0407 | COPY & TAPE FEES | \$ |
| 0410 | RESEARCH FEES | \$ |
| 0408 | MISC REVENUE: (IDENTIFY) | \$ |
| TC162 | DEPOSIT LIAB. (IDENTIFY) | \$ |
| 0240 | EXTENSION OF TIME | \$ |
| WATER RIGHTS: | | |
| 0201 | SURFACE WATER | \$ |
| 0203 | GROUND WATER | \$ |
| 0205 | TRANSFER | \$ |
| WELL CONSTRUCTION | | |
| 0218 | WELL DRILL CONSTRUCTOR | \$ |
| | LANDOWNER'S PERMIT | \$ |
| | OTHER (IDENTIFY) | \$ |

| | |
|--------------------|------|
| EXAM FEE | |
| \$ <u>4160.00</u> | 0202 |
| \$ | 0204 |
| \$ | |
| EXAM FEE | |
| \$ | 0219 |
| \$ | 0220 |
| 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: **136739**

DATED: 11-1-2021 BY: Mindy Carlson

**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 # **136902**

INVOICE # _____

RECEIVED FROM:

*Daniel R. Withers
Elizabeth A. Withers*

BY:

APPLICATION

5-89181

PERMIT

TRANSFER

CASH:

CHECK #

OTHER: (IDENTIFY)

☐

☒ *2012*

☐

TOTAL REC'D \$ *1640.00*

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

46111

0407 COPY & TAPE FEES

\$

0410 RESEARCH FEES

\$

0408 MISC REVENUE: (IDENTIFY)

\$

TC162 DEPOSIT LIAB. (IDENTIFY)

\$

0240 EXTENSION OF TIME

\$

WATER RIGHTS:

EXAM FEE

RECORD FEE

0201 SURFACE WATER

\$ *4030.00*

0202

\$ *610.00*

0203 GROUND WATER

\$

0204

\$

0205 TRANSFER

\$

WELL CONSTRUCTION

EXAM FEE

LICENSE FEE

0218 WELL DRILL CONSTRUCTOR

\$

0219

\$

LANDOWNER'S PERMIT

0220

\$

OTHER (IDENTIFY)

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE

\$

CARD#

0210 MONITORING WELLS

\$

CARD#

OTHER (IDENTIFY)

0607 TREASURY 0467 HYDRO ACTIVITY

LIC NUMBER

0233 POWER LICENSE FEE (FWWRD)

\$

0231 HYDRO LICENSE FEE (FWWRD)

\$

HYDRO APPLICATION

\$

TREASURY

OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____

\$

RECEIPT: **136902**

DATED: *11-18-2012*

BY: *[Signature]*

S-89181

Daniel R & Elizabeth A Withers

38438 Withers Road

Paisley OR 97636

S-89181

Daniel R & Elizabeth A Withers

38438 Withers Road

Paisley OR 97636

S-89181

Daniel R & Elizabeth A Withers

38438 Withers Road

Paisley OR 97636

S-89181
Water Right Solutions
Attn: Hollie Cannon
3246 Hammer Street
Klamath Falls OR 97603

S-89181
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Klamath Falls OR 97603

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Klamath Falls OR 97603

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Klamath Falls OR 97603