

CHAPMAN AND CUTLER LLP

Theodore S. Chapman
1877-1943
Henry E. Cutler
1879-1959

111 West Monroe Street, Chicago, Illinois 60603-4080
Telephone (312) 845-3000
Facsimile (312) 701-2361
chapman.com

San Francisco
595 Market Street
San Francisco, CA 94105
(415) 541-0500

Salt Lake City
201 South Main Street
Salt Lake City, UT 84111
(801) 533-0066

David S. Crossett
(312) 845-3011
(312) 516-3211 Fax
crossett@chapman.com

April 3, 2009

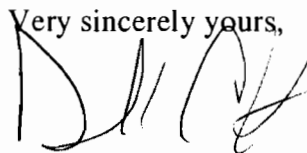
Oregon Water Resources Department 725
Suite A
Summer Street NE
Salem, Oregon 97301-1271

Re: Elizabeth Jeanne Burris Trust - Application for a Permit to Use Ground Water

Gentlemen:

Enclosed herewith is an Application for a Permit to Use Ground Water, together with a check in the amount of \$1,200 payable to Oregon Water Resources Department. If you have any questions concerning this application or require additional information, please contact Dennis Goude at Stuntzner Engineering & Forestry, LLC, who assisted us in the preparation of this application. Mr. Goude's phone number is (541) 267-2872 and fax number is (541) 267-0588.

Very sincerely yours,



David S. Crossett, Trustee of the Elizabeth
Jeanne Burris Trust

DSC:jbg
Enclosure

cc: Dennis Goude

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WATER RESOURCES DEPT
SALEM, OREGON



Oregon Water Resources Department 725
Summer Street NE, Suite A
Salem Oregon 97301-1271
(503) 986-0900
www.wrd.state.or.us

Application for a Permit to Use Ground 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

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A. Individuals

Applicant: _____
First Last
Mailing Address: _____
City State Zip
Phone: _____
Home Work Other
*Fax: _____ *Email Address: _____

B. Organizations

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

Name of Organization: Elizabeth Jeanne Burris Trust
Name and Title of Person Applying: David S. Crossett (Trustee)
Mailing Address or Organization: P.O. Box 2593
Chicago Illinois 60690-2593
City State Zip
Phone : (312) 845-3442
Day Evening
*Fax: (312) 516-1442 *Email Address: _____
*Optional

For Department Use

App. No. G-17203 Permit No. _____ Date _____

Last Updated: 11/24/2008

Ground Water/1

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2. PROPERTY OWNERSHIP

☒ Yes (Please check appropriate box below then skip to section 3 'Ground Water Development')

☒ 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.

3. GROUND WATER DEVELOPMENT

A. Well Information

Number of well(s): One

Name of nearest surface water body: Muddy Creek

Distance from well(s) to nearest stream or lake:

1) 1,000 feet 2) _____ 3) _____ 4) _____

If distance from surface water is less than one mile, indicate elevation difference between nearest surface water and well head:

1) 140± feet 2) _____ 3) _____ 4) _____

B. Well Characteristics

Wells must be constructed according to standards set by the Department for the construction and maintenance of water wells. If the well is already constructed, please enclose a copy of the well constructor's log and the well ID number, if available, for each well with this application. Identify each well with a number corresponding to the wells designated on the map and proceed to section 4 of the form. If the well has not been constructed, or if you do not have a well log, please complete the following:

Well(s) will be constructed by:

Casey L. Jones Well Drilling Company, Inc.

Mailing Address: 37115 Immigrant Road

Pleasant Hill

City

OR

State

97455

Zip

Completion Date: 8-25-1980

Please provide a description of your well development. *(Attach additional sheets if needed.)*

Well No.	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
1	See	well log							

Note: Well numbers in this listing must correspond to well locations(s) shown on accompanying map.

If well log is not available, or well is not yet constructed, you must provide: proposed total depth, depth of casing and seal, and the anticipated perforation and open intervals.

C. Artesian Flows

If your water well is flowing artesian, describe your water control and conservation works:

4. 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: ONE
- 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 production rate in gallons per minute (gpm) and the total annual amount of water you need from each well, from each source or aquifer, for each use. You do not need to provide source information if you are submitting a well log with your application.

Well No.	Source or aquifer	Type of use	Total rate of water requested (in gpm)	Total annual quantity (in gallons)	Production rate of well (in gpm)
1	GROUND	Domestic Expanded	4.48	365,000	40
		Irrigation	13.2	142,560	

C. Maximum Rate of Use Requested

What is the maximum, instantaneous rate of water that will be used? 4.48/13.2

(The fees for your application will be based on this amount.)

D. Period of Use

Indicate the time of year you propose to use the water: Domestic Jan 1-Dec 31/ Irrigation May 1-Oct 31

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

E. Acreage

If you will be applying water to land, indicate the total number of acres where water will be applied or used: 2 acres

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

5. WATER MANAGEMENT**A. Diversion**

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

☐ Pump (give horsepower and pump type): 3/4 submersible

☐ other means (describe): _____

B. 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 3/4" Length 300 feet

☐ other, describe: _____

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C. Application/Distribution Method

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

System to place of use - ¾ inch PVC pipe with popup sprinklers @ 1.1 GPM and Rainbird P2-R minibird @ 1.5 GPM

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.

Irrigation will be on timer with the use of low pressure sprinklers two to three times a week.

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: Existing

Proposed date construction will be completed: Existing

Proposed date beneficial water use will begin: Existing

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.

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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 well location and place of use. The map must provide tax lot numbers. See the map guidelines sheet for detailed map specifications.

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:

+ Dell Conth, Taker ELIZABETH J. DUMIS Date 4/1/09
Signature of Applicant (If more than one applicant, all must sign.)

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.

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WRD on the web:
www.wrd.state.or.us



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: Elizabeth Burris Trust

Mailing Address: P.O. Box 2593

City: Chicago State: IL Zip: 60690 Day Phone: (312)845-3011

Rebecca Wallenfelsz

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	¼ ¼	Tax Lot #	Plan Designation (e.g. Rural Residential/RR-5)	Water to be:	Proposed Land Use:
16S	3W	36	SWNW	00500	Forest	☒ Diverted ☒ Conveyed ☒ Used	
						☐ Diverted ☐ Conveyed ☐ Used	
						☐ Diverted ☐ Conveyed ☐ Used	
						☐ Diverted ☐ Conveyed ☐ Used	

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

Estimated quantity of water needed: 0.01 ☒ cubic feet per second ☐ gallons per minute ☐ acre-feet

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

Briefly describe: Applying for a ground water permit in the amount of 0.01 cubic feet per second (4.48 gallons per minute). The proposed use is Domestic use expanded for one residence.

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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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): LC 16.211.

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.

WATER USE IS FOR EXISTING DWELLING -
PERMITTED USE.

Name: JEFFY KENDALL Title: ASSC. PLANNER
Signature: J. Kendall Phone: 541-682-9057 Date: 2-12-09
Government Entity: LANE COUNTY - LMD.

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: Elizabeth Burris Trust

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

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Oregon Water Resources Department

FORM I FOR IRRIGATION WATER USE

1. Please indicate whether you are requesting a primary or supplemental irrigation water right.

☒ **Primary** ☐ **Supplemental**

If supplemental, please indicate the number of acres that will be irrigated for each type of use.

Primary: 2 Acres

Secondary: _____ Acres

List the permit or certificate number of the primary water right: No. _____

2. Please list the anticipated crops you will grow and whether you will be irrigating them for a full or partial season:

- | | | |
|-----------------------------|---|---|
| 1. <u>Lawn & shrubs</u> | ☒ Full season | ☐ Partial season (from: <u>May</u> to <u>October</u>) |
| 2. _____ | ☐ Full season | ☐ Partial season (from: _____ to _____) |
| 3. _____ | ☐ Full season | ☐ Partial season (from: _____ to _____) |
| 4. _____ | ☐ Full season | ☐ Partial season (from: _____ to _____) |

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

0.5 acre-feet

(1 acre-foot equals 12 inches of water spread over 1 acre, or 43,560 cubic feet, or 325,851 gallons.)

4. How will you schedule your applications of water? Will you be applying water in the evenings, twice a week, daily?

- | | |
|--|---|
| ☐ Daily during daytime hours | ☐ Daily during nighttime hours |
| ☒ Two or three times weekly during daytime | ☐ Two or three times weekly during nighttime |
| ☐ Weekly, during daytime hours | ☐ Weekly, during nighttime hours |
| ☐ Other, explain: _____ | |

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Sprinkler Capacity Calculator

Data Entry (fill in underlined blanks)

Sprinkler group 1	Nozzle size = <u>3/32</u> inch	(type an apostrophe before the size)
	Pressure = <u>20</u> PSI	
	Number of heads = <u>12</u>	
 Sprinkler group 2 (if applicable)	Nozzle size = <u>3/32</u> inch	(type an apostrophe before the size)
	Pressure = <u>20</u> PSI	
	Number of heads = <u>15</u>	
 Sprinkler group 3 (if applicable)	Nozzle size = <u>3/32</u> inch	(type an apostrophe before the size)
	Pressure = <u>20</u> PSI	
	Number of heads = <u>20</u>	

Results calculated

Sprinkler group 1 capacity =	13.2 gpm, or 0.029 cfs
Sprinkler group 2 capacity =	16.5 gpm, or 0.037 cfs
Sprinkler group 3 capacity =	22 gpm, or 0.049 cfs
 Total sprinkler capacity =	 51.7 gpm, or 0.115 cfs

Note: If entered values return a result of "#N/A" gpm, then the sprinkler capacity chart does not contain a rate for that nozzle size and PSI.

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5740400

STATUTORY WARRANTY DEED 30-1815/WPTCO/75944 16 03 36 100, 200 & 500

W. DOUGLAS DODDS AND LOIS M. DODDS, husband and wife Grantor,
conveys and warrants to P. B. HUBACHER, Jr. Trustee for the ELIZABETH JEANNE BURRIS TRUST Grantee,
under Agreement dated April 23, 1985.

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

The South one-half of the North one-half of Section 36, Township 16 South, Range 3 West of the Willamette Meridian, in Lane County, Oregon. EXCEPTING that portion which lies within the Plat of 1ST ADDITION TO COUNTRY VIEW ESTATES, as platted and recorded in File 73, Slides 575 and 576, Lane County Oregon Plat Records, in Lane County, Oregon.

The said property is subject to the following:

1. 1987-88 taxes, a lien not yet payable.
2. As disclosed by the tax roll the premises herein described are classified as forest lands. In the event of declassification, said premises will be subject to additional taxes and interest pursuant to the provisions of ORS Chapter 321.
3. Power line easement, including the terms and provisions thereof, granted to Benton-Lincoln Electric Cooperative, Inc., by instrument dated January 8, 1945 under Reception No. 17480, Official Records of Lane County, Oregon.
4. Maintenance restrictions contained in that certain Temporary Easement executed by Bob Meltebeke, recorded December 29, 1983, Reel 1277, Reception No. 83-48779, Official Records of Lane County, Oregon.
5. Declaration of Well Easement, including the terms and provisions thereof, executed by Robert A. Meltebeke, et ux, in instrument recorded June 21, 1984, as Reception No. 84-36161, Official Records of Lane County, Oregon.
6. Reservations as set forth in deed dated August 24, 1987, recorded September 14, 1987, Reel 1474, Reception No. 87-20379, Official Records of Lane County, Oregon.

The true consideration for this conveyance is \$ 285,000.00

7856A001 09/14/87WPID 7.00
2856A001 09/14/87PFND 18.00
18.00

"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."

Dated this 27 day of August 1987

W. Douglas Dodds Lois M. Dodds

STATE OF OREGON, County of Lane) ss. August 27 1987
Personally appeared the above named)
W. Douglas Dodds and Lois M. Dodds)
and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me,)
OF OREGON)
Notary Public for Oregon) My Commission Expires

Grantee's Address: 111 West Monroe Street
CHICAGO, ILLINOIS 60603

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WATER RESOURCES DEPT
SALEM, OREGON

8740400

STATUTORY
WARRANTY DEED

30-1815/WPTCO/75944

16 03 36 100, 200 & 500

W. DOUGLAS DODDS AND LOIS M. DODDS,

husband and wife

Grantor.

conveys and warrants to F. B. HUBACHEK, Jr. Trustee for the

ELIZABETH JEANNE BURRIS TRUST

under Agreement dated April 23, 1985.

Grantee.

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6. Reservations as set forth in deed dated August 24, 1987, recorded September 14, 1987, Reel 1471, Reception No. 87-40399, Official Records of Lane County, Oregon.

The true consideration for this conveyance is \$ 285,000.00

7856A001 09/14/87WP10 7.00
78570001 09/14/87PFND 10.00
0005

"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."

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W. Douglas Dodds

Lois M. Dodds

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Personally appeared the above named
W. Douglas Dodds and Lois M. Dodds
and acknowledged the foregoing instrument to be their voluntary act and deed.
Notary Public for Oregon
Grantee's Address: 111 West Monroe Street
CHICAGO, ILLINOIS 60604

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