



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

Application for a Permit to Use Surface Water

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "n/a." Please read and refer to the instructions when completing your application. 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. APPLICANT INFORMATION

A. Applicants

Applicant: Thomas A. Swanson
First Last

Mailing Address: 11545 Whiskey Creek Road

Tillamook OR 97141
City State Zip

Phone: 503-307-4242
Home Work Other

*Fax: _____ *Email Address: tswanson@charter.net

B. Organizations

(Corporations, associations, firms, partnerships, joint stock companies, cooperatives, public and municipal corporations)

Name of Organization: _____

Name and Title of Person Applying: _____

Mailing Address or Organization: _____

City State Zip

Phone : _____
Day Evening

*Fax: _____ *Email Address: _____

*Optional

For Department Use

App. No. _____ Permit No. _____ Date _____

Last Updated: 6/25/2008

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: <u>Hathaway Creek</u>	Tributary to: <u>Netarts Bay</u>
Source 2: _____	Tributary to: _____
Source 3: _____	Tributary to: _____
Source 4: _____	Tributary to: _____

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

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.

Legal descriptions are attached for lands owned by:
Stimson Lumber Company, Tillamook Operations, 5900 Moffett Road, Tillamook, OR 97141, Attn. Jon Wehage
Thomas A. Swanson and Erica Rubin, 11545 Whiskey Creek Road, Tillamook, OR 97141
Theodore L. And Kay E. Schacher, 14208 Schacher Lane, Mt. Angel, OR 97362
John M. and Dora Ellen Reynolds, 5217 Springcrest Dr. S, Salem, OR 97306

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.

- domestic expanded for 3 homes.*
- If your proposed use is **domestic**, indicate the number of households to be supplied with water: 3
 - If your proposed use is **irrigation**, please attach **Form I**
 - If your proposed use is **mining**, attach **Form R**
 - If your proposed use is **municipal or quasi-municipal**, attach **Form M**
 - If your proposed use is **commercial/industrial**, attach **Form Q**

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B. Amount of Water

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

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

Source	Type of use	Amount
Hathaway Creek	Domestic Expanded	<u>.03</u> ☒ cfs ☐ gpm ☐ af
		<u> </u> ☐ cfs ☐ gpm ☐ af
		<u> </u> ☐ cfs ☐ gpm ☐ af
		<u> </u> ☐ cfs ☐ gpm ☐ af

C. Period of Use

Indicate the time of year you propose to use the water: Year-round

(For seasonal uses like irrigation give dates when water use would begin and end, e.g. March 1-October 31.)

If you will be applying water to land, indicate the total number of acres where water will be applied or used: N/A

(This number should be consistent with your application map.)

4. WATER MANAGEMENT

A. Diversion

What method will you use to divert water from the source?

☐ Pump (give horsepower and pump type): _____

☐ Head-gate (give dimensions): _____

☒ other means (describe): Gravity

B. Monitoring

How will you monitor your diversion to be sure you are within the limits of your water right (allowed rate and duty) and you are not wasting water?

☐ Weir

☐ Meter

☐ Periodic Sampling

☒ other means (describe): Flow restrictor

C. Transport

How will you transport water to your place of use?

☐ Ditch or canal (give average width and depth):

Width _____ Depth _____

Is the ditch or canal to be lined? ☐ Yes ☐ No

☒ Pipe (give diameter and total length):

Diameter 1 1/2 " Length 1500 feet

☐ other, describe: _____

D. Application/Distribution Method

What equipment will you use to apply water to your place of use?

N/A

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.

Flow restrictor

5. RESOURCE PROTECTION

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:

The intake pipe has a fine mesh screen on it--approved by ODFW.

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

The water line is on the surface within the streamside areas. No excavation will be necessary.

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

No equipment will be operated in or near the creek.

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

Any disturbed soil will be repacked and replanted. No waste or chemicals used on the project.

- ☐ 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: In place and in use.

Proposed date construction will be completed: System complete

Proposed date beneficial water use will begin: ASAP

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 question you are addressing.

We have an existing permit # 51437, but it was from a different source and a transfer under that permit would not be applicable.

8. MAP REQUIREMENTS

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

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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, I may have to stop using water to allow senior water right holders to get water to which they are entitled.

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

Thomas A. Luns

8/1/08

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

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.

WRD on the web:

www.wrd.state.or.us

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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.

Applicant Name: THOMAS A. SWANSON
Mailing Address: 11545 WHISKEY CREEK ROAD
City: TILLAMOOK State: OR Zip: 97141 Day Phone: 503-307-4242

This application is related to a Measure 37 claim. ☐ Yes ☒ No

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), or used. 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	1/4 1/4	Tax Lot #	Plan Designation (e.g. Rural Residential/RR-5)	Water to be:	Proposed Land Use:
25	10	30	SE 1/4	100	RR-2	☒ Diverted ☒ Conveyed ☐ Used	
25	10	30	SW 1/4	300	RR-3	☐ Diverted ☐ Conveyed ☒ Used	
25	10	30	SW 1/4	301	RR-3	☐ Diverted ☐ Conveyed ☒ Used	
25	10	30	SW 1/4	400	RR-3	☐ Diverted ☐ Conveyed ☒ Used	

List all counties and cities where water is proposed to be diverted, conveyed, or used. TILLAMOOK COUNTY

B. Description of Proposed Use

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

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

Source of water: ☐ Reservoir/Pond ☐ Ground Water ☒ Surface Water (name) HATHAWAY CREEK
Tributary to Netarts Bay

Estimated quantity of water needed: .03 ☒ cubic feet per second ☐ gallons per minute ☐ acre-feet

Intended use of water: ☐ Irrigation ☐ Commercial ☐ Industrial ☒ Domestic for 3 household(s)
☐ Municipal ☐ Quasi-municipal ☐ Instream ☐ Other expanded

Briefly describe: Water is piped from the creek to the 3 households

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

Receipt for Request for Land Use Information

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

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08-2746-LUC

Water Right Information Query Results	
Contact Information	Documents View all scanned documents
▼ Current contact information OWNER: ▶ THOMAS SWANSON 2344 NE 19TH AVE PORTLAND, OR 97212 OWNER: ▶ ERICA RUBIN 2344 NE 19TH AVE PORTLAND, OR 97212	▶ Application: S 72127 digital map ▶ Permit: S 51437 document , digital map ▶ Certificate: 84263 document , digital map , paper map ▶ View right with New Web Mapping (beta)
Water Right Information	
Status: Non-Cancelled County: Tillamook File Folder Location: Salem	
Point(s) of Diversion	
▶ POD 1 - YAGER CREEK > NETARTS BAY	
Place(s) of Use Add TRS grouping	
▶ Use - DOMESTIC (Primary); Priority Date: 1/6/1992	
Water Right Genealogy	
☐ Permit: S 51437 └─ Cert: 84263 OR *	

[View Water Rights in same Family](#)[Help understanding and working with the Water Rights Information System](#)[Report Errors with Water Right Data](#)[Return to WRIS Query](#)

STATE OF OREGON
COUNTY OF TILLAMOOK
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

THOMAS SWANSON & ERICA RUBIN
2344 NE 19TH AVE
PORTLAND OR 97212

confirms the right to use the waters of AN UNNAMED STREAM, tributary of NETARTS BAY for DOMESTIC USE FOR ONE FAMILY.

This right was perfected under Permit 51437. The date of priority is JANUARY 6, 1992. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.005 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Survey Coordinates
2 S	10 W	WM	30	SW NE			1811 FEET SOUTH & 446 FEET EAST FROM N1/4 CORNER, SECTION 30

A description of the place of use to which this right is appurtenant is as follows:

DOMESTIC						
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC
2 S	10 W	WM	30	SW NE		

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

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

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

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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

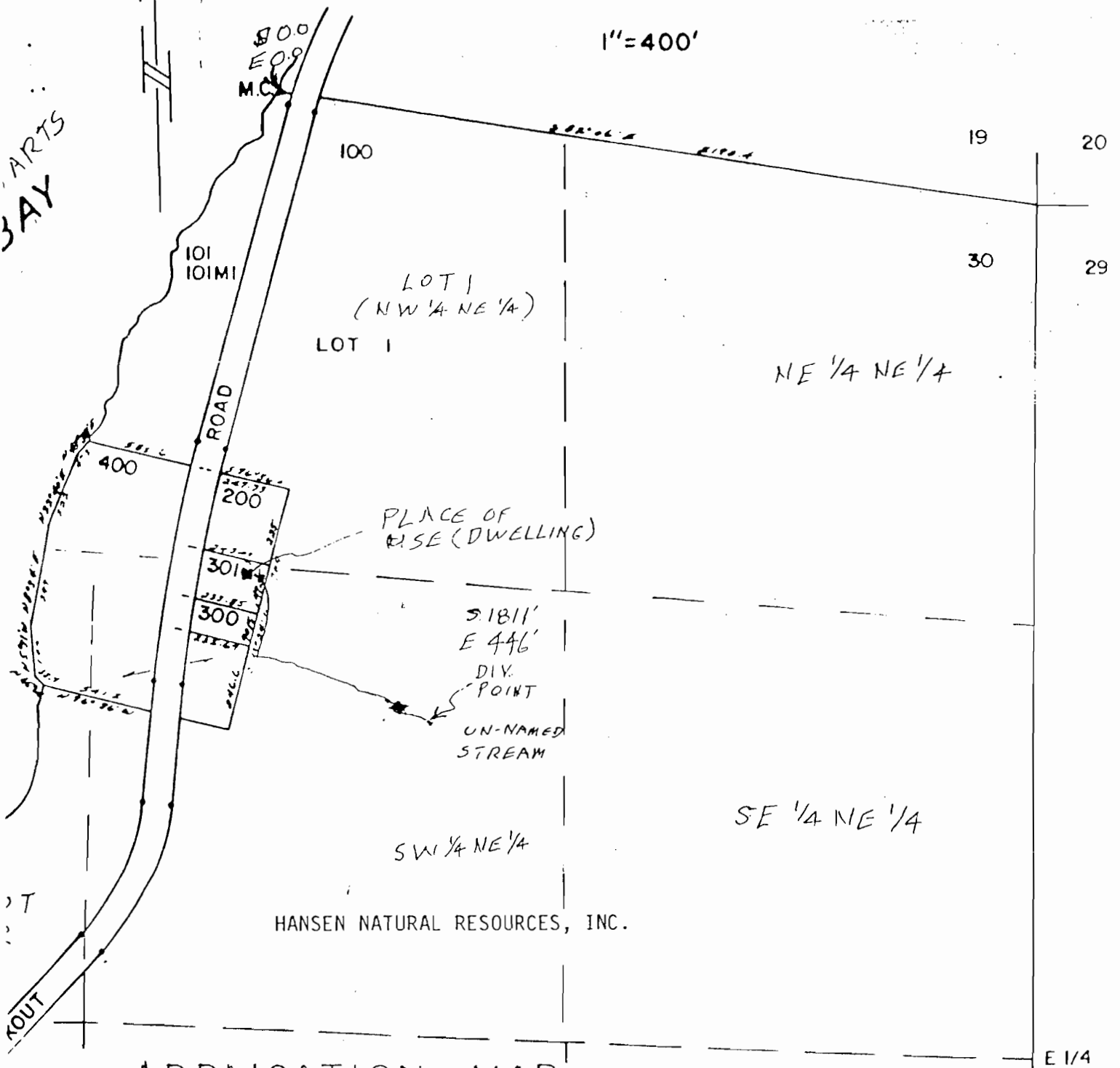
The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

WITNESS the signature of the Water Resources Director, affixed JUL 11 2008.


Phillip C. Ward, Director
Water Resources Department

Map No. 72127
Parcel No. 51437

SECTION 30 T.2S. R.10W. W.M.
TILLAMOOK COUNTY



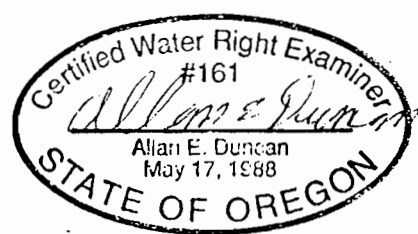
APPLICATION MAP

WILLIAM MURPHY/B.M. & WILMA HOERL
SW 1/4 NE 1/4 & Lot 1, Sect
T. 2 S., R. 10 W., W.M.
Tillamook County, Oregon.

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7 DEC. 1991

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SECTION 19: ALL
SECTION 20: THE WEST HALF OF THE EAST HALF; THE WEST HALF
SECTION 29: THE WEST HALF; ALSO A TRACT OF LAND IN THE NORTH HALF OF THE
NORTHEAST QUARTER AS DESCRIBED IN INSTRUMENT RECORDED DECEMBER
23, 1970 IN BOOK 221, PAGE 748; ALSO A TRACT OF LAND IN THE
SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER, AS DESCRIBED IN
INSTRUMENT RECORDED SEPTEMBER 14, 1966 IN BOOK 203, PAGE 576

TOGETHER WITH AN EASEMENT AS DESCRIBED IN INSTRUMENT RECORDED
SEPTEMBER 14, 1966 IN BOOK 203, PAGE 576, RECORDS OF TILLAMOOK
COUNTY, OREGON.

EXCEPTING THEREFROM THAT PORTION IN DEED FROM CROWN SELLERSBACH
CORPORATION TO THE STATE OF OREGON HIGHWAY DIVISION RECORDED
MARCH 18, 1985 IN BOOK 297, PAGE 749, RECORDS OF TILLAMOOK
COUNTY, OREGON

SECTION 30: ALL
SECTION 31: THE NORTHEAST QUARTER; THE NORTH HALF OF THE SOUTHEAST QUARTER;
TOGETHER WITH THAT PORTION OF THE SOUTH HALF OF THE SOUTHEAST
QUARTER AND THE EAST HALF OF THE SOUTHWEST QUARTER DESCRIBED IN
INSTRUMENT RECORDED AUGUST 28, 1983 IN BOOK 288, PAGE 767 AND IN
INSTRUMENT RECORDED OCTOBER 25, 1984 IN BOOK 299, PAGE 593
SECTION 32: THE WEST HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER;
THE WEST HALF OF THE NORTHWEST QUARTER; THE NORTHWEST QUARTER OF
THE SOUTHWEST QUARTER; ALSO A TRACT OF LAND AS DESCRIBED IN
INSTRUMENT RECORDED DECEMBER 31, 1964 IN BOOK 195, PAGE 43

TOGETHER WITH AN EASEMENT AS DESCRIBED IN INSTRUMENT RECORDED
DECEMBER 31, 1964 IN BOOK 195, PAGE 46

TOWNSHIP 2 SOUTH, RANGE 10 WEST, W.M.

SECTION 1: THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER; THE EAST HALF
OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER; THE NORTH
HALF OF THE SOUTH HALF; THE NORTH HALF OF THE NORTH HALF OF THE
SOUTH HALF OF THE SOUTHWEST QUARTER; TOGETHER WITH A STRIP OF
LAND DESCRIBED IN INSTRUMENT RECORDED MARCH 1, 1957 IN BOOK 186,
PAGE 521

TOGETHER WITH AN EASEMENT IN THE WEST HALF OF THE NORTHEAST
QUARTER AS DESCRIBED IN INSTRUMENT RECORDED APRIL 2, 1968 IN
BOOK 211, PAGE 808

SECTION 2: THE NORTHWEST QUARTER; THE SOUTH HALF
SECTION 3: ALL
SECTION 4: THE NORTHWEST QUARTER; THE SOUTH HALF OF THE NORTHEAST QUARTER;
GOVERNMENT LOT 2, AND THAT PORTION OF GOVERNMENT LOT 1 AS
DESCRIBED IN INSTRUMENT RECORDED JANUARY 9, 1948 IN BOOK 110,
PAGE 488; THE NORTH HALF OF THE SOUTHWEST QUARTER; THE SOUTHEAST
QUARTER OF THE SOUTHWEST QUARTER; THE SOUTHEAST QUARTER

EXCEPT A TRACT OF LAND AS DESCRIBED IN INSTRUMENT RECORDED

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EXHIBIT A

SECTION 19: THOSE PORTIONS OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER; GOVERNMENT LOTS 5 AND 6 LYING SOUTHEASTERLY OF CAPE LOOKOUT PARK STATE HIGHWAY

SECTION 20: ALL

EXCEPT GOVERNMENT LOT 1 AND THOSE PORTIONS LYING NORTHWESTERLY OF COUNTY ROAD

SECTION 21: ALL

SECTION 22: ALL

SECTION 23: ALL

SECTION 24: THE SOUTH HALF; THE WEST HALF OF THE NORTHWEST QUARTER; THE SOUTH HALF OF THE NORTHEAST QUARTER; THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER; THOSE PORTIONS OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER AND THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER AS DESCRIBED IN INSTRUMENTS RECORDED MARCH 24, 1970 IN BOOK 218, PAGE 848 AND OCTOBER 23, 1986 IN BOOK 188, PAGE 291; AND THAT PORTION AS DESCRIBED IN INSTRUMENT RECORDED DECEMBER 20, 1980 IN BOOK 126, AT PAGE 81 OF THE OFFICIAL RECORDS OF TILLAMOOK COUNTY, OREGON

TOGETHER WITH AN EASEMENT AS DESCRIBED IN INSTRUMENTS RECORDED OCTOBER 23, 1986 IN BOOK 188, PAGE 287, JANUARY 23, 1981 IN BOOK 126, PAGE 370

EXCEPTING THEREFROM A TRACT OF LAND AS DESCRIBED IN INSTRUMENT DATED FEBRUARY 18, 1978 AS CONVEYED BY CROWN SELLERBACH CORPORATION TO ELNA E. MEYERS AND A TRACT OF LAND AS DESCRIBED IN INSTRUMENT DATED MAY 18, 1969 AS CONVEYED BY CROWN SELLERBACH CORPORATION TO LENA WEBER

EXCEPT A TRACT OF LAND AS DESCRIBED IN INSTRUMENT DATED SEPTEMBER 17, 1986 AND RECORDED OCTOBER 23, 1986 IN BOOK 188, PAGE 294 AND 299 AS CONVEYED BY CROWN SELLERBACH CORPORATION TO TOM SEDORTHA AND EDNA SEDORTHA

ALSO, EXCEPTING THOSE PORTIONS CONVEYED BY QUITCLAIM DEED TO TILLAMOOK COUNTY DATED AUGUST 28, 1998, RECORDED SEPTEMBER 20, 1998 IN BOOK 172, PAGE 884, RECORDS OF TILLAMOOK COUNTY, OREGON FROM HANSON NATURAL RESOURCES

SECTION 25: THE NORTH HALF; THE WEST HALF OF THE SOUTHWEST QUARTER; THE EAST HALF OF THE SOUTHEAST QUARTER

SECTION 26: ALL

SECTION 27: ALL

SECTION 28: ALL

SECTION 29: ALL

SECTION 30: THE EAST HALF OF THE NORTHEAST QUARTER; THE SOUTHEAST QUARTER; THOSE PORTIONS OF GOVERNMENT LOTS 1, 2 AND THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER AS DESCRIBED IN INSTRUMENT RECORDED MARCH 28, 1924 IN BOOK 51, PAGE 112; THOSE PORTIONS OF THE SOUTHWEST QUARTER AS DESCRIBED IN INSTRUMENT RECORDED SEPTEMBER 20, 1984 IN BOOK 184, PAGE 829

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TICOR TITLE INSURANCE

STATUTORY WARRANTY DEED

BOOK 348 PAGE 29

JEANNE M. CHANCER, TRUSTEE OF THE JEANNE MARTIN CHANCER TRUST OF 1987, as to an undivided 48% interest: ALBERTA B. MARTIN and PAMELA A. PEAK, co-trustees of the Grantor, conveys and warrants to JOHN MANNING REYNOLDS and DORA ELLEN REYNOLDS, husband and wife

Grantees, the following described real property free of encumbrances except as specifically set forth herein situated in TILLAMOOK County, Oregon, to wit:

SEE "LEGAL DESCRIPTION" ATTACHED HERETO AND BY REFERENCE MADE A PART HEREOF.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FREE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES. The said property is free from encumbrances except 1). Rights of the public in and to that portion lying within streets, roads and highways. 2). Right of way for logging railroad of other logging purposes, and conveyance of all merchantable timber on the above premises contained in Deed to Crown Willamette Paper Company by deed recorded March 25, 1924, in Book 51, page 114. 3). SEE EXHIBIT The true consideration for this conveyance is \$ 80,000.00 (Here comply with the requirements of ORS 93.030)

TICOR 22-5908

Notary Public for Oregon
KURT RICHARDS AND DEVA A. RICHARDS
JANUARY 1993

JEANNE M. CHANCER, TRUSTEE OF THE JEANNE MARTIN CHANCER TRUST OF 1987
ALBERTA B. MARTIN and PAMELA A. PEAK, co-trustees of the INTER VIVOS TRUST OF JOHN S. MARTIN

CALIFORNIA
State of Oregon, County of San Diego
The foregoing instrument was acknowledged before me this 20th day of January, 1992 by
JEANNE M. CHANCER, Trustee of the
JEANNE MARTIN CHANCER TRUST OF 1987

CALIFORNIA
State of Oregon, County of SANDIEGO
The foregoing instrument was acknowledged before me this 22nd day of JANUARY, 1992 by
ALBERTA B. MARTIN and
PAMELA A. PEAK, co-trustees of the
INTER VIVOS TRUST OF JOHN S. MARTIN

Rosa Hernandez



ROSA HERNANDEZ
COMM. 9370485
NOTARY PUBLIC - CALIFORNIA
SAN DIEGO COUNTY
MY COMMISSION EXPIRES
JULY 29, 1995

Notary Public for Oregon
My commission expires 3-24-95

RECORDED
MARCH 24, 1993

WARRANTY DEED
JEANNE M. CHANCER, ALBERTA B. MARTIN & PAMELA A. PEAK, co-trustees of the JEANNE MARTIN CHANCER TRUST OF 1987, GRANTOR
JOHN MANNING REYNOLDS and DORA ELLEN REYNOLDS, GRANTEES
Until a change is required, all tax statements shall be sent to the following address:
JOHN MANNING REYNOLDS
2767 DOS RIOS DRIVE
SAN RAMON, CALIFORNIA 94583
Record No. 29-59108 Title No. 29-59108
After recording return to:
JOHN MANNING REYNOLDS
2767 DOS RIOS DRIVE
SAN RAMON, CALIFORNIA 94583

This Space Reserved for Recorder's Use

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AUG 06 2008
WATER RESOURCES DEPT.
SALEM, OREGON

EXHIBIT "A"

GRANTOR CONTINUED

*** the INTER VIVOS TRUST OF JOHN S. MARTIN, created by declaration of trust dated October 15, 1968, as to an undivided 47% interest; and KURT RICHARDS and DEVA A. RICHARDS, husband and wife, as to an undivided 5% interest.

DEED EXCEPTIONS

Easement for utilities over and across the premises formerly included within the boundaries of The Old Cape Lookout Bay Shore County Road No. 66, now vacated, if any such exist. 4]. Affidavit as to water usage and pipeline easement as disclosed by instrument recorded February 19, 1964, in Book 190, page 359. 5]. Rights of the public and governmental bodies in and to any portion of the premises herein described lying below high water mark of the Metarts Bay, including any ownership rights which may be claimed by the State of Oregon below the high water mark. 6]. Any adverse claim based upon the assertion that: Said land or any part thereof is now or at any time has been below the ordinary high water mark of the Metarts Bay: Some portion of said land has been created by artificial means or has accreted to such portion so created: Some portion of said land has been brought within the boundaries thereof by an avulsive movement of the Metarts Bay or has been formed by an accretion to any such portion. 7]. Such rights and easements for navigation and fishing as may exist over that portion of the property lying beneath the water of Metarts Bay.

29-59108

LEGAL DESCRIPTION

PARCEL NO. 1:

Commencing at an iron pipe which is South 1366.29 feet and West 17.38 feet from the Government Meander Corner between Sections 19 and 30 of Township 2 South, Range 10 West, Willamette Meridian, in Tillamook County, Oregon; thence South 13 degrees 24 minutes West 147.25 feet to the point of beginning of the following described tract; thence continuing South 13 degrees 24 minutes West 90.15 feet to a 1 1/2 inch iron pipe; thence North 76 degrees 53 minutes West 225.37 feet to the centerline of the County Road; thence following said road centerline North 8 degrees 45 minutes East 99.14 feet; thence leaving said road centerline South 74 degrees 45 minutes East 233.85 feet to the point of beginning. EXCEPTING THEREFROM that portion in the County Road.

PARCEL NO. 2:

Beginning at an iron pipe for the initial point, said pipe being on the bank of the tide land and also South 29 degrees 55 minutes West 1832.7 feet from the United States Government meander corner between Sections 19 and 30, Township 2 South, Range 10 West of the Willamette Meridian, in Tillamook County, Oregon, and on the East shore of Metarts Bay; thence following the shore line of Metarts Bay North 45 degrees 0 minutes West 33.7 feet; thence North 5 degrees 31 minutes West 147 feet; thence North 8 degrees 34 minutes East 293 feet; thence North 22 degrees 40 minutes East 222 feet; thence North 43 degrees 38 minutes East 47.2 feet; thence South 76 degrees 34 minutes East 582.5 feet; thence South 13 degrees 24 minutes West 709 feet; thence North 76 degrees 36 minutes West 541.2 feet to the place of beginning. EXCEPTING THEREFROM tracts conveyed to Karl E. Smith and wife by deed recorded April 21, 1958, in Book 161, Page 335, Tillamook County Records, and tract conveyed to Herbert E. Smith and wife by deed recorded April 21, 1958, in Book 161, Page 336, Deed Records. EXCEPTING ALSO that strip of land conveyed by Paul Illingworth and wife to Tillamook County Court by deed recorded August 24, 1951, in Book 129, Page 407. Deed Records.

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654237

THIS SPACE RESERVED FOR RECORDER'S USE

After recording return to:
Thomas A. Swanson & Erica S. Rubin
2344 NE 19th Ave.
Portland, OR 97212

Until a change is requested all tax statements
 shall be sent to the following address:
Thomas A. Swanson & Erica S. Rubin
2344 NE 19th Ave.
Portland, OR 97212

Escrow No. 99150129
 Title No. 654237

STATUTORY WARRANTY DEED

WILMA HOERL, Grantor, conveys and warrants to THOMAS A. SWANSON and ERICA S. RUBIN
as tenants by the entirety, Grantee, the following described real property free of liens and encumbrances,
 except as specifically set forth herein:

For legal description see Exhibit "A" attached hereto and made a part hereof;

This property is free of liens and encumbrances, EXCEPT:

1. The rights of the public in and to that portion of the premises herein described lying within the limits of roads, streets or highways.
2. Easements for utilities over and across premises formerly included within the boundaries of the Old Cape Lookout Bay Shore County Road No. 66, now vacated, if any such exist.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

The true consideration for this conveyance is \$149,950.00 (Here comply with the requirements of ORS 93.030)

Dated this 16 day of June, 2000.

Wilma Hoerl
 Wilma Hoerl

STATE OF CALIFORNIA

County of Tuolumne } ss.

This instrument was acknowledged before me on this 16 day of JUNE, 2000
 by WILMA HOERL



Wanda Dörner
 Notary Public for Oregon

My commission expires: 4/26/03

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EXHIBIT "A"

Beginning at an iron pipe which is South 1366.29 feet and West 17.38 feet from the government meander corner between Sections 19 and 30, Township 2 South, Range 10 West of the Willamette Meridian, in Tillamook County, Oregon; thence South 13° 24' West 147.25 feet; thence North 74° 45' West 233.85 feet to the center of the County road; thence following said road centerline, North 8° 45' East 55.03 feet and North 10° 06' East 85.06 feet; thence leaving said road, South 78° 38' East 243.04 feet to the point of beginning. LESS that portion in the County road.

00391217

I hereby certify that the within instrument was received for record and recorded in the County of Tillamook, State of Oregon.

JULY 6 11 52 AM '08

BOOK 418 PAGE 423

Witness my hand and seal affixed.

JOSEPHINE M. FLETCHER, Deputy Clerk

[Signature]
MARR
A&T
ADMIN
CLERK
PLCP



DEPUTY
10.00
10.00
1.00
1.00
9.00

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SALEM, OREGON

400

BOOK 428 PAGE 620

REEL PAGE
1723 544

INDEXED

AFTER RECORDING, RETURN TO:

TED & KAY SCHACHER
14208 Schacher Ln NE
Mt. Angel, OR 97362

SEND FUTURE TAX STATEMENTS TO:

TED & KAY SCHACHER
14208 Schacher Ln NE
Mt. Angel, OR 97362

BARGAIN & SALE DEED

KNOW ALL MEN BY THESE PRESENTS, that THEODORE L. SCHACHER and KAY E. SCHACHER, husband and wife, hereinafter called the Grantors, conveys to THEODORE L. SCHACHER and KAY E. SCHACHER, as tenants in common, hereinafter called the Grantees, the following described real property situated in the County of Tillamook, State of Oregon, described as follows, to-wit:

Beginning at an iron pipe for the initial point, said pipe being on the bank of the tide land and also South 20°58' West 1832.7 feet from the United States Government meander corner between Sections 19 and 30, Township 2 South, Range 10 West of the Willamette Meridian, in Tillamook County, Oregon, and on the East side of Netarts Bay, thence following the shore line of Netarts Bay North 45°0' West 33.7 feet; thence North 5°31' West 147 feet; thence North 8°34' East 293 feet; thence North 22°40' East 222 feet; thence North 43°38' East 47.2 feet; thence South 76°36' East 582.6 feet; thence South 13°24' West 709 feet; thence North 76°36' West 541.2 feet to the place of beginning.

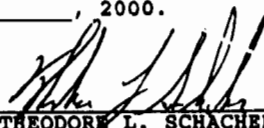
EXCEPTING THEREFROM tracts conveyed to Karl E. Smith and wife by deed recorded April 21, 1958, in Book 161, Page 335, Tillamook County Records, and tract conveyed to Herbert E. Smith and wife by deed recorded April 21, 1958 in Book 161, Page 336, Deed Records.

EXCEPTING ALSO that strip of land conveyed by Paul Illingworth and wife to Tillamook County Court by deed recorded August 24, 1951, in Book 129, Page 407 Deed Records.

The true and actual consideration paid for this transfer, stated in terms of dollars, is nothing as it is done for estate tax planning purposes.

This instrument will not allow use of the property described in this instrument in violation of applicable land use laws and regulations. Before signing or accepting this instrument, the person acquiring fee title to the property should check with the appropriate city or county planning department to verify approved uses and to determine any limits on lawsuits against farming or forest practices as defined in ORS 30.930.

IN WITNESS WHEREOF, the grantors have executed this Deed on this 3rd day of October, 2000.


THEODORE L. SCHACHER


KAY E. SCHACHER

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WATER RESOURCES DEPT.
SALEM, OREGON

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///
///

STATE OF OREGON)
) ss.
County of Marion)

On this 3rd day of October, 2000,
personally appeared the above named, THEODORE L. SCHACHER and KAY
E. SCHACHER, husband and wife, and acknowledged the foregoing
instrument to be their voluntary act and deed.



Cindy L. Gerig
NOTARY PUBLIC FOR OREGON
My Commission Expires:

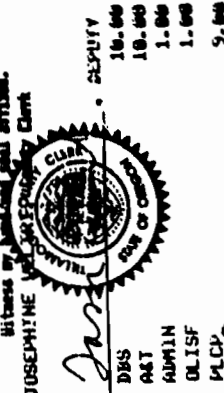
646393423

I hereby certify that the within instrument was
received for record and recorded in the
County of Tillamook, State of Oregon.

ULI. 6 10 22 AM '00

BOOK 428 PAGE 628

Witness by Notary Public Clerk
JOSEPHINE W. JOHNSON, Clerk



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SALEM, OREGON

Herb Mosgar

From: Tom Swanson [tswanson@charter.net]
Sent: Friday, August 08, 2008 4:46 PM
To: Jonnine Skaug
Cc: Herb Mosgar
Subject: Re: SW Application

Herb:

I approve the changes to the map in the attachment you sent.

Thomas A. Swanson

Jonnine Skaug wrote:

>
> Hi Thomas,
>
> attached you will find the information Herb asked me to send to you.
> Please contact Herb if you have any questions.
>
> thank you,
>
> *Jonnine Skaug*
> *Water Rights/Adjudication Division*
> OR Water Resources Department
> 725 Summer Street NE, Suite A
> Salem, OR 97301
> *phone: 503-986-0807*
> *fax: 503-986-0901*
>
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