

Pauletto Ranch LLC
844 Joelson Rd.
Umpqua, OR 97486

October 16, 2008

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266

REFERENCE: Change of reservoir use and water source

Water Resources Department,

We are planning to change the use of the water in our reservoir (certificate #58675) and the source of the water by which we intend to fill it. Enclosed you will find the appropriate paperwork and a check for \$120.00. Upon receiving a permit to store water we will send the paperwork to you in order to secure a water right on the new source.

Sincerely,

Mary Anne Pauletto

Mary Anne Pauletto
Pauletto Ranch LLC

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WATER RESOURCES DEPT
SALEM, OREGON



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 Store Water in a Reservoir (Alternate Review)

Alternate Review Process (ORS 537.409): You may use this form for any reservoir storing less than 9.2 acre- feet or with a dam less than 10 feet high.

Use a separate form for each reservoir

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, insert "n/a". 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.

Form

1. APPLICANT INFORMATION

Applicant: Pauletto Ranch LLC
First Last

Mailing Address: 844 Joelson Road
Umpqua Oregon 97486
City State Zip

Phone: 541 673-6719
Home Work Other

*Fax: _____ *Email Address: _____

*optional information

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2. LOCATION AND SOURCE

A. Reservoir Name: constructed under permit R-7148

B. Source: Provide the name of the water body or other source from which water will be diverted, and the name of the stream or lake it flows into. Indicate if source is run-off, seepage, or an unnamed stream or spring.

Source: unnamed spring Tributary to: Milk Creek

C. Reservoir Location

Township (N or S)	Range (E or W)	Section	quarter/quarter	tax lot number
<u>26S</u>	<u>R7W</u>	<u>3</u>	<u>NW SE</u>	<u>1400</u>

D. County of Use: Douglas

E. Dam: Maximum height of dam: 10 feet. If excavated, write "excavated" or "0 feet".

F. Quantity: Amount of water to be stored in the reservoir at maximum capacity.

List quantity in Acre-Feet: 1.5

App. No. _____	For Department Use Permit No. _____	Date _____
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3. WATER USE

Indicate the proposed use(s) of the stored water. **NOTE: You may wish to consider filing for "Multipurpose use" for your reservoir. Multipurpose use does not limit the types of future uses for the stored water. Multipurpose covers all uses including: stockwater, fish and wildlife, aesthetics, domestic, irrigation, agriculture, fire protection and pollution abatement.** If any use will be out of reservoir use, regardless of the type of storage listed, a secondary application must be filed to appropriate the stored water.

Multipurpose

4. 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 5)

☒ 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). (Do not check this box if you described your use as "Multipurpose" in #3 above)

List Name and mailing addresses of all affected land owners:

5. ENVIRONMENTAL IMPACT

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A. Channel: is the reservoir ☐ In Stream or ☒ off channel ?

B. Wetland: is the project in a wetland? ☐ Yes ☒ No ☐ Don't know

C. Existing: is this an existing reservoir? ☒ Yes ☐ No

If yes how long has it been in place? 29 years

D. Fish Habitat: Is there fish habitat upstream from the proposed structure? ☐ Yes ☒ No ☐ Don't know

If yes, how much? _____ miles

E. Partnerships: Have you been working with other agencies? ☐ Yes ☒ No

Indicate agency, staff and phone numbers of those involved. Also indicate any agencies that are cost sharing in this project.

6. SIGNATURE

I swear that all statements made and information provided in this application are true and correct to the best of my knowledge.

Mary Ann Pauletto

Landowner Signature

Oct 14, 08

Date

Before you submit your application be sure you have:

- ? Answered each question completely.
- ? Included a legible map that includes Township, Range, Section, quarter-quarter and tax lot number.
- ? The map must meet map requirements to be accepted.
- ? Included a land use form or receipt stub signed by a local planning official.
- ? Included a check payable to Oregon Water Resources Department for the appropriate amount.

FEE STRUCTURE: The fee is based on the number of acre-feet proposed to be stored. The base fee is \$80. In addition, there is a fee of \$20 per acre-foot or fraction thereof. Example: 0.3 AF= \$ 100 ; 1.5 AF= \$ 120 ; 20.0 AF= \$ 480 ; 30.0 AF= \$ 680.

STATE OF OREGON
COUNTY OF DOUGLAS
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JOE B. PAULETTO
844 JOELSON ROAD
UMPQUA, OREGON 97486

confirms the right to store the waters of MILL CREEK, a tributary of UMPQUA RIVER, APPROPRIATED UNDER PERMIT 42957, for the purpose of STOCKWATER.

The right to store these waters has been perfected under Reservoir Permit R-7148. The date of priority is APRIL 19, 1978. The amount of water entitled to be stored each year under such right is not more than 1.5 ACRE FEET.

The reservoir is located as follows:

LOT 4 (NW 1/4 SE 1/4)
SECTION 3
TOWNSHIP 26 SOUTH, RANGE 7 WEST, W.M.

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 this date DECEMBER 9, 1988.

/s/ WILLIAM H. YOUNG

Water Resources Director

Recorded in State Record of Water Right Certificates numbered 58675

R-55376

42957

T. 26S., R. 7W., W. M.

THRASHER
DLC 40

A. CLAYTON
DLC 41

SEC. 3

Lot 3

Lot 4

TAX LOT
1400

TAX LOT
1800

RIDENOUR
DLC 42

1/4
Cor.



2" BURIED MAIN



Caused
Flooding

Div. Pr.

MIL CREEK

Scale, 1" = 400'

Div. Pt. Loc.: 850' S. & 395' W. of SW Cor. of A. Clayton DLC 41

FINAL PROOF SURVEY
UNDER

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WATER RESOURCES DEPT
SALEM, OREGON

R-55376 R-7148
Application No. 55377 Permit No. 42957
IN NAME OF

JOE B. PAULETTO

Surveyed MAY. 12, 1982, by L. T. QLL

42957

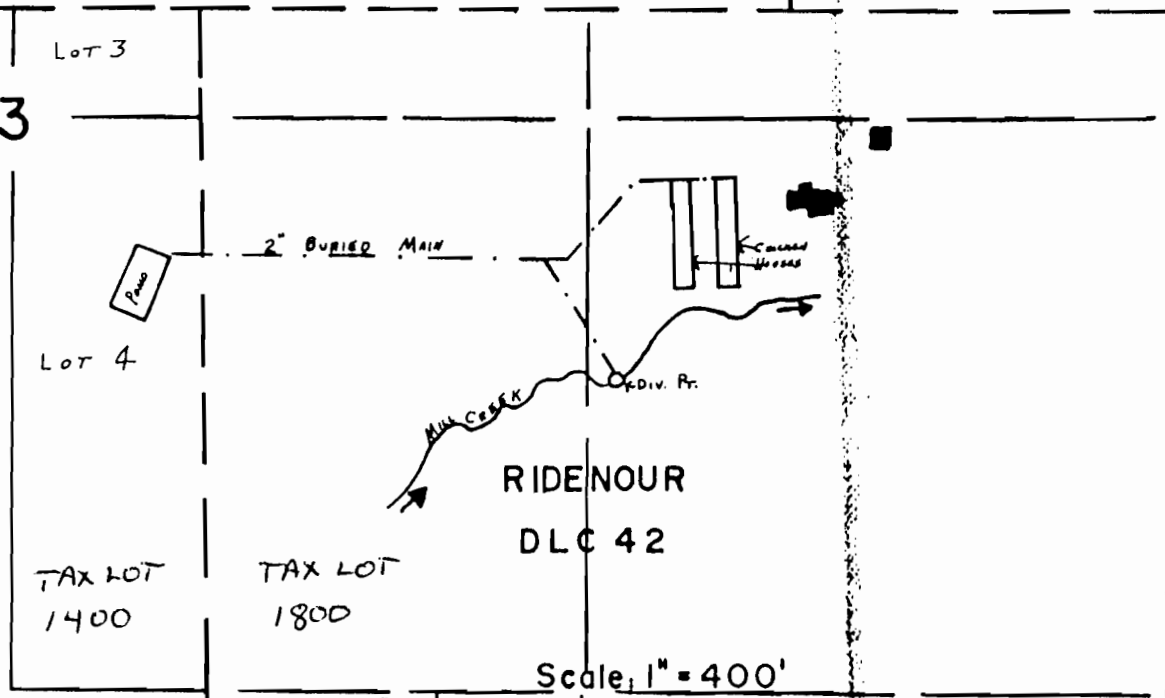
T. 26S., R. 7W., W.M.

THRASHER
DLC 40

A. CLAYTON
DLC 41

SEC. 3

1/4
Cor.



Scale, 1" = 400'
Div. Pt. Loc.: 850' S. & 395' W. of SW Cor. of A. Clayton DLC 41

FINAL PROOF SURVEY
UNDER

R-55376 R-7148
Application No. 5537.7 Permit No. 42957
IN NAME OF

JOE B. PAULETTO

Surveyed MAY. 12, 1982, by L. TOLL

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WATER RESOURCES DEPT
SALEM, OREGON



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: Pauletto Ranch LLC
Mailing Address: 844 Jackson Road
City: Umgva State: OR Zip: 97486 Day Phone: 541 673-6719

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:
26S	7W	3		1800	FFT AGG	☒ Diverted ☒ Conveyed ☒ Used	
26S	7W	3		1400	FFT AGG	☒ Diverted ☒ Conveyed ☐ Used	
						☐ Diverted ☐ Conveyed ☐ Used	
						☐ Diverted ☐ Conveyed ☐ Used	

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

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) Spring

Estimated quantity of water needed: 1.5 ☐ 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: WE ARE CHANGING THE SOURCE OF AND THE USE OF OUR RESERVOIR WATER.

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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SALEM, OREGON

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 proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): 3.5.050

☐ Land uses to be served by proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.)

If approvals have been obtained but all appeal periods have not ended, check "Being pursued".

Type of Land-Use Approval Needed (e.g. plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued

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

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

Name: JAMIE CHARNER Title: DP
Signature: [Signature] Phone: 541-440-4285 Date: 10-14-08
Government Entity: DOUGLAS COUNTY

W/S 08-1072
P5324

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

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

AFFIDAVIT FOR THE CANCELLATION OF AN ENTIRE
WATER RIGHT CERTIFICATE

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WATER RESOURCES DEPT
SALEM, OREGON

State of Oregon)
County of DOUGLAS) ss

① We (or authorized agent), MARY ANNE PAULETTO,
residing at 844 JOELSON ROAD, UMPQUA, OREGON 97486,
telephone number 541-673-6719, being first duly sworn depose and say:

1. I/We are the legal and deeded owner(s) of the property described as tax lot number #1400, within the NW 1/4 SE 1/4, Section 3, Township 26 N Range 7 E of the Willamette Meridian, in DOUGLAS County, Oregon, as shown on the attached map and described in the attached deed and legal description and made part of this affidavit;
2. Water right certificate number 58675 issued to JOE B. PAULETTO, with a date of priority of APRIL 19 1978 for use of 1.5 AC/F ~~cubic feet per second~~ of water from MILL CREEK (source) for the purpose of STOCK WATER (use) is appurtenant to my/our property: MEMO: THIS AFFIDAVIT IS TO STOP OUR FILLING OF THE RESERVOIR FROM MILL CREEK ONLY, IF WE CAN GET A WATER RIGHT ON A NEW SOURCE OF WATER FOR FILLING THE RESERVOIR.
3. The appurtenant water right is is not located within the boundaries of an irrigation, drainage, water improvement, or water control district, or federal reclamation project (if the right is located within a district or reclamation project, name it here: N/A); and
4. I/We have abandoned any and all interest in this water right and request the right be canceled, CONTINGENT UPON SECURING A WATER RIGHT FOR THE NEW SOURCE OF WATER FOR THE RESERVOIR.

Mary Anne Pauletto
Signature of legal owner as listed on deed, or authorized agent

OCT 14, 08
Date

Signature of legal co-owner as listed on deed
(If applicable)

Date

Subscribed and Sworn to Before Me this 14th day of October, 2008.



Mona E. See
Notary Public for Oregon

My Commission Expires 10/17/2011

PLEASE ATTACH A LEGIBLE COPY OF: 1) A DEED WHICH LISTS LAND OWNERS AND INCLUDES A LEGAL DESCRIPTION OF AFFECTED LANDS, AND 2) A COPY OF AN ADJUDICATION MAP, WATER RIGHT FINAL PROOF MAP, OR A TAX LOT MAP WITH THE ABANDONED RIGHT CLEARLY DRAWN AND IDENTIFIED. IF ACTING AS AN AUTHORIZED AGENT, INCLUDE COPY OF POWER OF ATTORNEY OR OTHER DOCUMENTS GRANTING AUTHORITY TO ACT ON BEHALF OF LEGAL OWNER(S).

BARGAIN AND SALE DEED

KNOW ALL MEN BY THESE PRESENTS, That MARY ANNE PAULETTO, TRUSTEE OF THE MARY ANNE PAULETTO REVOCABLE LIVING TRUST DATED OCTOBER 11, 1991; TRUSTEE OF THE JOE B. PAULETTO REVOCABLE LIVING TRUST DATED OCTOBER 11, 1991; and MARY ANNE PAULETTO hereinafter called the GRANTOR, for the consideration hereinafter stated does hereby grant, bargain, sell and convey unto PAULETTO RANCH, L.L.C., hereinafter called GRANTEE, and unto GRANTEE'S successors and assigns, all of that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, more particularly described by Exhibit "A", attached hereto and by this reference incorporated herein.

NOTICE

THIS INSTRUMENT DOES NOT GUARANTEE THAT ANY PARTICULAR USE MAY BE MADE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT. A BUYER SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

TO HAVE AND TO HOLD the above-described and granted premises unto the said GRANTEE, and GRANTEE'S successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars is \$-0-. However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration.

IN WITNESS WHEREOF, the GRANTOR has executed this instrument this 30 day of Nov., 1995.

Mary Anne Pauletto
Grantor: MARY ANNE PAULETTO, Individually; as Trustee of the Joe B. Pauletto Revocable Living Trust, dtd Oct. 11, 1991, and as Trustee of the Mary Anne Pauletto Revocable Living Trust, dtd Oct. 11, 1991

STATE OF OREGON,)
) ss.
COUNTY OF DOUGLAS)

Nov 30, 1995
(Date)

BEFORE ME PERSONALLY APPEARED the above-named MARY ANNE PAULETTO, Individually and as Trustee of the Joe B. Pauletto Revocable Living Trust, dtd Oct. 11, 1991, and as Trustee of the Mary Anne Pauletto Revocable Living Trust, dtd Oct. 11, 1991 and acknowledged the foregoing instrument to be her voluntary act and deed.



Janna White
Notary Public for Oregon
My Commission expires: 9-13-96

Until a change is requested, all tax statements shall be sent to the following address:
Mary Anne Pauletto
844 Joelson Road
Umpqua, OR 97486

After recording, return to:
Wallace D. Cegavske
P.O. Box 218
Roseburg, OR 97470
w93138a.008

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PARCEL I

The Donation Land Claim of David Ridenour and wife, being Claim No. 42, Lots 4 and 5, and the Southwest quarter of Section 3; the Southeast quarter of the Southeast quarter of Section 4; the North half of section 10; also the following described parcel of land in Section 10, to-wit: Beginning at the Northwest corner of the Southwest quarter of Section 10; thence running South 29 rods; thence East 160 rods; thence North 29 rods to the Northeast corner of said quarter section; thence West 160 rods to the place of beginning, in Township 26 South, Range 7 West, Willamette Meridian, Douglas County, Oregon.

Excepting therefrom the following: Beginning at the quarter section corner between Sections 10 and 11, Township 26 South, Range 7 West, Willamette Meridian, Douglas County, Oregon, running thence North 9.69 chains along the section line; thence North 78°33' West 1.37 chains; thence North 80°07' West 2.78 chains; thence South 57°48' West 20.19 chains to the east and west quarter section line through Section 10; thence North 89°28' East 21.11 chains along said quarter section line to the place of beginning.

Also excepting therefrom: Beginning at the Northeast corner of the David Ridenour Donation Land Claim No. 42 in Township 26 South, Range 7 West, Willamette Meridian, Douglas County, Oregon; thence South 01°30'47" East 1864.65 feet to a 3/4 inch iron pipe; thence South 00°47'36" East 2363.91 feet to a 3/4 inch iron pipe, said 3/4 inch iron pipe being South 89°39'07" West, a distance of 2469.30 feet from the Southeast corner of the Henry C. Strucker Claim No. 43; thence South 89°39'07" West 1375.00 feet to a 3/4 inch iron pipe; thence North 01°07'12" West 4215 feet, more or less, to the point in the northerly line of said Donation Land Claim No. 42; thence Easterly along said Northerly line 1376 feet, more or less, to the place of beginning.

PARCEL II

Real property located in Douglas County, Willamette Meridian, Oregon Township 26 S., Range 7 W., Section 3, Lot 6, containing approximately 4.9 acres, previously deeded to the grantors by the United States of America, pursuant to a deed, reception number 84-1471 in book 898, page 903, Douglas County, Oregon deed records.

STATE OF OREGON]
COUNTY OF DOUGLAS] SS.
I, GAY FIELDS, COUNTY CLERK AND RECORDER OF
CONVEYANCES, DO HEREBY CERTIFY THAT THIS
INSTRUMENT WAS RECORDED

95 DEC 18 PM 3:21

GAY FIELDS
DOUGLAS COUNTY CLERK

IN THE OFFICIAL RECORDS OF DOUGLAS COUNTY

BY

DEPUTY

FEE

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SALEM, OREGON

95-23319