

Application for a Permit to Use Surface Water

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "n/a." Please read and refer to the instructions when completing your application. A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/OWRD/PUBS/forms.shtml.

1. A	PPLICANT INFORMATIO	<u>ON</u>	
A. Individuals			
applicant: Jerry		Powel/	
lailing address: 8954 Look	kingglass Rd	Last	
Roseburg	Olegon	,	97470
hone: 1-541-679-6985	N/A		N/A
/	wak *E-Mail address:	N/A	Other
3. Organizations		,	
Corporations, associations, firms, partnerships	, joint stock companies, cooperative	es, public and mun	icipal corporations)
ame of organization:	N/A		
lame and title of person applying:	N/A		
failing address of organization:	N/A		
	N/A		
hone:	N/A sac		Zip
Fax: Day	Evening *E-Mail address:	N/A	
* Optional information			
	For Department Use		
App. No. 5-87169	Permit No.	Date	
		C. Com and Harry	I grad grade to

Last updated: 2/13/2008

Surface Water/1

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2. SOURCE AND PROPERTY OWNERSHIP

A. The Proposed Source of Water

Provide the commonly used name of the water body from which water will be diverted, and the name of the stream or lake it flows into. If unnamed, say so:

Source 1: Ben Irving Res.	Tributary to: Berry Creek	
Source 2:	Tributary to:	
Source 3:	Tributary to:	
Source 4:	Tributary to:	
a copy of the document or list the doc	enter that is authorized under a water right per element number (for decrees, list the volume	e, page and/or decree name).
D. Applications to Use Stared W	ator	

B. Applications to Use Stored Water

Complete this section if any source listed in item 2A above is stored water.

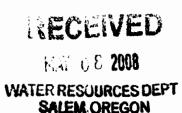
Do you, or will you, own the reservoir(s) described in item 2A above?

☐ Yes.

No. (Please enclose a copy of your written notification to the operator of the reservoir of your intent to file this application, which you should have already mailed or delivered to the operator.)

If all sources listed in item 2A 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.



C. Property Ownership
Do you own all the land where you propose to divert, transport, and use water?
☐ Yes (Please check appropriate box below then skip to section 3 'Water Use")
There are no encumbrances
☐ This land is encumbered by easements, rights of way, roads or other encumbrances (please provide a copy of the recorded deed(s))
☑ No (Please check the appropriate box below.)
☑ I have a recorded easement or written authorization permitting access.
☐ I do not currently have written authorization or easement permitting access.
□ Written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigated and/or domestic use only (ORS 274.040).
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.
List the names and mailing addresses of all affected landowners.
Douglas County Engineering
3. WATER USE
Please read the instruction booklet for more details on "type of use" definitions, how to express how much water you need and how to identify the water source you propose to use. You must fill out a supplemental form for some uses as they require specific information for that type of use.
A. Type(s) of Use(s)
See list of beneficial uses provided in the instructions.
If your proposed use is domestic , indicate the number of households to be supplied with water:
• If your proposed use is irrigation, please attach Form I
• If your proposed use is mining, attach Form R
. If your proposed use is municipal or quasi-municipal attach Form M

Surface Water/3

• If your proposed use is commercial/industrial, attach Form Q

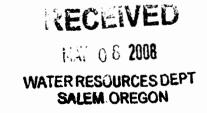
VATER RESOURCES DEPT SALEM OREGON

B. Amount of Water

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

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

Source	Type of use	Amount		
BENIRVIM RES.	irrigation	87.5	□ cfs □ gpm ☑ af	
			☐ cfs ☐ gpm ☐ af	
			□ cfs □ gpm □ af	
			□ cfs □ gpm □ af	
C. Period of Use Indicate the time of year	you propose to use the water: Marc	ch 1 - Od	ct. 31	
). Acreage	uoni give uutes viien vuuen use vouud oegin und	ena, e.g. maren	r-october 31.)	
	vater will be applied or used:istent with your application map.) 4. WATER MANAGEME	NT	2	
	to live to rate from the second			
•	se to divert water from the source?	10 00	140 Engl	
	rsepower and pump type):	p ce	NIKIRUGU	
	e dimensions):			
☐ Other means (d	escribe):			
B. Monitoring				
How will you monitor you duty) and you are not wa	our diversion to be sure you are within the sting water?	e limits of you	ur water right (allowed rate a	
☐ Weir	☑ Meter	□ Pe	eriodic Sampling	
☐ Other means (d	escribe):	•		



C. Transport How will you transport water to your place of use? ☐ Ditch or canal (give average width and depth): Width Depth Is the ditch or canal to be lined? □ No Pipe (give diameter and total length): Diameter _______ Length _____ 2 0 0 0 Other (describe) D. Application/Distribution Method What equipment will you use to apply water to your place of use? Irrigation or land application method (check all that apply): ☐ Flood ☐ High-pressure sprinkler ☐ Low pressure sprinkler ☐ Drip ■ Water cannons ☐ Center pivot system Hand lines ☐ Wheel lines ☐ Siphon tubes or gated pipe with furrows ☐ Other, describe _____ Distribution method ☑ Direct pipe from source ☐ In-line storage (tank or pond) Open canal E. Conservation What methods will you use to conserve water? Why did you choose this distribution or application method? Have you considered other methods to transport, apply, distribute or use water? For example, if you are using sprinkler irrigation rather than drip irrigation, explain. If you need additional space, attach a separate sheet. Most efficient method of irrigation will be used as feasible.

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5. RESOURCE PROT	ECTION
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A. Protection Practices

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

☑ Diversion will be screened to prevent uptake of fish and other aquatic life. Describe planned actions: Intake will be screened to ODFW specifications.				
Excavation or clearing of banks will be kept to a minimum to protect riparian or streams areas. Describe planned actions: No clearing needed.	side			
☑ Operating equipment in a water body will be managed and timed to prevent damage to a life. Describe: _n/a	quatic			
☑ Water quality will be protected by preventing erosion and run-off of waste or chemical products. Describe: _n/a				
□ Other:				

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6. PROJECT SCHEDULE
Indicate the anticipated dates that the following construction tasks should begin. If construction has already begun, or is completed, please indicate that date.
Proposed date construction will begin: Oct. 1, 2008
Proposed date construction will be completed: Oct. 1, 2009
Proposed date beneficial water use will begin: Oct. 1, 2010
7. REMARKS If you would like to clarify any information you have provided in the application, please do so here and reference the specific application you are addressing.

The Department cannot process your application without accurate information showing the source of water and location of water use. You must include a map with this application form that clearly indicates the township, range, section, and quarter/quarter section of the proposed points of diversion and place of use. The map must provide tax lot numbers. See the map guidelines sheet for detailed map specifications.

8. MAP REQUIREMENTS

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9. SIGNATURE

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application packet.
- I cannot legally use water until the Water Resources Department issues a permit to me.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be canceled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit to me, I may have to stop using water to allow senior water right holders to get water they are entitled to, and

I swear that all information provided in this application is true and correct to the best of my knowledge:

Jerry Rowell

Signature of Applicant (If more than one applicant, all must

5-6-08

Date

Before you submit your application be sure you have:

- · Answered each question completely.
- Attached a legible map which includes township, range, section, quarter/quarter and tax lot number.
- Included a Land Use Information Form or receipt stub signed by a local official.
- Included the legal description of all the property involved with this
 application. You may supply a copy of the deed, land sales contract,
 or title insurance policy, to meet this requirement.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount. The Department's fee schedule can be found at www.wrd.state.or.us or call (503) 986-0900.

COPY OF CONTRACT WITH DISTRICT

WRD on the web:

www.wrd.state.or.us

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Oregon Water Resources Department

FORM I FOR IRRIGATION WATER USE

1. Please indicate whether	you are requesting a	primary or supplementa	al irrigation water right.		
☑ Primary □ Supplemental					
•	If supplemental, p	lease indicate the numb	er of acres that		
	will be irrigated fo	r each type of use.			
	Primary:	Acre	S		
	Secondary:	Acre	S		
	List the permit or	certificate number			
	of the primary wat				
Please list the anticipated partial season:	d crops you will grow	and whether you will be	e irrigating them for a full or		
1. HAY	5 5	Dominion	- Marine		
1	🖭 Full Sea	ison 🗀 Partiai seasoi	n (from:to)		
2	□ Full sea	ason 🗆 Partial seaso	n (from:to)		
3	□ Full sea	ason 🛘 Partial seaso	n (from:to)		
4	□ Full sea	ason 🛘 Partial seaso	n (from:to)		
3. Indicate the maximum to	tal number of acre-fe	eet you expect to use in	an irrigation season:		
	87.5	acre-feet			
(1 acre-foot equals 12	inches of water spread o	ver 1 acre, or 43,560 cubic fee	t, or 325,851 gallons.)		
How will you schedule you twice a week, daily?	our applications of w	ater? Will you be applyi	ng water in the evenings,		
☑ Daily during dayt	ime hours	Daily during night	ttime hours		
Two or three time during daytime	es weekly	Two or three time during nighttime			
Weekly, during da	aytime hours	□ Weekly, during n	ghttime hours		
☐ Other, explain:					
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		· • HIS	Last revision: October 31, 1996		

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WATER RESOURCES DEPT
SALEM OREGON

LOOKINGGLASS OLALLA WATER CONTROL DISTRICT AGREEMENT FOR PURCHASE OF STORED WATER

AGREEMENT made this 1st day of March, 2005 between LOOKINGGLASS OLALLA WATER CONTROL DISTRICT (DISTRICT) and JERRY POWELL (CONSUMER).

WATER RIGHTS NOTES



DISTRICT AND CONSUMER AGREE:

USE TO BE MADE OF WATER / STORAGE ALLOCATION / DIVERSION LOCATION:

USE OF WATER	ACRES	STORAGE ALLOCATED	TWP	RGN	SEC	TL OR 1/4 SECTION
IRRIGATION	35		28	7	1	1000
DOMESTIC						,
MUNICIPAL	rings for a fermionic constitution of the cons		AND	and the second s	mulliminikko-da Akdad ezitemen erindi kirillinooldi	A CATALOGO POR MERCINA LA CIPA, ESTA MALIA A SER ESTA MAL
SUB-DISTRICT	ennemental de l'annue propose de l'annue de l		SPANISH AND	ngunumbak tibb i dalam kangung pilip kibb dalah 30 daggyan meneri di A	and the second s	manyagah (Albahi) erre-en at enta (Albahi) err
industrial		1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	Andread and Andread State groupsy progress on mine temperature and all	ikkasarik er provyermennen minimi dels frijnskappele († 1986-liikka dels dels seg	Between product and an and the County person	delication growth the in relative as and a strong emission in re-
MULTIPURPOSE				and transport of a substitute of the substitute		SEIVED
TYPE AND TERM	A OF AGREE	EMENT / FEES:		,	WATER RE	SUURCES DEPT M.OREGON
AGREEMENT TYPE	BEGINNIN DATE		NEWAL TE	reserva fee (an		USE FEF
METERED 1-1-	-05	1-1-2014	1	\$55 throug \$60 throug	11 2000	AS PER ATTACHED FYMBIT "A

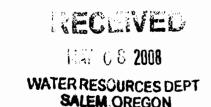
This agreement is made upon the following terms and conditions:

1. Price of Water Service; Payment.

- 1.1 The price of stored water purchased by the Consumer shall be at the rates shown in attached Schedule A, as may be amended from time to time, and shall be applicable at the time the Consumer signs this agreement.
- 1.2 The annual reservation fee shall be non-refundable and due in full on or before January 31 of each year of the contract. The use fee shall be due in full no later than 60 days after billing.
- 1.3 The Consumer shall pay the billing for the season's water use within 60 days of being billed. The Consumer shall pay interest on the billing at the rate of 9% per annum from the date of billing on all late payments. Additionally, there shall be a late fee of \$10.00 for every 60-day period that the account remains delinquent. The District has the right to refuse to deliver water to the Consumer or the real property to which water is furnished under this agreement at any time that the Consumer is in default in the payment of any water charge or billing. Default is defined as any billing, or portion thereof, that remains unpaid for a period of 60 days or more.
- 1.4 The District shall periodically review and may adjust the price of water as shown on Schedule A, taking into account the following factors and any other factors that are reasonable to consider:
 - 1.4.1 The current cost of operating and maintaining the dam, reservoir, and related facilities.
 - 1.4.2 The projected costs for operating, maintaining, and replacing delivery facilities, including administrative expenses.
 - 1.4.3 The price of water provided by similar facilities for similar uses.

2. Meters and Equipment.

- 2.1 All installations and facilities, such as but not limited to the intake pipe, pump, water line, electrical wiring, etc., shall be provided by the Consumer at his or her own expense. The cost, installation, and maintenance of meters shall be the responsibility of the Consumer, and be approved by the State of Oregon and the District.
- 2.2 All new Consumers shall use a meter approved by the State of Oregon and the District.



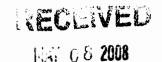
Use of Water

- 3.1 All water provided under this agreement shall be for the uses stated in the declarations on page 1 of this contract, only. As provided on page 1, the uses of the water are limited to irrigation, domestic, municipal (only if the Consumer is a municipality), industrial, and multipurpose.
- 3.2 The Consumer acknowledges that the water provided under this agreement has not been treated or tested as suitable for drinking water, and is delivered by natural watercourses. The District is not operating a public water system. The Consumer shall indemnify the District from any damages or claim that may result from or arise in connection with any person using the water provided under this agreement for human consumption or household purposes.
- 3.3 The Consumer agrees to not waste water, and agrees to promptly remedy any situation leading to waste of water which may be brought to his or her attention by the District.
- 3.4 The Consumer shall provide the District with the county assessor's tax lot identification describing where water under this contract shall be used.

4. Contract Term and Extensions for Metered Service Consumers.

The contract for Consumers currently using meters (metered service) shall terminate December 31, 2013. Metered service Consumers shall have the right to extend the terms of this contract for additional periods of 10 years each under the following conditions:

- 4.1 A functioning meter approved by the State of Oregon and the District is in use.
- 4.2 The Consumer is paid current and not in default of any of the contract terms.
- 4.3 The extension shall occur automatically without further act or agreement of the parties at the end of the then-current term. Each extension shall take effect on January 1 after extension.
- 4.4 The provisions of this contract shall apply to any extension of the contract, except for changes in the price of service which may be modified.
- 4.5 The Consumer shall not be entitled to extend the term of this contract if he or she is in default of any of the terms under this contract at the end of the then-



current term.

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5. Contract Term for Flat Rate Consumers.

The contract for Consumers who are not currently using meters (flat rate service) shall terminate December 31, 2008. These Consumers are required to have a meter before they will be issued a contract extending past 2008. At any time prior to 2009, flat meter service Consumers who change to a meter shall be switched to a contract ending December 31, 2013. Consumers who do not change to metered service by 2009 shall not be issued new contracts with District, nor have the current contract extended past 2008.

6. Termination of Contract by Consumer.

The Consumer may terminate his or her contract by giving written notice to the District at least 30 days prior to the date of termination. The Consumer shall be responsible for the full fee for the entire year (irrigation season in the case of irrigation contracts), unless the contract is terminated prior to the start of the year, or prior to March 1 in the case of irrigation contracts.

7. Termination and Reinstatement of Contract by District.

The District may terminate for cause any person's contract by mailing written notice to the affected person at that person's last known address at least 30 days prior to date of termination. The District may terminate or refuse to extend or reinstate a contract for any of the following causes:

- 7.1 Non-payment of fees after the District mailed written notice that one or more fees were due. The District may reinstate the contract if payment is received within the 30-day period.
- 7.2 Refusal or failure to comply with District regulations or orders. The District may reinstate the contract if the contract holder complies with District regulations and orders within the 30-day period.
- 7.3 Change in ownership of the land to which water is being provided. The District may reinstate the contract if the new owner agrees to enter into a new contract with the District within the 30 day period, provided any sums due to the District for providing water service to the real property involved are paid in full.
- 7.4 Change in circumstances that make it likely that the District will not be able to provide water to all contract holders. The District may reinstate the contract if circumstances further change so as to make it likely the District will have sufficient

water for the projected need.

7.5 Determination that District is operating a public water system. The District may terminate contracts for domestic water if the Oregon Department of Human Services or other competent government authority determines that the District is operating a public water system and thereby required to comply with the Oregon Drinking Water Quality Act and administrative rules enacted pursuant thereto, or with any substantially similar state or federal law.

In all cases, the District's decision to terminate or reinstate a contract shall be at the discretion of the District. A decision to terminate or reinstate a particular contract shall have no precedential value in determining whether to terminate or reinstate the same or a different contract in a later situation.

8. Allocation of Water in Drought Years.

In the event of a drought year (for example, any year in which Ben Irving Reservoir does not fill through natural rainfall to the point where all District irrigation contract holders can be supplied with enough water to satisfy their contracts) the District shall use reasonable efforts to evenly allocate water to all Consumers by an across-the-board percentage cut in allocations first to irrigation contracts, then to industrial and multipurpose contracts, and last to municipal and domestic contracts. For example, if the reservoir level requires a 25% cut in allocations to irrigation contracts, the District shall use reasonable efforts to assure that all Consumers of irrigation water shall have their allocations cut 25%, i.e., Consumers shall receive 75% of their contracted irrigation water. Meters shall be read on a regular basis and when the allocated amount of water has been delivered, the pump shall be tagged out by District personnel. Consumers with flat rate service shall be contacted by the District as early as reasonably possible in a drought year to determine which acreage Consumer shall not irrigate that year.

9. Water Rights.

The District shall be responsible for obtaining water rights to store and deliver water for the Consumer's use allocated under this agreement. The Consumer shall be responsible for obtaining at Consumer's expense any water rights permits or certificates from the State of Oregon and any other permits necessary for use of the water provided under this contract.

10. Right of Entry.

The District, its agents, employees, and contractors, shall have the right at all reasonable times to enter upon the premises of the Consumer to inspect the water

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intake and meter and beneficial use of the water. The Consumer agrees to managed to ensure safety of the meter reader, and to provide such access to the District and its personnel.

11. Miscellaneous.

- 11.1 The obligation of the District to deliver water to the Consumer is conditioned upon the ability of the District to provide the same. The District shall not be liable for failure to deliver the water at any given time or in any given amount if it is prevented from doing so by breakdown of facilities, accidents or other events which may occur.
- 11.2 The obligation of the District hereunder at any time may be limited by any lawful order.
- 11.3 The District reserves the right to promulgate reasonable rules and regulations from time to time applicable to all water users of the District governing the taking and use of water from the District, and the implementation of the terms of this contract.
- 11.4 This agreement inures to the benefit of the parties hereto and their respective successors and assigns.
- 11.5 In the event any court action or suit is necessary to enforce payment or any other provision of this agreement, the prevailing party shall be entitled to reasonable attorney fees and costs as determined by the court. Jurisdiction and venue of any case filed to enforce the terms of this agreement shall be exclusively in the circuit court of Douglas County, in Roseburg, Oregon.

IN WITNESS WHEREOF, the parties have affixed their signatures below.

LOOKINGGLASS-OLALLA WATER CONTROL DISTRICT

BY: Jerry Bervell Consumer (Landowner/Agent)	BY: Maryfan Anderson Representing District DATE: 12-15-04
BY:	DATE: 12-15-04
Consumer (Landowner/Agent)	
DATE: 11-19-04	
ADDRESS: 8954 100×JNgglasERd Resedure or 97490	
Raseburg or 97470	
DUIONIE	
PHONE: 6796983	
Florin G. Agreement for Durchana of Clared Water	

EXHIBIT "A"

RATE SCHEDULE

EFFECTIVE JANUARY 2004 THROUGH DECEMBER 2008

TYPE OF USER	ANNUAL RESERVATION FEE	RATE OR USE FEE	COMMENTS	
IRRIGATION (METERED)	\$55.00	0-1 ACRE FOOT\$9.90 1-2 ACRE FOOT\$12.10 2-2 1/2 ACRE FOOT\$17.60	METER REQUIRED	
IRRIGATION SUB DISTRICT (Up to 4 impators) EACH ADDITIONAL IRRIGATOR	\$200.00 \$45.00	0-1 ACRL FOOT—\$9.90 1-2 ACRE FOOT—\$12.10 2-2 1/2 ACRE FOOT—\$17.60	MASTER METER REQUIRED	
MUNICIPAL / QUASI MUNICIPAL	\$1,250.00	\$55.00 PER AF / FIRST 100 AF \$60.50 PER AF / OVER 100 AF	METER REQUIRED	
INDUSTRIAL.	\$1,500.00	\$55 00 PER ACRE FOOT	METER REQUIRED OF: ACRE FOOT / YEAR NEGOTIATED	
DOMESTIC	\$110.00	\$110.00	\$55.00 PER AF W/ 2 AF MINIMUM NO METER REQUIRED	
MULTIPLE USE	MAY VARY	\$55.00 PER ACRE FOOT	METER REQUIRED	
SUB-DISTRICT DOMESTIC UP TO 5 EACH DOMESTIC OVER 5	\$275.00 \$55.00	\$55,00 PER ACRE FOOT	MASTER METER REQUIRED	
FLAT RATE IRRIGATION	\$55.00	\$22.00 PER ACRE PER YEAR	No Meter Required Not Valid After 12-31-08	
UNMETERED IRRIGATION (meler broker	n or not functioning)	\$0.03 PER ACRE FOOT PER DAY	Metered irrigation rate noted above applies	
ANY OTHER USE	`\$110.00	MAY VARY	COST WILL BE NEGOTIATED	

FLAT RATE SCHEDULE 2004 through 2008

WATER RIGHT PRIORITY

COST PER AGRE

IN ADDITION TO ANNUALRESERVATION FEE WATER RIGHT PRIORITY

RIORITY COST PER AGRE

POST AUG 5, 1983 (CLOSURE) MARCH 26, 1974—AUG 5, 1983 (CLOSURE)

\$22.00 \$19.80 OCTOBER 24, 1958—MARCH 26, 1974 PRE OCTOBER 24, 1958 \$13.20 \$5.50

RATE SCHEDULE EFFECTIVE JANUARY 2009 THROUGH DECEMBER 2013

ANNUAL RESERVATION FEE	RATE OR USE FEE	COMMENTS
\$60.00	0-1 ACRE FOOT—\$10.35 1-2 ACRE FOOT—\$12.65 2-2 1/2 ACRE FOOT—\$18.40	METER REQUIRED
\$225.00 \$50.00	0-1 ACRE FOOT—\$10.35 1-2 ACRE FOOT—\$12.65 2-2 1/2 ACRE FOOT—\$18.40	MASTER METER REQUIRED
\$1,500.00	\$57.50 PER AF / FIR\$T 100 AF \$63.50 PER AF / OVER 100 AF	METER REQUIRED
\$1,750.00	\$57.50 PER ACRE FOOT	METER REQUIRED OR ACRE FOOT / YEAR NEGOTIATED
\$120.00	\$115.00	\$57.50 PER AF W/ 2 AF MINIMUM NO METER REQUIRED
MAY VARY	\$57.50 PER ACRE FOOT	METER REQUIRED
\$300.00	\$57.50 PER ACRE FOOT	MASTER METER REQUIRED
or non-functioning)	\$0.03 PER ACRE FOOT PER DAY	Metered irrigation rate noted above applies
\$120.00	MAY VARY	COST WILL BE NEGOTIATED
	\$60.00 \$225.00 \$50.00 \$1,500.00 \$1,750.00 \$120.00 MAY VARY \$300.00 pr non-functioning)	\$60.00 \$60.00 \$1.2 ACRE FOOT—\$10.35 1-2 ACRE FOOT—\$12.65 2-2 1/2 ACRE FOOT—\$18.40 \$225.00 \$1.4 ACRE FOOT—\$10.35 1-2 ACRE FOOT—\$10.3

EXHIBIT A

LEGAL DESCRIPTION:

THE FOLLOWING DESCRIBED PROPERTY IN SECTION 1, TOWNSHIP 28 SOUTH, RANGE 7 WEST, WILLAMETTE MERIDIAN, AND SECTION 6, TOWNSHIP 28 SOUTH, RANGE 6 WEST, WILLAMETTE MERIDIAN, DOUGLAS COUNTY, OREGON:

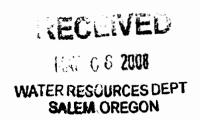
BEGINNING AT A 5/8 INCH IRON ROD ON THE RIDGE BETWEEN LOOKING GLASS AND HAPPY VALLEY FROM WHICH THE SOUTHEAST CORNER OF SAID SECTION 1 BEARS SOUTH 36° 50' 07" EAST 704.20 FEET, THENCE ALONG SAID RIDGE ON THE FOLLOWING COURSES:

NORTH 36° 31' 00" EAST 462.00 FEET TO A 5/8 INCH IRON ROD, WEST 132.00 FEET TO A 5/8 INCH IRON ROD, AND NORTH 30° 30' 00" EAST 839.70 FEET TO A 5/8 INCH IRON ROD, THENCE NORTH 84° 18' 28" WEST 1088.70 FEET TO A 5/8 INCH IRON ROD ON THE EXISTING FENCE LINE; THENCE NORTH 88° 57' 48" WEST ALONG SAID FENCE LINE 353.72 FEET; THENCE CONTINUING ALONG SAID FENCE LINE NORTH 89° 48' 47" WEST 1033.63 FEET TO A 5/8 INCH IRON ROD; THENCE SOUTH 0° 48' 00" WEST 1151.18 FEET TO A 5/8 INCH IRON ROD ON THE EXISTING FENCE LINE; THENCE SOUTH 89° 14' 20" EAST ALONG SAID FENCE LINE 650.00 FEET; THENCE CONTINUING ALONG SAID FENCE LINE NORTH 89° 32' 21" EAST 579.90 FEET TO A 5/8 INCH IRON ROD; THENCE SOUTH 85° 12' 50" EAST 690.20 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION SOLD TO DOUGLAS COUNTY, AS EVIDENCED BY DEED RECORDED IN BOOK 177, PAGE 224, RECORDS OF DOUGLAS COUNTY, OREGON.

ALSO A TWENTY (20) FOOT STRIP OF LAND DESCRIBED AS:
BEGINNING AT THE SOUTHEAST CORNER OF THE PARCEL ABOVE DESCRIBED, THENCE NORTH
89° 14' 20" WEST 2145 FEET MORE OR LESS TO THE EASTERLY RIGHT OF WAY OF COUNTY
ROAD NO. 47; THENCE NORTHERLY ALONG SAID RIGHT OF WAY 20 FEET TO A POINT; THENCE
SOUTH 89° 14' 20" EAST 2145 FEET MORE OR LESS TO A POINT ON THE WESTERLY LINE OF
THE PARCEL ABOVE DESCRIBED, THENCE SOUTH 0° 48' 00" WEST 20 FEET TO THE PLACE OF
BEGINNING.

NOTE: THIS LEGAL DESCRIPTION WAS CREATED PRIOR TO JANUARY 1, 2008.



\$40.00 PLANNING DEPT.



Water Resources Department

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

NOTE TO APPLICANTS

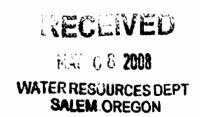
In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdictions where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you.

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan.

Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan.

Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.





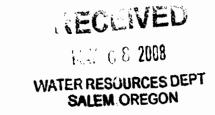
Oregon Water Resources Department Land Use Information Form

THIS FORM IS NOT REQUIRED IF: 1) water is to be diverted, conveyed, and/or used only on federal lands; 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) only the place of use is proposed for change, b) there are no structural changes, c) the use of water is for irrigation, and d) the use is located in an irrigation district or exclusive farm-use zone.

	Name: _	U	2/h	hy	fower	16	
Mailing A	ddress: _	8	3	4/0	OBINGA	1095 AC	<u>{</u>
City: 🔀 🖰	15ek	rung	,	State: _	<u>O</u> Zip: <u>924</u>	36 Day Phone: 63	91986
This app	lication	is related	to a M	leasure 37 cl	aim. □Yes ⊅No		
A. Land and Lo	ocation	1					
transported), or	used. A	pplicants	for mu	ınicipal use,		diverted (taken from its sour in irrigation districts may sub w.	
Township	Range	Section	1/4 1/4	Tax Lot #	Plan Designation (e.g. Rural Residential/RR-5)	Water to be:	Proposed Land Use:
28 S.	7 W.	1		1000	Natur Nosacinias Nicos	☑ Diverted ☑ Conveyed ⋈ Us	
						Diverted a Conveyed Us	ed
						□ Diverted □ Conveyed □ Us	
						☐ Diverted ☐ Conveyed ☐ Us	ed
					rces Department:	CT. L. CW.	
□ Alloca	tion of (or Store V Conserve ment or G	d Wate	r 🗆 🗆 Li	ater-Right Transfer imited Water Use Licer stration Modification	Exchange of Water	
ource of water:	⊮ Res	ervoir/Po	ond	☐ Ground W	/ater Surface	Water (name)	
stimated quanti	ty of wa	iter neede	ed:	87.5	□ cubic feet per se	cond ☐ gallons per minute	⊿ acre-feet
		- r - · - · ·	on	Commerc	ial 🗆 Industria		ii dele leet
ntended use of v		/ Irrigation Munici	pal	🗆 Quasi-mu	nicipal 🗆 Instream		household(s)
ntended use of v		Munici	•	`	nicipal 🗆 Instream	Other	household(s)

Receipt for Request for Land Use Information

State of Oregon Water Resources Department 725 Summer Street NE, Suite A Salem, OR 97301-1266



PID W/S 08-045C RRITH PO3959

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 o	check the appropriate box b	elow and provide the requested	l informatio	<u>on</u>		
÷	Cand uses to be served by prop regulated by your comprehensive	osed water uses (including proposed te plan. Cite applicable ordinance se	construction) ction(s):	are allowed out	right or are not	
٠٦	approvals as listed in the table be already been obtained. Record	osed water uses (including proposed below. (Please attach documentation of Action/land-use decision and accoed but all appeal periods have not one of the second of the se	of applicable mpanying fin	land-use approvidings are suffic	vals which have ient.)	
	Type of Land-Use Approval Needed (e.g. plan amendments, rezones,	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:			
	conditional-use permits, etc.)		Obtained Being purs			
			☐ Denied ☐ Obtained	☐ Not being pursue		
			Denied	Not being pu		
			☐ Obtained☐ Denied	Being pursue		
			Obtained	☐ Being pursue		
			☐ Denied	□ Not being pu		
			☐ Obtained ☐ Denied	☐ Being pursue ☐ Not being pu		
Name:	JONATHAN WE					
Signature	gan /	Phone: 44(7-4284	Date: <u>05-0</u>	25-OR	
Note to le If you sign Land Use	ocal government representative in the receipt, you will have 30 da	OUGLAS COUNTY PLANNING DEPAI ROOM 106, JUSTICE BUILDIN DOUGLAS COUNTY COURTHOU ROSEBURG, OR 97470 e: Please complete this form or sign tys from the Water Resources Depart presume the land use associated with	G SE the receipt be ment's notice	date to return t	the completed s compatible with	
Applicant		ot for Request for Land Use I			RECEIVED	
					WATER RESOURCES DEPT	
City or C	ounty:	Staff contact:			SALEM OREGON	

____ Phone:

Signature: ___

Date: _