

Application for a Permit to Use Surface Water

Received
MAY 11 2026

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



OWRD

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant (may be an individual(s) or organization)

Name(s) (as it should appear on any permit that may be issued) Lynn Herbert	Primary Contact (required if applicant is an organization) NA		
Mailing Address PO Box 8	City Riddle	State OR	Zip 97469
Email Address * lynn@herbertlumber.com	Phone 541-580-6288		

Applicant (may be an individual(s) or organization)

Name(s) (as it should appear on any permit that may be issued) NA	Primary Contact (required if applicant is an organization)		
Mailing Address	City	State	Zip
Email Address *	Phone		

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

Agent/Business Name Nathan Reed			
Mailing Address 157 West Bodie Street	City Roseburg	State OR	Zip 97471
Email Address * nreed68@hotmail.com	Phone 541-784-7191		

* **Unless requested otherwise**, the Department will send documents and notifications associated with the processing of this application in electronic form (i.e., by email). Please note, the Department will send the applicant the Proposed Final Order by certified mail and any permit that may be issued by standard mail.

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. Acceptance of this application does not guarantee a permit will be issued.
- If I begin construction prior to the issuance of a permit, I assume all risks associated with my actions.
- If I receive a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be cancelled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water right holders to receive water to which they are entitled.

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


Applicant Signature

Lynn Herbert
Print Name and Title (if Organization)

5/7/26
Date

Applicant Signature

Print Name and Title (if Organization)

Date

SECTION 2: PROPERTY OWNERSHIP AND SIGNATORY AUTHORITY

A. Property Ownership

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

- YES, there are no encumbrances.
- YES, the land is encumbered by easements, rights of way, roads or other encumbrances.

- NO, I have a recorded easement or written authorization permitting access.
- NO, I do not currently have written authorization or easement permitting access.
- NO, written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submerged and/or 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 used only on federal lands.
- NO, written authorization or an easement is not necessary, because the application is made by or on behalf of a public corporation. ORS 537.211(7). Public corporation is defined in ORS 536.007(7).

B. Affected Landowners

List the names, mailing addresses, and, if available, email 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, or any lands not owned by the applicant within the proposed place of use, even if the applicant has obtained written authorization or an easement from the owner. *(Attach additional sheets if necessary.)*

C. Legal Description

You must provide legal descriptions for all of the following: *(Attach copies)*

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.

Received
MAY 11 2026
OWRD

D. Evidence of Signatory Authority

If the applicant is a public agency, corporation or business, trust, or other organization, you must provide the title or authority of the person signing the application on behalf of the entity in **Section 1**, and you must attach evidence of signatory authority or a signed statement that such authority exists. *(Attach copies)*

SECTION 3: SOURCE OF WATER

A. Proposed Source of Water

Provide the name of the water body from which water will be diverted (“unnamed”, if appropriate) and the name of the stream or lake it flows into.

	SOURCE NAME	TRIBUTARY TO
Source 1:	Galesville Reservoir (R-9964)	Cow Creek
Source 2:		
Source 3:		

B. Applications to Use Stored Water

Are any of the sources listed above stored water that is authorized under a water right permit, certificate, or decree?

- Yes – Please attach a copy of the permit, certificate, or decree or list the document number (for decrees, list the volume, page and/or decree name):
- No – Continue with Section 4 below.

For applications to use stored water, do you own the reservoir(s) described in Section 3A above?

- Yes
- No – Please enclose a copy of your written notification to the operator of the reservoir of your intent to file this application, which 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 *Surface Water Guidebook* (www.oregon.gov/owrd/WRDFormsPDF/surfacewaterbook.pdf) 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.

Received
MAY 11 2026
OWRD

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 on the last page of this application 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 additional help, please call the customer service desk at (503) 986-0900.

Upper Columbia - OAR 690-033-0115 through -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 permit, if issued, will not allow use during the time period of April 15 to September 30, except as provided in OAR 690-033-0140.
- I understand that I will install, operate and maintain a fish screen and fish passage as listed in ORS 498.301 through 498.346, and 509.580 through 509.910, to the specifications and extent required by Oregon Department of Fish and Wildlife, prior to diversion of water under any permit issued pursuant to this application.
- I understand that the Oregon Department of Environmental Quality will review my application to determine if the proposed use complies with existing state and federal water quality standards.
- I understand that I will install and maintain water use measurement and recording devices as required by the Water Resources Department and comply with recording and reporting permit condition requirements.

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

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

Yes No

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

Received

MAY 11 2026

OWRD

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, you will be required to provide the following information, if applicable.

Is the proposed use for more than **one** cubic foot per second (448.8 gpm) and not subject to the requirements of OAR 690, Division 86 (Water Management and Conservation Plans)?

Yes No

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

Statewide - OAR 690-033-0330 through -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.

Received

MAY 11 2026

OWRD

SECTION 5: WATER USE

Identify each proposed use of water under this application, including the source, the requested period of use (e.g., year-round, Mar 1 – Oct 31, etc.), and the amount 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
Galesville	Irrigation	Mar. 1 - Oct. 31	0.31 <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
			<input type="checkbox"/> CFS <input type="checkbox"/> GPM <input type="checkbox"/> AF
			<input type="checkbox"/> CFS <input type="checkbox"/> GPM <input type="checkbox"/> AF

- If the use is **irrigation or nursery use**, please indicate the number of acres for primary irrigation, supplemental irrigation and/or nursery use. *(Please check that this matches the application map.)*
 - Primary Irrigation: 12.9 acres
 - Supplemental Irrigation: 12.1 acres
 - Nursery Use: _____ acres
 - Total number of acre-feet you are requesting to use annually for the above uses: 40.87 acre-feet
 - If supplemental irrigation acres are listed, provide the permit or certificate number of the underlying primary water right(s): Cert # 45879

- If the use is **municipal or quasi-municipal**, you are required to attach a completed **Form M**: <https://www.oregon.gov/owrd/WRDFormsPDF/muniform.pdf>

- If the use is **domestic**, indicate the number of households: _____ households

- If the use is **mining**, describe what is being mined and the method(s) of extraction *(attach additional sheets if necessary)*:

Superseded

Received
 MAY 11 2026
 OWRD

SECTION 5: WATER USE

Identify each proposed use of water under this application, including the source, the requested period of use (e.g., year-round, Mar 1 – Oct 31, etc.), and the amount 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
Galesville (R-9964)	Irrigation	Mar 1 - Oct 31	40.87 <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

- If the use is **irrigation or nursery use**, please indicate the number of acres for primary irrigation, supplemental irrigation and/or nursery use. *(Please check that this matches the application map.)*
 - Primary Irrigation: 12.9 acres
 - Supplemental Irrigation: 12.1 acres
 - Nursery Use: _____ acres
 - Total number of acre-feet you are requesting to use annually for the above uses: 40.87 acre-feet
 - If supplemental irrigation acres are listed, provide the permit or certificate number of the underlying primary water right(s): Cert 45879

- If the use is **municipal or quasi-municipal**, you are required to attach a completed **Form M**: <https://www.oregon.gov/owrd/WRDFormsPDF/muniform.pdf>

- If the use is **domestic**, indicate the number of households: _____ households

- If the use is **mining**, describe what is being mined and the method(s) of extraction *(attach additional sheets if necessary)*:

Received by OWRD
MAY 15 2026
Salem, OR

SECTION 6: WATER MANAGEMENT

A. Diversion and Conveyance

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

Pump (provide horsepower and type):
Goulds 1.5 Hp VFD submersible

Other means (describe):

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

Utilizing existing POD and conveyance for permit S-51924, contract I-87-25. conveyance is buried 5-inch pipe necking down to 4-inch pipe with risers and hosebibs. risers use 3-inch Aluminum pipe sections with impact sprinklers. Hose bibs use garden hose and impact sprinklers.

A. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler) *(Attach additional sheets if necessary.)*

impact sprinklers

B. Conservation

Please describe why the amount of water requested is needed and measures you propose to: (1) prevent waste, (2) measure the amount of water diverted, (3) prevent damage to aquatic life and riparian habitat, (4) prevent the discharge of contaminated water to a surface stream, and (5) prevent adverse impact to public uses of affected surface waters. *(Attach additional sheets if necessary.)*

The amount of water requested is for supplemental to 1973 right, and primary to irrigate stand of trees, conifer and orchard. 1. Water to be applied in a beneficial manner to prevent waste, 2. water diverted limited by contract and conditions set by permit, 3. Proper fish screening shall be applied, 4. Water is to applied to area over 300 feet from water body and 5. Best management practices shall be applied.

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:

Received

MAY 11 2026

OWRD

- 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:
 Existing POD and conveyance system in-place, no permit or water work required.

Received
MAY 11 2026
OWRD

- 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:
 Existing POD and conveyance system in-place, no permit or water work required.

- Water quality will be protected by preventing erosion and run-off of waste or chemical products.
 Describe planned actions:
 Best management practices shall be applied.

- Other state and federal permits or contracts required and to be obtained, if a water right permit is granted.
 List:
 Existing POD and conveyance system in-place, no permit or water work required.

SECTION 8: PROJECT SCHEDULE

- a) Date construction will begin: 6-2026
- b) Date construction will be completed: 6-2026
- c) Date beneficial water use will begin: 7-2026

Please note, the above items (a)-(c) must be provided for an application to be accepted. It is understood that these proposed dates may be approximate (i.e., month-year).

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		Mailing Address	
City	State	Zip	

SECTION 10: REMARKS

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

Received
MAY 11 2026
OWRD

General Information on Processing of Water-Use Permit Applications

Before Applying: If you are considering applying for a *Permit to Use Surface Water*, it is recommended that you review the *Surface Water Guidebook* (www.oregon.gov/owrd/WRDFormsPDF/surfacewaterbook.pdf) and *Water Rights in Oregon* (www.oregon.gov/owrd/WRDPublications1/aquabook.pdf). Please also review the list of restricted sources available on the Department's website (www.oregon.gov/owrd/programs/WaterRights/Permits/Pages/Obtain.aspx). If the Department receives an application for a restricted source identified on this list, the application will be returned along with all or a portion of the fees that were submitted. Please contact the Customer Service Group at 503-986-0900 or wrd_dl_customerservice@water.oregon.gov with any questions.

Application Submission: Applications must be submitted using the currently available application forms, which can be found here: www.oregon.gov/owrd/programs/WaterRights/Permits/Pages/Obtain.aspx. These forms contain a checklist of required items that must be submitted for an application to be considered complete. Effective April 1, 2026, a portion of the application exam fee is required to be paid when the application is submitted. The remaining portion of the exam fee and the permit recording fee must be paid after the applicant receives the Initial Review (below) if the applicant would like the Department to continue processing the application. Please use the Department's Fee Calculators to determine the fees required for an application (apps.wrd.state.or.us/apps/misc/wrd_fee_calculator/).

Applications submitted to the Department will be screened to identify if the proposed use is restricted under ORS 536.415. A list of sources subject to these restrictions is available online, as described in the "Before Applying" section above. For applications received on or after April 1, 2026, the Department will return the application, and all or a portion of the fees, if the source of water is subject to listed restrictions. If the Department finds the application to be complete and not subject to restricted sources, the application will receive a tentative priority date, an application number, and a Water Rights Caseworker will be assigned.

Initial Review: The Department reviews the application to determine whether water is available during the period of use 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 the Department's preliminary determinations is sent to the applicant electronically by email unless requested otherwise or an applicant email address is not available. Following issuance of the IR, the applicant has 90 days to notify the Department if they would like to continue processing the application and to pay any remaining fees due. If written notification to continue processing and payment of any remaining fees is not received by the due date described in the Initial Review, the Department will close the application file and take no further action on the application.

Public Notice and Comment Period: If the applicant notifies the Department to continue processing the application and any remaining fees due are received, the application will be put on the Department's weekly public notice. This opens a 30-day public comment period. If the IR determined the application will have an impact on surface water flows where sensitive, threatened, or endangered (STE) fish species may be present, the application will be reviewed by the Oregon Department of Fish and Wildlife and the Oregon Department of Environmental Quality.

Proposed Final Order: The Department will review any comments received, including comments from other state agencies, and issue 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. The PFO will be put on the Department's weekly public notice, and a 45-day period within which any protests of the PFO must be received by the Department will begin. Information describing protest requirements and fees is provided within the PFO.

Decision Becomes Final: Unless a timely protest is received or the PFO is withdrawn for further consideration by the Department, the PFO shall become a final order on the date that is 33 days after the close of the time period for submitting a protest with no further action required by the Department. If the application is approved, a permit will be issued. The permit will specify the details of the authorized use and any terms, limitations, or conditions that the Department deems appropriate.

Received

MAY 11 2026

OWRD

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

Received

MAY 11 2026

OWRD

NOTE TO APPLICANTS

In order for your application to be processed by the Oregon Water Resources Department (OWRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be diverted, conveyed, used, and developed. Applications received by OWRD without the Land Use Information Form will be returned to you. Please be aware that your application cannot be approved without land use approval.

This form is NOT required if:

- 1) Water is to be diverted, conveyed, and used on federal lands only; **OR**
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and **all** of the following apply:
 - a. The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
 - b. The application involves a change in place of use only;
 - c. The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; **and**
 - d. The application involves irrigation water uses only.

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for a new water right or modifying an existing water right. The Oregon Water Resources Department (OWRD) requires applicants to obtain land use information to ensure the water right does not result in land uses that are incompatible with your comprehensive plan. Please complete the form and return it to the applicant for inclusion in their application.

You will receive notice via OWRD's weekly Public Notice once the applicant formally submits their request to OWRD. The notice will give more information about OWRD's water right process and provide additional comment opportunities. If you have questions concerning this form, please contact OWRD's Customer Service Group at 503-986-0900 or WRD_DL_customerservice@water.oregon.gov.

This page intentionally left blank.

Received
MAY 11 2026
OWRD

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

NAME Lynn Herbert			PHONE 541-580-6288
MAILING ADDRESS PO Box 8			
CITY Riddle	STATE OR	ZIP 97469	EMAIL lynn@herbertlumber.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:
30S	5W	19	NWNE	202		<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input type="checkbox"/> Used	
30S	5W	19	SWNE	401		<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	
30S	5W	19	SWNE	400		<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	
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	

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

DOUGLAS

NOTE: A separate Land Use Information Form must be completed and submitted for each county and city, as applicable.

B. Description of Proposed Use

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

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

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

Estimated quantity of water needed: 0.31 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:

Requesting to irrigate with stored water from Galesville Reservoir (R-9964) for primary and supplemental irrigation to be applied to tax lots 400 and 401.

See Page 4 →

Received

MAY 11 2026

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

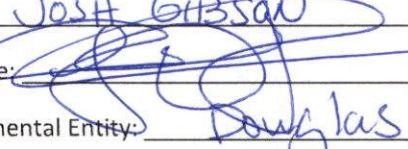
- Land uses to be served by the proposed water use(s), including proposed construction, are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): LUDO 3.9.050.4
- Land uses to be served by the proposed water use(s), including proposed construction, involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being Pursued."**

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

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

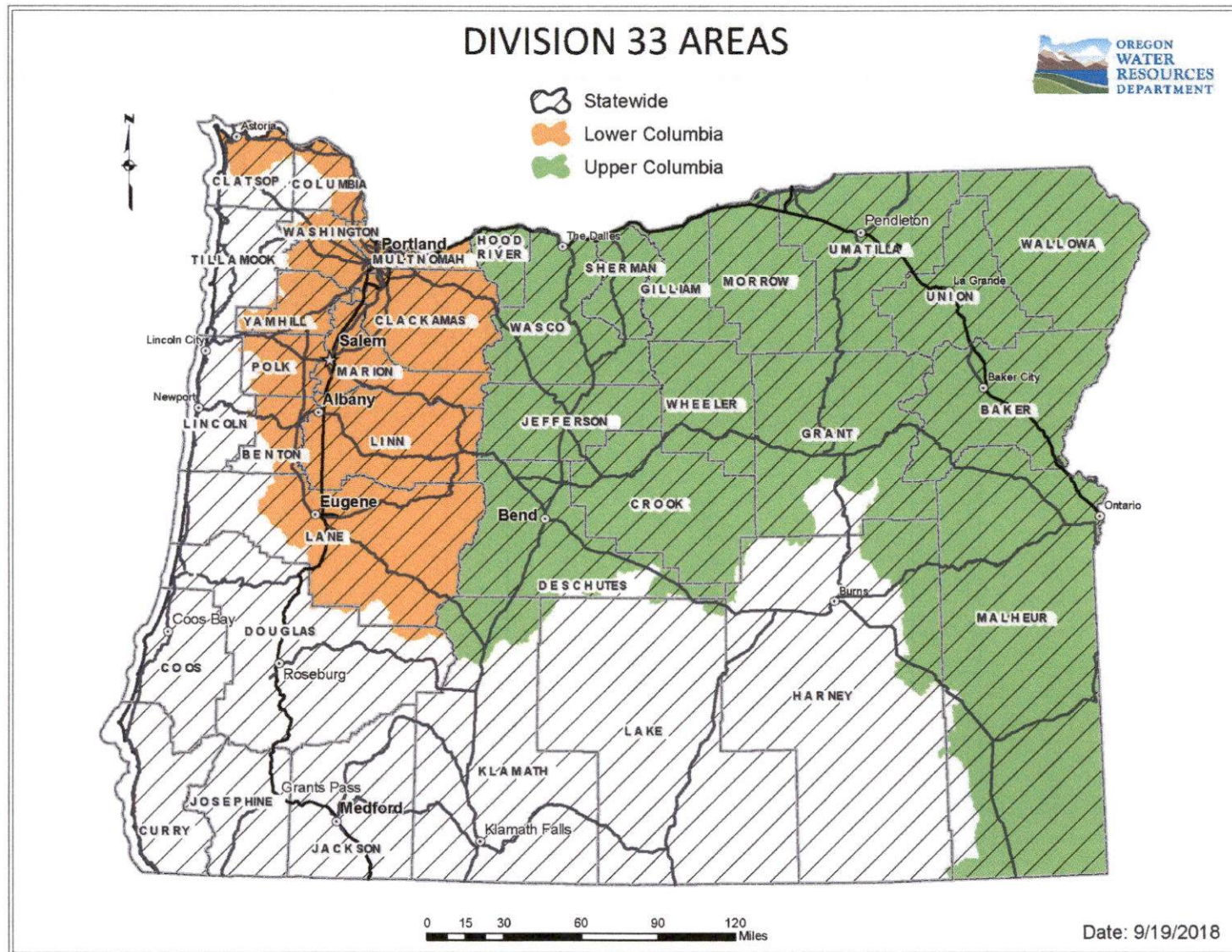
Zone: RR - Rural residential 2 -
 Permitted use: LUDO section 3.9.050.4 - farm use and/or animals

**DOUGLAS COUNTY PLANNING DEPARTMENT
 ROOM 106, JUSTICE BUILDING
 DOUGLAS COUNTY COURTHOUSE
 ROSEBURG, OR 97470**

Name: Josh Gibson Title: SENIOR PLANNER
 Signature:  Date: 5/7/26
 Governmental Entity: Douglas County Phone: 541-440-4289

Received
MAY 11 2026
OWRD

Figure 1: Map of Division 33 Areas



For more detailed information, click on the following link and enter the TRSQQ or the Lat/Long of a POA 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/

Received
MAY 11 2026
OWRD

I - 2026 - 2

**CONTRACT FOR PURCHASE OF AGRICULTURAL WATER
FROM GALESVILLE PROJECT**

This contract is made on _____, 20__ between Douglas County, a political subdivision of the State of Oregon, ("County"), and _____
Lynn Herbert, ("Customer").

COUNTY AND CUSTOMER AGREE:

1. TERM AND RENEWAL:

1.1. The initial term of this contract shall begin on May 11, 2026 and end on December 31, 2035, unless it is sooner terminated as provided herein.

1.2. As used in this contract, unless the context clearly indicates otherwise, "term" or "term of this contract" shall mean both the initial term and any extension.

1.3. Customer shall have the right to extend the term of this contract for two successive periods of ten years each upon the following conditions:

1.3.1. Approximately ninety days prior to expiration of the contract term, County shall notify Customer in writing that Customer has the right to extend the term at the price set pursuant to section 11.

1.3.2. Customer may elect to extend the contract term by written notice to County within thirty days after County gives notice of the right to extend. Concurrently with written notice of extension Customer may request the Board of Commissioners to review and reduce the price of water in accordance with subsection 11.5.

1.3.3. No other act or agreement shall be required of the parties to effect the extension after Customer gives proper notice of election to extend the contract term.

1.3.4. Each extension shall commence on the day following the termination date of the initial term or the preceding extension.

1.4. The provisions of this contract shall apply to any extension except for changes in the purchase price pursuant to section 11; modifications required to comply with federal or state statutes, regulations, or administrative rules; or modifications required to comply with any contract between County and the United States concerning the Galesville Project.

1.5. Customer shall not be entitled to extend the term of this contract if Customer is in default under this contract at the time extension is requested by Customer.

2. AUTHORITY OF PUBLIC WORKS DIRECTOR:

2.1. The Director of the Douglas County Public Works Department (the Director) has authority to administer this contract on behalf of County.

2.2. The Director may delegate authority to administer this contract to the Manager of the County Public Works Department, Natural Resources Division (the Division Manager), except for authority to establish the price of water under section 11 of this

Received

MAY 11 2026

OWRD

contract. The Director shall retain the right to supersede any decision of the Division Manager in the administration and interpretation of this contract.

2.3. References to the Director in this contract shall be deemed to include the Division Manager, to the extent the Director has delegated authority to the Division Manager.

3. WATER ALLOCATION: Each year during the term of this contract, County shall allocate sufficient acre feet of storage capacity in the Galesville Reservoir for Customer to irrigate 25 acres. This allocation shall not exceed 40.87 acre feet per irrigation season as specified on the attached Exhibit A.

4. PERMITS AND CERTIFICATES OF WATER RIGHTS:

4.1. County shall file and maintain any reservoir water right permit and/or certificate to store water in the Galesville reservoir allocated for the Customer's use, as required by the State of Oregon Water Resources Department or its successor ("OWRD").

4.2. Customer, at Customer's expense, shall be responsible for obtaining any permit and/or certificate of water rights for use of the stored water allocated under this contract as required by the OWRD.

4.3. Within 6 months after the effective date of this contract, Customer shall provide County with a copy of the application map provided to the State.

5. RELEASE OF WATER:

5.1. Subject to the provisions of this contract, County will release into the natural channel of Cow Creek water comprising the allocation described in section 3. Water released for Customer's allocation shall be measured and delivered to Customer's point of diversion of record by County with equipment installed and maintained by County.

5.2. County shall report to the OWRD all allocated water stored and distributed to Customer's point of diversion of record, including reasonable losses. Customer shall report all water use as described on Customer's water right of record, or as otherwise may be required by the OWRD.

5.3. The obligations of County to allocate capacity may be restricted by any lawful order, regulation, or ruling of any governmental agency or provisions of a contract between County and the United States. Such legal restrictions may impair the County's ability to perform its obligations under this contract. In that event, County shall be relieved of its obligations to the extent necessary to comply with the legal restrictions. Customer's payments under this contract shall be reduced proportionally to any reduction in Customer's allocation resulting from such legal restrictions.

5.4. Notwithstanding any other provision of this contract, County may suspend release and delivery of water to Customer upon written notice to Customer if Customer fails to make any payment for such water when due.

6. DIVERSION AND USE OF WATER:

6.1. Customer shall be wholly responsible for taking, diverting, conveying, and utilizing its water and shall bear all losses from Customer's point of diversion.

6.2. Customer shall divert the water it is entitled to receive under this contract in accordance with schedules developed by the Customer and County.

Received

MAY 11 2026

6.3. The water diverted by Customer may be measured by County at the point of diversion. The point of diversion shall be accessible for inspection and measurement of water at all reasonable times by County. Any easement necessary for County to gain access to the point of diversion shall be provided by Customer when requested by County.

6.4. The water shall be utilized for agricultural use. Customer shall utilize the water only for the uses and only on the real property described in Customer's permit and certificate.

6.5. Customer shall be responsible for purchase and installation of a meter or other suitable measuring device if required by the OWRD. Once installed, it shall be the Customer's responsibility to maintain such device in good working order. If requested by the OWRD, Customer shall maintain a record of the amount of water used and report water use on such periodic schedule as may be established by the OWRD.

6.6. If required, Customer shall purchase, install, maintain, and operate fish screening equipment and by-pass devices to prevent fish from entering the diversion. Any required screens and/or by-pass devices shall be in place, functional, and approved prior to diversion of any water under this contract.

7. QUALITY OF WATER:

7.1. County shall operate and maintain the Galesville dam, reservoir, and related facilities in a reasonable and prudent manner, and shall endeavor in good faith to take adequate measures to maintain the quality of raw stored water at the facilities. County is under no obligation to construct or furnish water treatment facilities to maintain or improve the quality of water. **COUNTY MAKES NO WARRANTIES, EXPRESS OR IMPLIED, REGARDING THE QUALITY OF WATER RELEASED AND DELIVERED FROM GALESVILLE DAM, RESERVOIR, AND RELATED FACILITIES.**

8. WATER SHORTAGES: In any year in which a water shortage in the Galesville reservoir occurs, County shall apportion the available water supply among Customer and other users who are entitled to receive water from the reservoir. The quantity of water to be furnished for irrigation shall first be reduced as necessary, but not greater than 15%. Any further reduction in the reservoir water supply shall be shared by Customer and all other users entitled to water from the reservoir in the same proportion that the entitlement of each user, including Customer's entitlement under this contract, bears to the total entitlements of all users.

9. WATER CONSERVATION: Customer acknowledges the critical need for water conservation in the Umpqua River basin. Customer shall implement reasonable and prudent water conservation measures for agricultural activities.

10. COMPLIANCE WITH LAW: This contract shall be governed by and construed in accordance with the laws of the State of Oregon. Each party shall perform its obligations in accordance with all applicable state, federal, and local laws, rules and regulations now or hereafter in effect.

Received
MAY 11 2026
OWRD

11. PRICE OF WATER:

11.1. During the initial term, the price for the allocation stated in section 3 shall be \$ 754.05 per year.

11.2. For each discrete ten year extension of the contract term, Customer shall pay the then current rate as established by County in accordance with this section. Notice of the right to extend under subsection 1.3.1 shall state the price of water during the extension.

11.3. The Director shall periodically review and adjust the price for water taking into account the following factors:

11.3.1. The current cost of operating and maintaining the Galesville dam, reservoir, and related facilities;

11.3.2. The projected costs for operating, maintaining, and replacing Galesville water storage and delivery facilities; and

11.3.3. The price of water sold by similar facilities for similar uses.

11.4. The allocation price for each renewal term shall not be increased by more than 10% over the previous term.

11.5. Customer may request the Board of Commissioners to review and reduce the price of water established by the Director. Such request shall be in writing and shall be given with the notice of Customer's election to extend the contract term. After considering the factors listed in subsection 11.3, the Board of Commissioners may reduce or affirm the price established by the Director. If the Board of Commissioners fails to take any action on Customer's request to review and reduce the price of water within 30 days after Customer makes the request, the request shall be deemed denied. If Customer is not satisfied with the action of the Board of Commissioners, Customer may rescind their election to extend the contract term and cancel the contract by written notice to County within sixty days after Customer requests the Board of Commissioners to review and reduce the price.

12. PAYMENT:

12.1. Customer shall pay County the annual price established by section 11 for the allocation stated in section 3 regardless of whether Customer uses any or all of the water allocated. Except as provided in subsection 12.2, payment shall be made no later than March 31 of each year.

12.2. If this contract is dated after March 2 in the year for which water is first to be released, then the amount due for the first year only shall be payable within 30 days after the date the contract is signed by County.

12.3. Interest shall accrue on late payments at the rate of eighteen percent per annum commencing the day after the date payment is due. Customer shall pay all interest upon the request of County.

13. LIMITATIONS ON LIABILITY:

13.1. County shall not be liable for damages or other expenses sustained by Customer resulting from shortages in the quantity of water available for release, or interruptions in water deliveries to Customer, if such shortages or interruptions in

Received
MAY 11 2026
OWRD

deliveries are caused partially or entirely by hostile diversion, accidental damage to County facilities, operational failure of County facilities, or any cause beyond County's control.

13.2. Notwithstanding any other provision of this contract, County shall not be liable to Customer for damages caused by failure to comply with any obligation of County under this contract, if such failure results from lack of appropriation of funds necessary to perform such obligation pursuant to ORS 294.305 et seq. (Local Budget Law).

13.3. In no event shall County be liable to Customer for any indirect, special, or consequential damages even if Customer previously advised County of the possibility of such damages.

14. DEFAULT:

14.1. There shall be a default under this contract if either party materially fails to comply with any provision of this contract within thirty days after the other party gives written notice specifying the breach. If the breach specified in the notice cannot be completely cured within the thirty day period, no default shall occur if the party receiving the notice begins curative action within the thirty day period and thereafter proceeds with reasonable diligence and in good faith to cure the breach as soon as practicable.

14.2. If a default occurs, the party injured by the default may elect to terminate this contract and pursue any equitable or legal rights and remedies available under Oregon law, except that Customer's remedies shall be subject to the limitations on damages stated in section 13.

14.3. Any litigation arising out of this contract shall be conducted in the Circuit Court of the State of Oregon for Douglas County.

15. SEVERABILITY: If any provision of this contract is held to be invalid, that provision shall not affect the validity of any other provision of this contract. This contract shall be construed as if such invalid provision had never been included.

16. WAIVER: No provision of this contract shall be waived unless the waiver is written and signed by the party waiving its rights. Any waiver of a breach, whether express or implied, shall not constitute waiver of any other breach.

17. SUCCESSORS: The successors, assigns, and legal representatives of Customer and County shall be subject to all provisions of this contract. Customer shall not assign Customer's rights or obligations under this contract without prior written consent of County.

18. NOTICES:

18.1. Notices required by this Contract must be given in writing by personal delivery or mail, unless some other means or method of notice is required by law.

18.2. Notices to County shall be directed to: Public Works Natural Resources Division, Douglas County Public Works Department, Room 306, Douglas County Courthouse, 1036 SE Douglas Street, Roseburg, OR 97470.

Received
MAY 11 2026


OWRD

18.3. Notices to Customer shall be directed to: _____
PO BOX 8, Riddle, OR 97469

19. ENTIRE AGREEMENT: This contract is in the final and complete agreement of the parties and supersedes all prior and existing written or oral understandings. No modification of this contract shall be valid unless it is in writing and signed by the parties.

20. TERMINATION FOR CONVENIENCE: County may terminate this Contract if the Director determines in good faith that termination is in the best interest of the public. The Director will endeavor to give Customer notice thirty days prior to the date of termination under this section, but failure to give notice will not invalidate the decision to terminate. Termination under this section will not affect the rights of County and/or Customer existing at the time of termination

CUSTOMER

By 
Title Owner
Print Name LYNN HERBERT
Date 5/7/20
Phone 541-580-6288

Physical Location Same

105 Lawson Bar Road
Myrtle Creek, OR 97457

DOUGLAS COUNTY

By _____
Scott Adams, Director of Public
Works Department. Authority to sign
contract granted by order of Board of
Commissioners dated February 21, 2018
Date _____

REVIEWED AS TO CONTENT

By _____
Division Manager
Date _____
Coding 21531201-281000

REVIEWED AS TO FORM

By _____
Office of County Counsel
Date _____

Received
MAY 11 2026
OWRD

EXHIBIT A

COMPUTATION OF RATE:

PRIMARY IRRIGATION

- 1. 12.9 acres of **primary irrigation**. This allocation shall not exceed **2.23** acre feet per acre each irrigation season.

Acre Feet: 28.77 Annual Cost: \$ 518.05

SUPPLEMENTAL IRRIGATION

- 2. Rights whose priority is between March 26, 1974, and November 3, 1983:

 acres of **supplemental irrigation**. This allocation shall not exceed **1.5** acre feet per acre each irrigation season on the South Umpqua River and/or Cow Creek or **1.0** acre foot per acre each irrigation season on the main stem, Umpqua River.

Acre Feet: Annual Cost: \$

- 3. Rights whose priority is between October 24, 1958, and March 26, 1974:

12.1 acres of **supplemental irrigation**. This allocation shall not exceed **1.0** acre feet per acre each irrigation season on the South Umpqua River and/or Cow Creek or **0.6** acre foot per acre each irrigation season on the main stem, Umpqua River.

Acre Feet: 12.1 Annual Cost: \$ 236.00

- 4. Rights whose priority is prior to October 24, 1958:

 acres of **supplemental irrigation**. This allocation shall not exceed **0.5** acre feet per acre each irrigation season on the South Umpqua River and/or Cow Creek or **0.3** acre foot per acre each irrigation season on the main stem, Umpqua River.

Acre Feet: Annual Cost: \$

Note: Instream delivery losses are not included in the above allocations.

Summary:

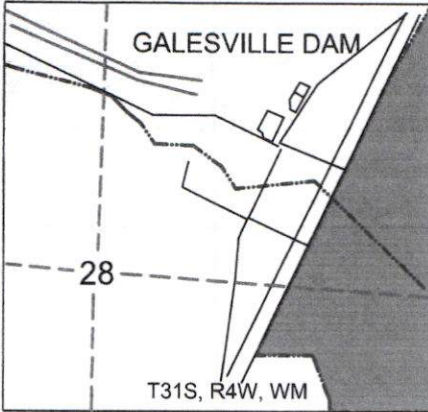
Total Acres:	<u>25.0</u>	acres
Total Allocation:	<u>40.87</u>	acre feet
Total Cost:	<u>\$ 754.05</u>	

SURFACE WATER APPLICATION

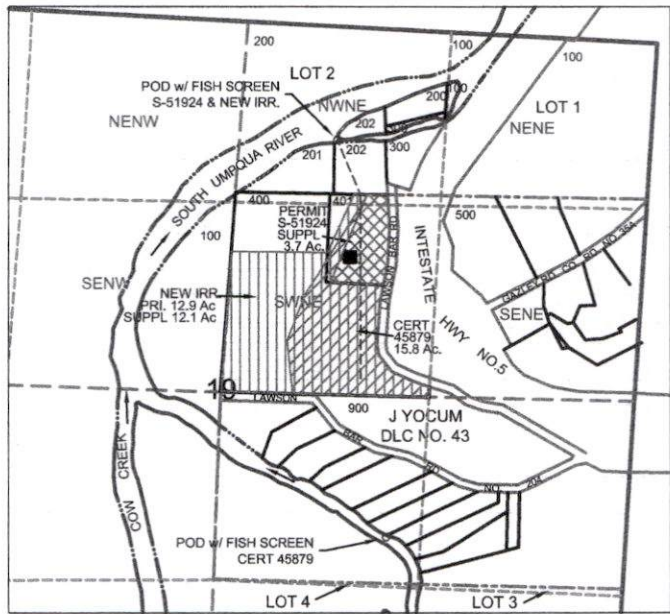
FOR: LYNN HERBERT
 BY: NATHAN REED, PE, CWRE
 T30S, R5W, W.M. SECTION 19, LOT 2
 APPLICATION No.: _____
 PERMIT No.: _____



SCALE: 1" = 1320'



SCALE: 1" = 400'



CERTIFICATE 45879 POD IS LOCATED 900 FEET SOUTH & 1630 FEET WEST OF E1/4 CORNER OF SECTION 19 AS PROJECTED IN DLC 43. PERMIT S-51924 & NEW IRR. POD IS LOCATED 1640 FEET NORTH & 750 FEET EAST OF C1/4 CORNER OF SECTION 19 AS PROJECTED IN GLOT 2.

Received

MAY 11 2026

OWRD

LEGEND

- | | | | |
|--|--------|--|--|
| | WATER | | SECTION |
| | POD | | QUARTER |
| | PIPE | | SIXTEENTH |
| | PARCEL | | DLC |
| | | | GLOT |
| | | | CERT 45879, PRIORITY 7-26-1971 |
| | | | S-51924, PRIORITY 6-29-1987, STORED |
| | | | NEW IRRIGATION, STORED, PRIMARY & SUPPL. |

MAP PREPARED FOR:
 LYNN HERBERT
 PO BOX 8
 RIDDLE, OR 97469

MAP PREPARED BY:
 NATHAN REED PE, CWRE
 157 WEST BODIE STREET
 ROSEBURG, OR 97471

THE PURPOSE OF THIS MAP IS TO IDENTIFY THE LOCATION OF THE WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES.

STATE OF OREGON

COUNTY OF DOUGLAS

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DOUGLAS COUNTY WATER RESOURCES SURVEY
ROOM J - 103 JUSTICE BUILDING
ROSEBURG, OREGON 97470

confirms the right to store the waters of COW CREEK, a tributary of SOUTH UMPQUA RIVER, in GALESVILLE RESERVOIR, appropriated under Permit 48635 AND SUBSEQUENT PERMITS FOR FISH ENHANCEMENT, MUNICIPAL USE, INDUSTRIAL USE, IRRIGATION AND RECREATION.

The right to store these waters was perfected under Reservoir Permit R-9964. The date of priority is MAY 6, 1981 FOR 38,000 ACRE-FEET (AF) AND FEBRUARY 23, 1982 FOR 4225 AF. The amount of water entitled to be stored each year under this right is not more than 42,225 AF; BEING 4000 AF FOR FISH ENHANCEMENT, 4450 AF FOR MUNICIPAL USE, 2400 AF FOR INDUSTRIAL USE, 14,951 AF FOR IRRIGATION AND 14,626 FOR RECREATION.

The dam is located as follows:

SW 1/4 NE 1/4
NW 1/4 SE 1/4
SECTION 28
TOWNSHIP 31 SOUTH, RANGE 4 WEST, W.M.

The area inundated by the reservoir is located within:

SW 1/4 NE 1/4	N 1/2
NW 1/4 NW 1/4	E 1/2 SE 1/4
S 1/2 NW 1/4	SECTION 34
SW 1/4	
W 1/2 SE 1/4	SW 1/4 NW 1/4
SECTION 27	W 1/2 SW 1/4
	SECTION 35
NE 1/4 NE 1/4	
S 1/2 NE 1/4	
SE 1/4	
SECTION 28	
TOWNSHIP 31 SOUTH, RANGE 4 WEST, W.M.	
S 1/2 NE 1/4	NE 1/4 NE 1/4
NW 1/4 NW 1/4	SECTION 3
S 1/2 NW 1/4	
SECTION 2	
TOWNSHIP 32 SOUTH, RANGE 4 WEST, W.M.	

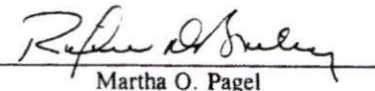
Received
MAY 11 2026
OWRD

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

WITNESS the signature of the Water Resources Director, affixed JANUARY 22, 1999.

SUPERSEDED BY

CERT. NO. 91396


Martha O. Pagel

Cancelled due to
T. 2542, Sp. Or.
Vol 64 p. 553

R-61641.SB

Recorded in State Record of Water Right Certificates numbered 75970.

STATE OF OREGON

COUNTY OF

DOUGLAS

CERTIFICATE OF WATER RIGHT

This Is to Certify, That MILTON HERBERT

of R¹. 1, Box 269, Myrtle Creek , State of Oregon, 97457 , has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of South Umpqua River

a tributary of Umpqua River for the purpose of irrigation of 15.8 acres

under Permit No. 36389 and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from July 26, 1971 that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.20 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, as projected within Yocum DLC 43, Section 19, T. 30 S., R. 5 W., W. M., 1630 feet West and 900 feet South from the E $\frac{1}{2}$ Corner, Section 19

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2 $\frac{1}{2}$ acre feet per acre for each acre irrigated during the irrigation season of each year,

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

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

15.8 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
As projected within Yocum DLC 43
Section 19
T. 30 S., R. 5 W., W. M.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described, and is subject to the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed

this date. June 22, 1978


Water Resources Director

Received
MAY 11 2026
OWRD

Douglas County Official Records
Daniel J. Loomis, County Clerk

2021-024107

12/20/2021 12:18:01 PM

DEED-FID Cnt=1 Stn=40 JLGODWI
\$55.00 \$11.00 \$10.00 \$60.00

\$136.00

DOUGLAS COUNTY CLERK



CERTIFICATE PAGE

**DO NOT REMOVE THIS PAGE FROM ORIGINAL
DOCUMENT**

THIS PAGE MUST BE INCLUDED IF DOCUMENT IS RE-RECORDED

Received
MAY 11 2026
OWRD

After Recording Return to:
Sarah C. Subias
Watkinson Laird Rubenstein, P.C.
PO Box 10567
Eugene, OR 97440-2567

Until a change is requested all tax statements shall be sent to the following address:
Lawson Bar Timber, LLC
PO Box 8
Riddle, OR 97469

Consideration: Trust Distribution

FIDUCIARY'S DEED

Bille L. Davidson and Lynn K. Herbert, Successor Co-Trustees of the Milton Herbert Revocable Trust dated December 16, 2004, as Restated April 22, 2010, Grantor, conveys and warrants to Lawson Bar Timber, LLC, an Oregon Limited Liability Company, all of the Trust's interest in the following described real property, located in Douglas County Oregon:

Legal description on attached Exhibit A.

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 liability and obligations of Grantors to Grantees and Grantees' heirs and assigns under the warranties and covenants contained herein or provided by law shall be limited to the

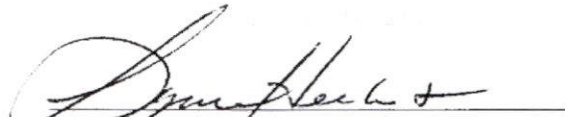
amount, nature and terms of any right of indemnification available to Grantors under any title insurance policy, and Grantors shall have no liability or obligation except to the extent that reimbursement for such liability or obligation is available to Grantors under any such title insurance policy. The limitations contained herein expressly do not relieve Grantors of any liability or obligations under this instrument, but merely define the scope, nature, and amount of such liability or obligations.

Dated this 16 day of December 2021.

Milton Herbert Revocable Trust
Dated December 16, 2004, as
Restated April 22, 2010

Milton Herbert Revocable Trust
Dated December 16, 2004, as
Restated April 22, 2010

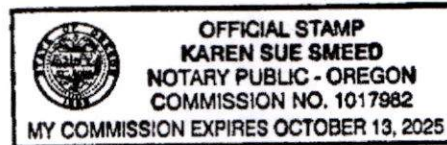

Bille L. Davidson, Successor Co-Trustee


Lynn K. Herbert, Successor Co-Trustee

State of OREGON
County of Douglas

This record was acknowledged before me on December 16, 2021, by Bille L. Davidson, Successor Co-Trustee of the Milton Herbert Revocable Trust dated December 16, 2004, as Restated April 22, 2010.


Notary Public — State of Oregon



State of OREGON
County of Douglas

This record was acknowledged before me on December 16, 2021, by Lynn K. Herbert, Successor Co-Trustee of the Milton Herbert Revocable Trust dated December 16, 2004, as Restated April 22, 2010.


Notary Public — State of Oregon

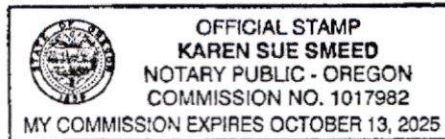


EXHIBIT A

Legal Description

Parcel 1:

Beginning at a 3/4 inch rod in the Westerly right of way line of the Southern Pacific Railroad at the Northeast corner of that parcel of land conveyed to Judd Creek Lumber Company and described in Volume 140, page 639, Deed Records of Douglas County, Oregon, from which the Southeast corner of the Wm. W. Judd Donation Land Claim No. 51, Township 30 South, Range 6 West, Willamette Meridian, bears South 4° 28' 30" West 668.2 feet and South 88° 03' East 598.8 feet; thence North 74° 58' West 674.4 feet along the north boundary of said Judd Creek Lumber Company parcel to a 1 inch iron bar at the Northwest corner thereof; thence North 11° 29' 30" East 32.2 feet to a 1 inch iron pipe; thence North 75° 04' West 113.3 feet and continuing North 75° 04' West 30.0 feet to a 1 inch iron pipe, said iron pipe being in the East boundary of that parcel of land conveyed to R.F. and Lois Howes as described in Volume 189, Page 620, of said records; thence North 8° 17' East 151.9 feet along said east boundary to a 1 inch iron pipe on the bank of Judd Creek, and continuing North 8° 17' East 33.0 feet to the center of said Judd Creek; thence upstream along the center line of said Creek and along the Northerly boundary of said Howes parcel South 81° 48' West 98.7 feet and North 32° 09' West 10.0 feet to the Northwest corner thereof, and continuing along the center line of said Creek North 32° 09' West 80.5 feet, North 79° 14' West 90.4 feet, North 44° 13' West 147.4 feet, South 82° 24' West 97.7 feet, and North 69° 23' West 124.4 feet to the east boundary of that parcel of land conveyed to George and Mary Gibson as described in Volume 123, page 264, of said records; thence North 6° 15' East 34.6 feet along said east boundary to a 1 inch pipe at the Northeast corner thereof; thence North 70° 15' West 790.7 feet along the North boundary of said parcel; thence North 26° 00' West 955.0 feet along an easterly boundary of a parcel of land conveyed to Paul and Lois Barber and John and Hazel Hewitt as described in Volume 190, page 292, of said records, to an angle thereof; thence East 3274.9 feet along the north line of the South half of the South half of Section 12, Township 30 South, Range 6 West; thence South 1° 45' East 409.2 feet to the northerly right of way line of the Southern Pacific Railroad; thence following said right of way line South 45° 30' West 526.0 feet, South 37° 45' West 396.0 feet, South 23° 00' West 330.0 feet, South 15° 15' West 99.0 feet, South 11° 45' West 132.0 feet and South 4° 28' 30" West (equals South 5° 00' West per Volume 142, page 153, Deed Records) 170.0 feet to the place of beginning, in Sections 12 and 13, Township 30 South, Range 6 West, Willamette Meridian, Douglas County, Oregon.

EXCEPTING THEREFROM:

All that portion of the property conveyed to Herbert Lumber company, lying in Section 12, Township 30 South, Range 6 West, Willamette Meridian, Douglas County, Oregon, described as follows:

Beginning at Engineer's centerline station 48+00.00 of County Road #263, said point being 1112 feet North and 5096 feet east of the section corner common to Sections 11, 12, 13 and 14, Township 30 South, Range 6 West, Willamette Meridian, Douglas County, Oregon; thence North 50 feet to the northerly right of way line of County Road #263; thence in a westerly

direction along said right of way line to a point which is 70 feet northwesterly of and at right angles to centerline station 77+50 to the true point of beginning; thence North 590 feet, more or less, to the north line of Lot 5 of said Section 12; thence West along the north line of Lots 5 and 6, said Section 12, a distance of 1920 feet, more or less, to the northwest corner of Herbert Lumber Company property; thence South 26° East 955 feet; thence South 70° 15' East 790.7 feet; thence South 6° 15' West 34.6 feet; thence South 69° 23' East 124.4 feet; thence North 82° 24' East 97.7 feet; thence South 44° 13' East 40 feet, more or less, to the northwesterly right of way line of said County road; thence northeasterly along the northwesterly line of County Road 800 feet, more or less, to the true point of beginning.

ALSO EXCEPTING THEREFROM:

Beginning at a 3/4 inch rod in the Westerly right of way line of the Southern Pacific Railroad at the Northeast corner of that parcel of land conveyed to Judd Creek Lumber Company and described in Volume 140, page 639, Deed Records of Douglas County, Oregon, from which the Southeast corner of the Wm. W. Judd Donation Land Claim No. 51, Township 30 South, Range 6 West, Willamette Meridian, bears South 4° 28' 30" West 668.2 feet and South 88° 03' East 598.8 feet; thence North 74° 58' West 674.4 feet along the north boundary of said Judd Creek Lumber Company parcel to a 1 inch iron bar at the Northwest corner thereof; thence North 11° 29' 30" East 32.2 feet to a 1 inch iron pipe; thence North 75° 04' West 113.3 feet and continuing North 75° 04' West 30.0 feet to a 1 inch iron pipe, said iron pipe being in the East boundary of that parcel of land conveyed to R.F. and Lois Howes as described in Volume 189, Page 620, of said records; thence North 8° 17' East 151.9 feet along said east boundary to a 1 inch iron pipe on the bank of Judd Creek; thence southeasterly along Judd Creek to West right of way line Southern Pacific Railroad; thence southwesterly along said West right of way line Southern Pacific Railroad to point of beginning.

ALSO EXCEPTING THEREFROM:

A parcel of land lying in Section 12, Township 30 South, Range 6 West, Willamette Meridian, Douglas County, Oregon, and being described as follows:

Beginning at the northeast corner of the Herbert Lumber Co., property as described in Instrument No. 291576, Deed Records of Douglas County, Oregon; from which the south quarter corner of said Section 12 bears North 88° 30' 10" West 789.52 feet and South 0° 49' 20" West 1296.11 feet; thence North 88° 30' 10" West, along the north line of the above said Herbert Lumber Co., property, 190.00 feet; thence South 0° 35' 50" East, parallel with the east line of said property, 110 feet, more or less, to the northerly right of way line of County Road No. 263; thence Easterly along said Northerly right of way line 190 feet, more or less, to a point on the above said east line of the Herbert Lumber Co., property; thence North 0° 35' 50" West, along said east line, 100 feet, more or less, to the point of beginning.

ALSO EXCEPTING THEREFROM:

County Road No. 263.

Parcel 2:

Lot Number four (4) of Section fifteen (15) in Township twenty-nine (29) South of Range three (3) West of the Willamette Meridian, all in Douglas County, State of Oregon.

Parcel 3:

Lot Seven (7) and Lot Twelve (12) of Section Twenty Six (26), Township Thirty (30) South, Range Four (4) West, Douglas County, Oregon, containing eighty (80) acres more or less.

Parcel 4:

Beginning at a point which bears North 70° 45' East 1079.6 feet from the quarter corner between Section 18, Township 30 South, Range 1 West, and Section 13, Township 30 South, Range 2 West, Willamette Meridian, Douglas County, Oregon; thence North 47° 56' East 405.8 feet to the east line of the Southwest quarter of the Northwest quarter of said Section 18, thence North along the said east line 374.0 feet to the center of the South Umpqua River; thence South 51° 49' West 541.7 feet along the center of said river, downstream; thence South 21° 50' East 335.1 feet to the place of beginning, in the Southwest quarter of the Northwest quarter of Section 18, Township 30 South, Range 1 West, Willamette Meridian, Douglas County, Oregon.

Parcel 5:

Beginning at a point which bears North 70° 45' East 1079.6 feet from the quarter corner between Section 18, Township 30 South, Range 1 West, and Section 13, Township 30 South, Range 2 West, Willamette Meridian, Douglas County, Oregon; thence North 21° 50' West 335.1 feet to the center of the South Umpqua River; thence South 51° 49' West along the center of said river to the easterly line of Jackson Creek Road, as described in Recorder's Nos. 98668 and 66766, Deed Records of Douglas County, Oregon; thence South 25° 59' East 364 feet along the easterly line of said road to a point; thence continuing South 25° 59' East to a point that bears South 47° 56' West from the point of beginning; thence North 47° 56' East to the point of beginning, in the Southwest quarter of the Northwest quarter of Section 18, Township 30 South, Range 1 West, Willamette Meridian, Douglas County, Oregon.

Parcel 6:

Southwest quarter of Northwest quarter and West half of Southwest quarter, Section 20, Township 31 South, Range 9 West, W.M., Douglas County, Oregon.

SUBJECT TO:

1. ROADS AND HIGHWAYS and the rights of the public therein.
2. Lack of a right of access to and from the land.

NOTE: In this connection, it appears that access to much of said property is over a Bureau of Land Management or United States easement road and therefore is not insurable. Assurances as to access should be obtained from the Bureau of Land Management or other controlling government agency.

3. RIGHT OF WAY AND ROAD USE AGREEMENT, including the terms and provisions therein contained.
Grantee: United States of America
Book: 473
Recorder's No.: 71-10793 and in Volume 473, Recorder's No. 71-10794, records of Douglas County, Oregon.
4. EASEMENT, including the terms and provisions therein contained.
Grantee: Giustina Resources
Book: 1158
Page: 875
Recorder's No.: 91-17960, records of Douglas County, Oregon.

Parcel 7:

The Southwest Quarter of the Southwest Quarter of the Northeast Quarter;
The Southeast Quarter of the Southeast Quarter of the Northwest Quarter;
The Northeast Quarter of the Northeast Quarter of the Southwest Quarter; and
The Northwest Quarter of the Northwest Quarter of the Southeast Quarter, all in Section 33, Township 29 South, Range 1 West, W.M., Douglas County, Oregon.

Parcel 8:

The Southeast quarter of the Southeast quarter of the Northwest quarter, the Southwest quarter of the Southwest quarter of the Northeast quarter, the Northeast quarter of the Northeast quarter of the Southwest quarter and the Northwest quarter of the Northwest quarter of the Southeast quarter of Section 33, Township 29 South, Range 1 West, Willamette Meridian, Douglas County, Oregon.

T29S, R1W, Sec. 33, TL 500

Parcel 9:

All that portion of the following described property lying South of the relocated Pacific Highway U.S. 99, and lying West of that property described in Book 157, at Page 760, Deed Records, Douglas County, Oregon:

BEGINNING at a point of intersection of the North boundary line of the Pacific Highway with the Section line running between Sections 19 and 20 and distant from the quarter corner 421.6 feet in Township 30 South, Range 5 West, which quarter corner is marked by a gun barrel driven in the ground in a pile of rocks and witnessed by proper bearing trees; running thence North 88° 11' West along said North line 192.4 feet to a point; running North 64° 25' West along said boundary line 163.4 feet, thence North 51° 25' West along said boundary line 169 feet; thence North 31° 47' West along said boundary line 257 feet; thence North 31° 42' West along boundary line 289.1 feet; thence North 31° 26' West along said boundary line 23.3 feet; thence North 59° 39' East 300 feet; thence South 59° 58' East to thread of the stream of the South Umpqua River; thence Southerly along said thread of said stream of said river to its intersection

with the North boundary line of Pacific Highway; thence Westerly along North boundary of said Pacific Highway to the place of beginning.

EXCEPTING THEREFROM any portion of the above described premises lying with the limits of the U.S. Interstate Highway No. 5.

Order No. 26995

Parcel 10:

Beginning at a point, on the East and West mid section line of Section 19, Township 30 South, Range 5 West, Willamette Meridian, which is South 89° 50' West 1320.0 feet from the East quarter section corner of said Section 19; thence running South 89° 50' West 1320 feet, on said East and West line, or to the center of said Section 19, which is on the West line of the John Yokum Donation Land Claim No. 43, said township and range; thence running northerly 1379.0 feet along said Land Claim line to a point; thence running North 89° 32' East one quarter of a mile to a point; thence South 0° 28' East 1379.4 feet to the point of beginning, all situated in Section 19, Township 30 South, Range 5 West, Willamette Meridian, Douglas County, Oregon.

LESS THE FOLLOWING DESCRIBED PROPERTY HERETOFORE SOLD BY VENDORS:

A parcel of land lying in the Southwest quarter of the Northeast quarter (SW 1/4 NE 1/4) of Section 19, Township 30 South, Range 5 West, W.M., Douglas County, Oregon, and being a portion of that property described in that deed to George and Marna Patrick, recorded in Book 192, Page 495, of Douglas County Records of Deeds; the said parcel being that portion of said property included in a strip of land variable in width, lying on the Westerly side of the center line of the Pacific Highway as said highway has been relocated which center line is described as follows:

Beginning at Engineer's center line Station 326+21.19, said Station being 1483.6 feet North and 1389 feet West of the East quarter corner of said Section 19; thence on a 1145.92 foot radius curve left (the long chord of which bears South 27° 43' East) 1996.33 feet, thence on a spiral curve left (the long chord of which bears South 85° 57' 30" East) 500 feet to Engineer's Station 351+17.52. Said center line intersecting the North and East lines of said property approximately at Engineer's center line Stations 327+40 and 336+59 respectively.

The widths in feet of the strip of land above referred to are as follows:

Station	to	Station	Width on Westerly Side of Center Line.
326+21.19		327+50	125 feet
327+50		336+75	On a straight line 290 ft. to 350 ft.
336+75		349+00	On a straight line 350 ft. to 318 ft.

ALSO that portion of said property lying Easterly of said center line.

The parcel of land to which this description applies contains 8.85 acres, of which 0.72 acre lies within the existing right of way, title to which hereby is acknowledged to be in the public, and 8.13 acres lie outside of the existing right of way.

Parcel 11:

A parcel of land in the E 1/2 of the NW 1/4 and the W 1/2 of the NE 1/4 of Section 9, T. 29 S., R. 8 W., W.M. and lying Northerly of the Coos Bay - - Roseburg Highway (State Hwy No. 42) and lying Northerly of the Old Highway 42 at the Camas Mountain Wayside, and lying Northerly of BLM Road No. 29-8-9.0. The said parcel of land being more particularly described as follows:

Beginning at the North 1/4 corner of said Section 9, a found BLM Brass Cap Monument; thence N 88° 03' 31" W 1313.89 feet along the North line of said Section 9 to a found BLM Brass Cap Monument at the West 1/16 corner of Section 9 and Section 4; thence S 02° 03' 38" W 1387.13 feet along the North-South centerline of the NW 1/4 of said section 9 to a 5/8 inch iron rod on the North Right-of-Way of BLM Road No. 29-8-9.0; thence following the North Right of Way line of said BLM Road on a non-tangent curve to the right 100.18 feet along the arc with a radius of 355.00 feet and a delta angle of 16° 10' 09", the chord bearing S 53° 27' 46" E 99.85 feet; thence S 45° 22' 41" E 94.13 feet to a curve to the left; thence 152.31 feet along the arc with a radius of 295.00 feet and a delta angle of 29° 34' 59", the chord bearing S 60° 10' 11" E 150.63 feet; thence S 74° 57' 40" E 99.83 feet; thence S 81° 17' 36" E 212.48 feet to a curve to the left; thence 134.76 feet along the arc with a radius of 320.00 feet and a delta angle of 24° 07' 46", the chord bearing N 86° 38' 31" E 133.77 feet; thence N 74° 34' 38" E 75.87 feet to a curve to the right; thence 118.98 feet along the arc with a radius of 580.00 feet and a delta angle of 11° 45' 13", the chord bearing N 80° 27' 14" E 118.77 feet; thence on a non-tangent course N 89° 11' 00" E 129.16 feet to the North Right-of-Way of the Old Highway 42; thence following said Right-of-Way N 86° 28' 05" E 586.27 feet to a curve to the left; thence 173.17 feet along the arc with a radius of 2834.79 feet and a delta angle of 3° 30' 00", the chord bearing N 84° 43' 05" E 173.14 feet; thence N 82° 58' 05" E 192.68 feet to a curve to the right; thence 268.83 feet along the arc with a radius of 507.46 feet and a delta angle of 30° 21' 11", the chord bearing S 81° 51' 19" E 265.70 feet to the North Right-of-Way of Highway 42; thence on a non-tangent course S 89° 23' 07" E 127.49 feet along said Right-of-Way to the end of a curve and the beginning of a spiral transition, the centerline of said Highway at station 1848+00.30 PCS bearing S 11° 52' 59" W 110.00 feet with the spiral data of length of 360.00 feet, theta angle of 14° 24' 00" and the chord at centerline bearing S 68° 30' 51" E 358.99 feet; thence along said Right-of-Way on a chord bearing S 70° 43' 37" E 256.71 feet to a 5/8 inch iron rod on the North-South centerline of the NE 1/4 of said Section 9; thence N 02° 04' 38" E 1558.04 feet to a found BLM Brass Cap Monument at the E 1/16 corner between Section 9 and Section 4; thence N 88° 10' 29" W 1313.03 feet along the North line of said Section 9 to the Point of Beginning. Containing 92.18 acres more or less all in Douglas County, Oregon.

Parcel 12:

That portion of the John Yokum D.L.C. No. 43, Section 19, T30S, R5W, W.M., Douglas County, Oregon, situated South and West of the Pacific Highway relocation and North of County Road No. 204, which is described as follows:

Beginning at a point on the East line of Section 19 at the intersection of the Southerly right of way line of the Pacific Highway and at a point which is 469.5 feet South of the East quarter corner of Section 19; thence running South along the East line of said Section, 791 feet to a point in the South line of said DLC No. 43; thence West 2787.00 feet along the South line of Claim to the Southwest corner of said claim; thence North along the West line of claim 1044.6 feet to the Westerly Southwest corner of parcel sold to Harold D. McDonald and Edna McDonald, his wife, as shown in Volume 231, Recorder's No. 176783, Deed Records of Douglas County, Oregon; thence South $38^{\circ} 35'$ East 286.8 feet and South $65^{\circ} 42'$ East 79.7 feet along said McDonald parcel to the center of the South Umpqua River; thence running up the center line of said South Umpqua River to the most Southerly corner of the Carl R. Moodie and Stella Moodie, his wife, parcel as recorded in Volume 222, Recorder's No. 161196, Deed Records; thence North $63^{\circ} 15'$ East 635 feet to the South boundary of the County Road No. 204; thence continuing North $63^{\circ} 15'$ East to the North side of said County Road; thence Northwesterly along the North right of way line of the County Road to the North line of parcel of land deeded in Melvin G. Coffman and Louise E. Coffman, his wife, as recorded in Volume 133, Recorder's No. 59369, Deed Records of Douglas County, Oregon; thence North $89^{\circ} 50'$ East 850 feet, more or less, to the interior corner on the North line of said Coffman parcel; thence North 151.6 feet, more or less, to the Southwesterly right of way line of Pacific Highway relocation; thence Southeasterly and Easterly along said South line of said highway to the point of beginning.

Together with an easement 10 feet in width from the above described property to the South Umpqua River, the Northwesterly line of which is described as follows: Beginning at a point in the South Umpqua River which bears South 567.6 feet, East 1584.3 feet, South $63^{\circ} 15'$ West 680 feet and South $72^{\circ} 37'$ East 188 feet from the center of said Section 19; said point being the most Southerly corner of land conveyed to Wm. Weller as described in Recorder's No. 328984; thence North $63^{\circ} 15'$ East 685 feet, more or less, to the South right of way line of County Road No. 204, with said easement to be used for laying and maintaining a pipe line and recreational purposes.

Together with a perpetual right of way over and across and an easement over the land owned by William E. Weller and Dorothy M. Weller, husband and wife, and which property is described in instrument No. 328984, Deed Records, Douglas County, Oregon, for the purpose of laying and maintaining a pipe line and pump installation for a water system, and the center line of said pipe line easement is described as follows:

Beginning at a point on the Southeasterly line of property conveyed to William E. and Dorothy M. Weller, et ex, as disclosed by instrument No. 328984, Deed Records, Douglas County, Oregon, said point being S. 567.6 feet, E. 1584.3 feet, S. $62^{\circ} 57'$ E. 41.8 feet, S. $76^{\circ} 58'$ E. 150.8 feet, and S. $63^{\circ} 15'$ W. 550 feet from the center of Section 19, T30S, R5W, W.M., thence in a

Westerly direction to a point which bears S. 819 feet and E. 1286 feet from the center of said Section 19.

Subject to the restriction that there shall not be constructed on the herein described real property a main dwelling house of a construction value less than \$12,000.00 at 1966 values; that there shall not be constructed any other buildings that will not be of a permanent nature in keeping with the intent to maintain the residential desirability of said property or to retain its natural beauty.

Subject, also, to restricted access as set out in deed to the State of Oregon, Recorder's No. 203932, Deed Records, Douglas County, Oregon.

BE

NO PART OF ANY STEVENS-NESS FORM MAY BE REPRODUCED IN ANY FORM OR BY ANY ELECTRONIC OR MECHANICAL MEANS.



Lynn K. Herbert & Charlotte Herbert fka Charlotte Page
P.O. Box 8
Riddle, OR 97469

Grantor's Name and Address

Lynn K. Herbert
P.O. Box 8
Riddle, OR 97469

Grantee's Name and Address

After recording, return to (Name, Address, Zip):
Ronald S. Yockim
P.O. Box 2456
Roseburg, OR 97470

Until requested otherwise, send all tax statements to (Name, Address, Zip):
Lynn K. Herbert
P.O. Box 8
Riddle, OR 97469

STATE OF OREGON,
DOUGLAS COUNTY OFFICIAL RECORDS
BARBARA E. NIELSEN, COUNTY CLERK

2010-011856



00276459201000118560020029

07/23/2010 08:37:41 AM

DEED-WD Cnt=1 Stn=13 MAILDESK
\$10.00 \$11.00 \$15.00 \$10.00

\$46.00

ss.
ent was
orded in
reception
affixed.

NAME TITLE
By _____, Deputy.

WARRANTY DEED - STATUTORY FORM

Lynn K. Herbert & Charlotte Herbert, fka Charlotte Page, Grantor,
conveys and warrants to Lynn K. Herbert, Grantee,
the following described real property free of encumbrances, except as specifically set forth herein, situated in Douglas County, Oregon, to-wit:

See Attached Exhibit "A"

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE)

The property is free from encumbrances, except (if none, so state): None

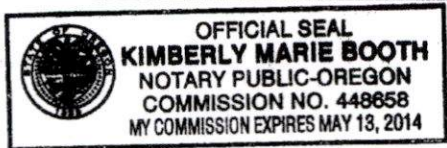
The true consideration for this conveyance is \$ 10.00. (Here, comply with the requirements of ORS 93.030.)

DATED July 21, 2010; if a corporate grantor, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

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 SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009.

Lynn K. Herbert
Lynn K. Herbert
Charlotte Herbert
Charlotte Herbert, fka Charlotte Page

STATE OF OREGON, County of Douglas ss.
This instrument was acknowledged before me on July 21, 2010
by Lynn K. Herbert & Charlotte Herbert
This instrument was acknowledged before me on _____
by _____
as _____
of _____



Kimberly Marie Booth
Notary Public for Oregon
My commission expires 5/13/14

Received
MAY 11 2026

OWRD

EXHIBIT "A"

Beginning at a ½ inch iron rod on the North line of the John Yocum D. L. C. No. 43 from which the ¼ corner common to Sections 18 & 19, T. 30 S., R. 5 W., W.M. bears N. 29° 35' 20" W. 1426.12 feet, thence along said North line of D. L. C. No. 43, N. 89° 09' 02" E. 401.87 feet, to a 5/8 inch iron rod on the Westerly right-of-way line of Interstate 5, thence along said right-of-way line S. 4° 40' 30" E. 233.59 feet to a 5/8 inch iron rod, thence S. 1° 11' 53" W. 238.22 feet to a 5/8 inch iron rod, thence S. 9° 15' 09" W. 147.18 feet to a ¾ inch iron rod set in concrete, thence leaving the Westerly right-of-way line of Interstate 5, N. 89° 16' 00" W. 400.00 feet to a ½ inch iron rod, thence N. 0° 44' 00" E. 605.21 feet to the point of beginning.

The parcel described contains 5.84 Acres, more or less, in the N.E. quarter of Section 19, T. 30 S., R. 5 W., W.M., Douglas County, Oregon.

END OF DOCUMENT

Received
MAY 11 2026
OWRD

Surface Water



IMPORTANT NOTICES: Before you prepare your application, please read the below notices. Please also refer to the Surface Water Guidebook (www.oregon.gov/owrd/WRDFormsPDF/surfacewaterbook.pdf).

Application Form Updates:

Chapters 282 and 575, Oregon Laws 2025, amended statutes governing water right permit application processing. In addition, the Water Resources Commission adopted amended rules on March 19, 2026. As a result, this application form has been updated and is required to be used for any application received on or after April 1, 2026. Please note, modification of this form is not permitted. If a section does not contain the necessary space or response options for your situation, please provide your information in “Section 10: Remarks” or on additional pages.

Applications Restricted under ORS 536.415 will be Returned:

For applications received on or after April 1, 2026, the Department will return the application, and all or a portion of the fees, if the source of water is withdrawn from appropriation under ORS 538 or by rule or order of the Water Resources Commission under ORS 536.410.

The Department will conduct this review at intake and based upon the information provided when the application is received. **IMPORTANT:** The Department has published a list of sources subject to the above restrictions. You are strongly encouraged to review this list carefully before submitting your application. The list can be found here: www.oregon.gov/owrd/programs/WaterRights/Permits/Pages/Obtain.aspx

Fee Submission Updates:

For applications received on or after April 1, 2026, partial payment (equaling 60 percent of the examination fee) is due at application submission, and the remaining portion (equaling 40 percent of the examination fee and the permit recording fee) is due following issuance of the Initial Review if the applicant notifies the Department to continue processing the application (see below). Please use the Department’s online Fee Calculator (apps.wrd.state.or.us/apps/misc/wrd_fee_calculator/) to determine the fees for your application.

Processing Updates:

Response required following Initial Review—Following issuance of the Initial Review (IR), if an applicant would like the Department to continue processing the application to reach a final decision, the applicant must notify the Department in writing within 90 days of IR issuance AND pay any remaining fees due.

Proposed Final Order will become a Final Order under certain circumstances—If the Department does not receive a timely protest of a Proposed Final Order (PFO) and does not withdraw the PFO, the PFO will become a Final Order 33 days after the close of the period of time in which to file a protest.

Electronic Forms of Documents:

Beginning on April 1, 2026, and unless requested otherwise by the applicant, the Department will send documents and notifications associated with processing of applications in electronic form (i.e., by email). These emails may come from an automated system (wrddautomated_email@water.oregon.gov). Consider adding this email address to your safe sender list. The Department will send Proposed Final Orders by certified mail and any permit that may be issued by standard mail.

Received

MAY 11 2026

OWRD

Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-305-0010 and ORS 537.140)

Include this checklist with the application

Check that each of the following items are included. The application will be returned as incomplete if all required items are not included. Please submit the original application and signatures to the Oregon Water Resources Department. Applicants are encouraged to keep a copy of the completed application. If you have questions, please call the Water Rights Customer Service Group at (503) 986-0900.

- SECTION 1: Applicant Information and Signature
- SECTION 2: Property Ownership and Signatory Authority
- 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

A COMPLETE APPLICATION INCLUDES THE FOLLOWING ITEMS:

Additional information may be required. See the Surface Water Guidebook for details.

www.oregon.gov/owrd/WRDFormsPDF/surfacewaterbook.pdf

- Completed **Application for a Permit to use Surface Water** (including Sections 1-10, as described above).
- Completed **Land Use Information Form** with original signature of local planning department. This form must be dated no more than one year prior to application submission.
- Legal Description** of: (1) the property(ies) from which the water is to be diverted, (2) any property(ies) crossed by the proposed ditch, canal or other work, and (3) any property(ies) on which the water is to be used as depicted on the map.
- Evidence of signatory authority** or a signed statement that such authority exists for applications submitted on behalf of an entity (e.g., organization).
- Application Map** that includes all required elements as described in OAR 690-305-0010.
- Application Fees** – Please use the Fee Calculators at apps.wrd.state.or.us/apps/misc/wrd_fee_calculator/ or contact the Customer Service Group at wr_d_customerService@water.oregon.gov or (503) 986-0900.

Total Examination Fee: \$ 4,149.10

Recording Fee: \$ 915.00

Amount required to be paid at this time (60% of total examination fee): \$ 2,489.46

Received

MAY 11 2026

OWRD