

Application for a Permit to Use Surface Water



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

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant Information

NAME THOMAS D. AND VICKY R. VAN SAUN			PHONE (HM) (541) 846-1276
PHONE (WK)	CELL		FAX
ADDRESS P.O. BOX 1449			
CITY JACKSONVILLE	STATE OR	ZIP 97530	E-MAIL

Organization Information

NAME			PHONE	FAX
ADDRESS			CELL	
CITY	STATE	ZIP	E-MAIL	

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

AGENT / BUSINESS NAME			PHONE	FAX
ADDRESS			CELL	
CITY	STATE	ZIP	E-MAIL	

Note: Attach multiple copies as needed

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WATER RESOURCES DEPT
SALEM, OREGON

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application.
- I cannot use water legally until the Water Resources Department issues a permit.
- Acceptance of this application does not guarantee a permit will be issued.
- If I begin construction prior to the issuance of a permit, I assume all risks associated with my actions.
- If I 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 cancelled.
- The water use must be compatible with local comprehensive land-use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water-right holders to get water to which they are entitled.

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

Thomas D. Van Saun THOMAS D VAN SAUN
Applicant Signature Print Name and title if applicable

7-14-10
Date

Vicky R. Van Saun VICKY R. VAN SAUN
Applicant Signature Print Name and title if applicable

7-14-2010
Date

App. No. <u>S-87641</u>	For Department Use Permit No. _____	Date _____
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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.

SECTION 4: WATER USE

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	USE	PERIOD OF USE	AMOUNT
Reservoir-1	IR, Sup IR, Temp	IR, Sup IR. IR season Temp Control-year round	12 <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input checked="" type="checkbox"/> af
Applegate Lake Res	IR, Sup IR	IR, Sup IR. IR season	40 <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input checked="" type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af

For irrigation use only:
Please indicate the number of primary and supplemental acres to be irrigated.
Primary: 14.15 Acres Supplemental: 15.9 Acres
List the Permit or Certificate number of the underlying primary water right(s): C-16423, C-16424,
C-10740

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 52

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- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households: _____
- If the use is **mining**, describe what is being mined and the method(s) of extraction:

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That A. W. Guthrie

of Murphy, State of Oregon, has a right to the use of
the waters of Slagle Creek, a tributary of Applegate River

for the purpose of irrigation of 8 acres in Tract No. 1, 4 acres in Tract No. 2, 2 acres in Tract No. 3, 2 acres in Tract No. 4 and Domestic and Stock use in each of the 4 tracts, and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Jackson County, and the said decree entered of record at Salem, in the Order Record of the STATE ENGINEER, in Volume 4, at page 1; that the priority of the right thereby confirmed dates from 1877;

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.16 cubic foot per second for Tract No. 1, 0.10 cubic foot per second for Tract No. 2, 0.05 cubic foot per second for Tract No. 3, and 0.05 cubic foot per second for Tract No. 4.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

Tract No. 1

4 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$
Section 5,
4 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 6,
T. 38 S., R. 4 W., W. M.

Tract No. 2

4 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 32,
T. 37 S., R. 4 W., W. M.

Tract No. 3

2 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 31,
T. 37 S., R. 4 W., W. M.

Tract No. 4

2 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 31,
T. 37 S., R. 4 W., W. M.

Note: A supplemental right to the use of 0.12 cubic foot per second from Woolridge Creek, a tributary of Slagle Creek, with a date of priority of 1877, subject to the provisions of paragraph 79 of said decree, is appurtenant to 2 acres of the 4 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 6 in Tract No. 1 and all of the lands described in Tracts Nos. 3 and 4 for irrigation, and Domestic and Stock use in Tracts Nos. 1, 3 and 4.

And said right shall be subject to all other conditions and limitations contained in said decree. The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed

this 30 day of September, 19 49.

CHAS. E. STRICKLIN

State Engineer

Recorded in State Record of Water Right Certificates, Volume 13, page 16423

S-67641

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That Clara & Seth Hoag

of Murphy, State of Oregon, has a right to the use of
the waters of Slagle Creek, a tributary of Applegate River
for the purpose of irrigation of 8 acres

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for
Jackson County, and the said decree entered of record at Salem, in the Order Record of
the STATE ENGINEER, in Volume 4, at page 1; that the priority of the right thereby
confirmed dates from 1875;

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an
amount actually beneficially used for said purposes, and shall not exceed 0.15 cubic foot per
second.

A description of the lands irrigated under such right, and to which the water is appurtenant (or,
if for other purposes, the place where such water is put to beneficial use), is as follows:

8 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$
Section 6,
T. 38 S., R. 1 W., W. M.

And said right shall be subject to all other conditions and limitations contained in said decree.
The right to the use of the water for the purposes aforesaid is restricted to the lands or place of
use herein described.

WITNESS the signature of the State Engineer, affixed

this 30 day of September, 1949.

CHAS. E. STRICKLIN

State Engineer

Recorded in State Record of Water Right Certificates, Volume 13, page 1642h

S-87641

STATE OF OREGON
COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That MRS. NORA NEATHAMER

of Rogue River, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Slagle Creek, tributary of Big Applegate River a tributary of Rogue River for the purpose of Irrigation under Permit No. 9576 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from March 12, 1930;

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.22 cubic foot per second.

NE $\frac{1}{4}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ NE $\frac{1}{4}$

The point of diversion is located in the of Section 6, Township 38S, Range 4 W, W. M. The use hereunder for irrigation shall conform to such reasonable rotation system as may be ordered by the proper state officer.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent in case of rotation.

A description of the lands irrigated under the right hereby confirmed, and to which such right is appurtenant (if for irrigation, or any other purpose), is as follows:

0.4 acre in the NE $\frac{1}{4}$ NE $\frac{1}{4}$,
16.9 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$,
Section 6,
Township 38 South, Range 4 West, W. M.

The right to the use of the water for any purpose is restricted to the lands or place of use herein described.

After the expiration of fifty years from the date of this certificate or on the expiration of any federal power license issued in connection with this right, and after not less than two years notice in writing to the holder hereof, the State of Oregon, or any municipality thereof, shall have the right to take over the dams, plants and other structures and all appurtenances thereto which have been constructed for the purpose of devoting to beneficial use the water rights specified herein, upon condition that before taking possession the State or municipality shall pay not to exceed the fair value of the property so taken, plus such reasonable damages, if any, to valuable, serviceable and dependable property of the holder of this certificate, not taken over, as may be caused by the severance therefrom of the property taken in accordance with the provisions of section 47-508, Oregon Code 1930.

WITNESS the signature of the State Engineer,

affixed this 8th day
of May, 1934

CHAS. E. STRICKLIN

State Engineer

Recorded in State Record of Water Right Certificates, Volume 10, page 10740.

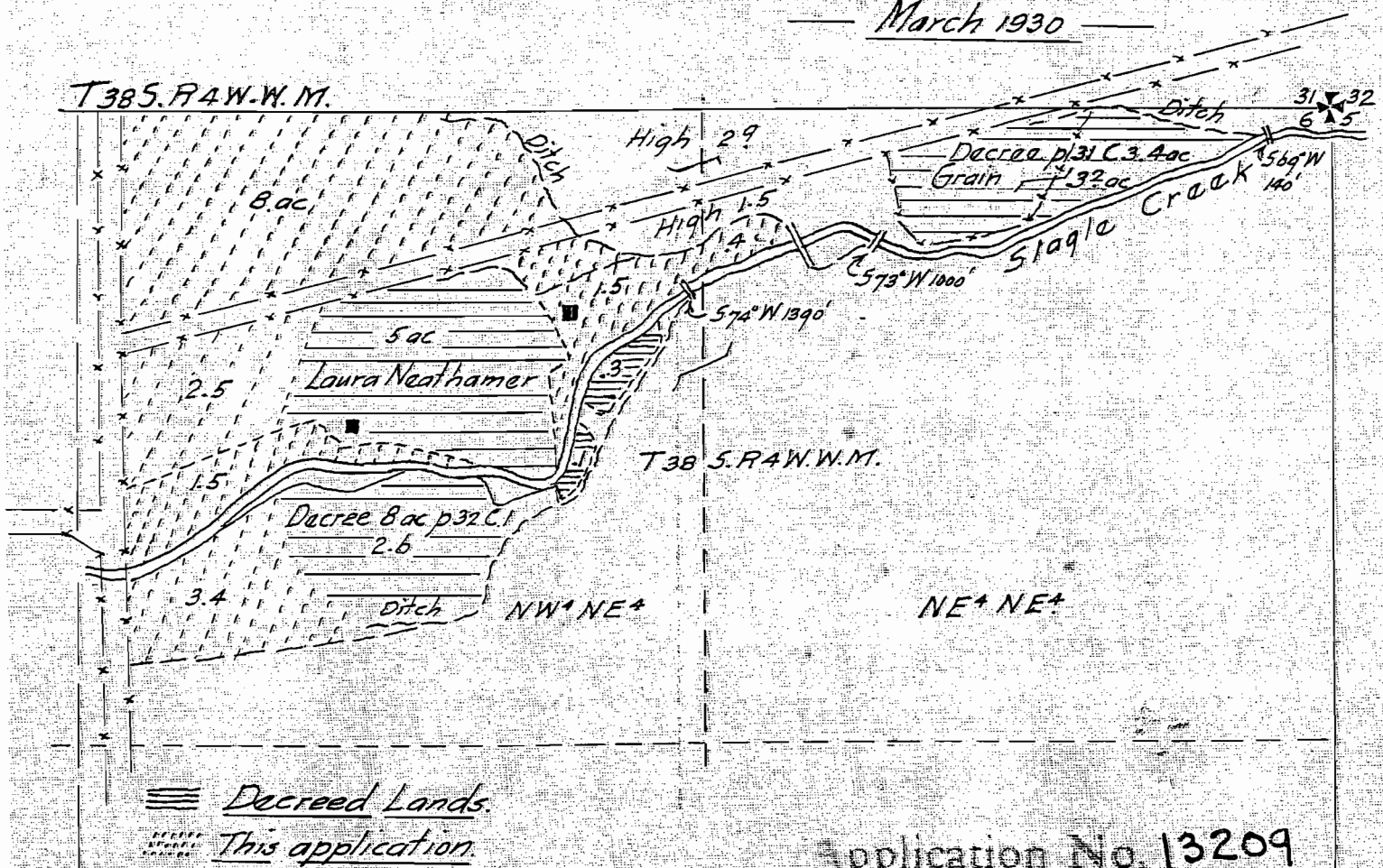
S-87641

MAP WORK

Accompanying application of ~~NEATHAMER~~ NEATHAMER of Rogue River, Jackson County, Oregon, for permit to the waters of Slagle Creek tributary to Big Applegate River, Jackson County Oregon, for irrigation purposes.

March 1930

T385. R4W.W.M.



Decreed Lands.
This application.

Application No. 13209
Permit No. 9576

Map made by Chester Cummings by Plane Table survey in the field the same correctly showing Lands to be irrigated, together with ditches, and streams in immediate vicinity, compiled by

S-8764

Fred N. Cummings, C.E.

SECTION 5: WATER MANAGEMENT

A. Diversion and Conveyance

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

Pump (give horsepower and type): multiple pumps to be determined

Other means (describe): _____

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

Bureau of Rec. water will be pumped from the Applegate River and into reservoir-1. Water will be pumped from reservoir-1 to the land. Pipeline from Applegate River is existing

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler)

Drip and high pressure sprinkler

C. Conservation

Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; prevent adverse impact to public uses of affected surface waters.

Delivery system is a closed system. Due to the high cost of pumping we cannot afford to waste any water. We will use efficient sprinklers and drippers as necessary. Water could be measured by flow meter.

SECTION 6: RESOURCE PROTECTION

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

Diversion will be screened to prevent uptake of fish and other aquatic life.
Describe planned actions: Diversion from river will be screened

Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.
Describe planned actions: Diversion and pipeline from river are existing

Operating equipment in a water body will be managed and timed to prevent damage to aquatic life.
Describe: Diversion and piping are existing. No equipment will be in a water body

Water quality will be protected by preventing erosion and run-off of waste or chemical products.
Describe: Application of water will be by drippers and sprinklers. There will be no run-off

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SALEM, OREGON

SECTION 7: PROJECT SCHEDULE

Date construction will begin: has begun

Date construction will be completed: Oct 1, 2014

Date beneficial water use will begin: Oct 1, 2015

SECTION 8: REMARKS

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

This application is for use of stored water only from a small reservoir on the property and from Applegate Lake Reservoir under a Bureau of Reclamation Contract

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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: Thomas D. and Vicky R. Van Saun
Mailing Address: P.O. Box 1449
City: Jacksonville State: OR Zip: 97530 Day Phone: (541) 846-1276

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:
37S	4W	31	se/se	1400		<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	irrigation
38S	4W	6	ne/ne	100		<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	irrigation
38S	4W	6	nw/ne	100		<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	irrigation
38S	4W	6	se/sw sw/sw	705 & 601		<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input type="checkbox"/> Used	pipeline

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

B. Description of Proposed Use

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

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

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Source of water: Reservoir/Pond Ground Water Surface Water (name) Slagle Cr., Applegate R.

Estimated quantity of water needed: 52 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 Temperature control

Briefly describe: We plan on storing water in a pond and using the pond water and water from Applegate Lake

Reservoir for irrigation, supplemental irrigation and temperature control

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

S-8764

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): CHAPTER 4 2004 LPO

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:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued

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

See Attached CASE # Zon2010-01014 for more DETAILS. RECEIVED

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SALEM, OREGON

Name: Charles Bennett Title: PLANNER II
 Signature: Charles Bennett Phone: 541 774-6115 Date: 7/12/10
 Government Entity: Jackson County

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: _____

S-87641



APPLICATION TYPE: LUC (Land Use Compatibility Statement)

CASE STATUS: **Closed**
USE CATEGORY: **Farm Uses**
ZONING: **EFU**
PROCESS: **Type 1**
SITE ADDRESS: **SLAGLE CR RD**
PRIMARY PARCEL NUMBER: **37-4W-31-1400**
ASSOCIATED LOTS: **38-4W-06-100**
38-4W-06-601
38-4W-06-705

DECISION: **Final Approval**
ZONE USE ID:
APPLICATION NO: **ZON2010-01014**
MASTER NO: **ZON2010-01014**
PROJECT NO: **ZON2010-01014**
RECEIVED DATE: **07/06/2010**
ASSIGNED STAFF: **CHB**

People Associated With This Case

Primary Owner
VAN SAUN THOMAS D/VICKY R
177 SLAGLE CREEK RD
GRANTS PASS, OR 97527

Case Description

OWRD LUC FOR A RESERVOIR

COMMENTS:

07/06/2010:
NO NEW EXCAVATION; PER OWNER - EXISTING RESERVOIR; SIMPLY MORE WATER TAKEN FROM THE APPLGATE. PER OWNER THE WATER WILL BE USED TO IRRIGATE A FUTURE VINEYARD. FH

7/12/10: OWNER DROPPED OFF AN OREGON WATER RESOURCES DEPARTMENT APPLICATION TO DIVERT MORE WATER TO AN EXISTING POND. NO EXCAVATION PROPOSED OR APPROVED. PROPOSED PURPOSE OF USE IS FOR IRRIGATION AND CONTROLLING FROST ON GRAPES WHICH IS CONSISTENT WITH THE ZONING OF THE PROPERTY (EXCLUSIVE FARM USE). OWNER STATES THAT HE SHARES A PIPE ON 38-4W-06-705 & 601 TO DRAW WATER FROM THE APPLGATE RIVER VIA AN EXISTING EASEMENT. A PORTION OF THE PROPERTY IS IN THE MAPPED FLOODPLAIN OF SLAGLE CREEK HOWEVER NO FILL OR STRUCTURE PROPOSED. THE PROPOSAL IS CONSISTENT WITH THE JACKSON COUNTY 2004 LAND DEVELOPMENT ORDINANCE AND COMPREHENSIVE PLAN. SEE SCANNED DOCUMENTS. CHB

ASSOCIATED OVERLAYS:

<u>Overlay</u>	<u>Comments</u>
Deer and Elk Winter Range Habitat	(EXISTING
Wildfire Hazard Area	
Floodplain - 100-Year	
Stream (Class 2)	

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STRUCTURE / IMPROVEMENT SIZE DETAILS:

<u>Structure/Improvement</u>	<u>Units</u>	<u>Existing Size</u>	<u>Proposed Size</u>	<u>Approved Size</u>	<u>Comments</u>
Other (See Comments)		52	52		EXISTING @ 52 ACRE FEET.

ATTACHED DOCUMENTS:

Document: WATER.PDF Description: luc docs

S-87641

STANDARD DETAILS:

Standard

ZIS FEE DUE

Status

Met

ZIS fee must be paid prior to issuance of any permits applicable to this case.

* Under circumstances where the approved use and/or structure is found to be exempt from building permits, all outstanding ZIS fees must be paid prior to initiating the approved use and/or prior to initiating construction of said structure.

PLOT PLAN

Met

PRIOR TO PERMITS

An accurate plot plan must be submitted for review by Planning Services on either standard 8.5" x 11" or legal 8.5" x 14" size paper. The plot plan must accurately depict the boundaries of the parcel. It must be accurately drawn to a base 10-foot scale (e.g. 1" = 60'). All improvements on the property must be shown on the plot plan with labels and distances to the property lines. (LDO Sections 3.4.2A; 6.2.1A; 12.2.3)

This decision is limited to the County's review of applicable zoning rules and land use law, as outlined in the Jackson County Comprehensive Plan, the Jackson County Land Development Ordinance, and the Oregon Administrative Rules and Revised Statutes relating to land use. Other County, State, and Federal agencies may have regulatory review authority for development projects. The decision rendered herein neither implies nor guarantees compliance with the requirements of any other regulatory agency. It is the applicant's responsibility to ensure compliance with the requirements of any other regulatory agency or provisions of law prior to initiating development.

Charles Bennett

Date: *7/12/10*

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SALEM, OREGON

S-87641

CONTRACT DATA SHEET

U.S. Bureau of Reclamation
Attn: PN-3324
1150 North Curtis Road
Boise, ID 83706-1234
208-378-5344

Applicant Information:

Landowners

Name of landowner(s): Thomas D. & Vicky R. Van Saun

Address: 177 Slagle Creek Road, Grants Pass, OR 97526

Mailing Address (if different): P.O. Box 1449, Jacksonville, OR 97530

Taxpayer Identification Number(s):

(Social Security Number or Employer Identification Number) I.

Do you own all of the land where you propose to divert and make use of water?
NO

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B. Water User Organizations (Such as Irrigation Districts, Ditch/Canal Companies, Water Control Districts, Water User Associations & Cooperatives, Irrigation Improvement Districts, and similar entities organized according to State Law)

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Name of Organization: NA

Source of Water (name of stream, river) Applegate River (Applegate Lake Reservoir)

Proposed point of diversion: 850 _____ feet North _____ and 1450 feet

East of SW _____ corner of Section 6, Township 38S _____, Range 4W

S-87641

A water right permit to divert storage water is required. Application or file number with OWRD if you have applied for a permit to divert storage water: **Cert 56112 for 40 ac, ft. in process of applying for new rights for additional 40 ac. ft.**

Include a map of lands and diversion points. *{Same as required by Oregon Water Resources Department (OWRD) for application for surface/ground water permit}.*

• Do you currently hold a right to natural flows for irrigating the property described herein?

If yes, what is/are the priority date(s)? Yes, 4/6/1982 for part of property

Total quantity of water from storage requested: 80 acre-feet.

Location of land to be irrigated in each 40-acre tract:

TOWNSHIP	RANGE	SECTION	40-ACRE TRACT (1/4) (1/4)	NO. of ACRES	TYPE of IRRIGATED CROP
37S	4W	31	SESE	0.75 new	grass
38S	4W	6	NENE	11.0 new	grass
38S	4W	6	NWNE	18.3 new	grass
37S	4W	32	SWSW	6.8 Cert 56112	grass
38S	4W	5	NWNW	32.0 Cert 56112	grass

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SALEM, OREGON

S-E 7641

What is the present use of the land identified above? *[Farming; idle (fallow cultivated*

land); *native* (appears never to have been tilled); *planted pasture or other* (please specify)]. Most idle, but some farming – grass, lavender, garden

Is the land identified above currently being irrigated? Some is ____ If yes, what is the source?
(*natural flows, wells, etc.*) Wells, Applegate R.

Diversion must be screened to prevent uptake of fish and other aquatic life.

Describe planes) to comply with State/Federal fish screen standards: Fish screen to ODF&W standards

12. Telephone Number where you can be reached during the day: (541) 846-1276

Before returning the completed Contract Data Sheet to the address provided on page I, please check that you have done the following:

ANSWERED ALL QUESTIONS COMPLETELY
ATTACHED AND IDENTIFIED ADDITIONAL SHEET(S) AS
NECESSARY
ATTACHED THE REQUIRED MAP

SUBMIT PAYMENT FOR THE APPROPRIATE CONTRACT ADMINISTRATION FEE 2__, MAKE CHECK
PAYABLE
TO THE U. S. BUREAU OF RECLAMATION

1. Section 31001.(i) of the Debt Collection Improvement Act of 1996 (Chapter 10 of Pub. L. 104-134) requires each contractor with an agency of the United States to furnish their taxpayer identifying number (social security number or employer identification number) and each agency to disclose to that contractor its intent to use such number for purposes of collecting and reporting on any delinquent amounts arising out of such contractor's relationship with the Government.

2. The minimum contract administration fee for most applications is \$100. However, from time to time this fee may be revised to cover the costs of the United States. We recommend you contact this office to verify the current minimum contract administration fee. In the event that the costs to the United States of evaluating the application are in excess of the minimum contract administration fee, an estimate of the reimbursable costs for which advance payment is required will be provided to the applicant.

Form RO-303
Revised 02/2006

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Form RO-303 0712002
Form RO-303 0712002
Form RO-303 0712002

S-87641

90-05761

89 NOV 16 AM 9:46

V.115 P1669

JCTC ORDER NO.: 77388B (BW)

89-18029

20 CT-74029
#1575 28-4w-6
601,600

1500
1000
2000

38-5-1
1718 200
300

WARRANTY DEED

DR. BENJAMIN J. MASON, Grantor, conveys and warrants to LEONARD APPLE and CONNIE APPLE, Husband and Wife, as tenants by the entirety; Grantee, the following described real property, together with appurtenances, free of encumbrances except as specifically set forth herein, situated in JOSEPHINE/JACKSON County, OR:

SEE ATTACHED EXHIBIT "A"

SUBJECT TO: Easements of record, Rights of way of record, For tax purposes, the herein described property has been classified as farm land and assessed at a lower valuation by the County Assessor pursuant to ORS 321.257 to 321.375. If the land becomes disqualified for the special assessment under the statute, an additional tax and interest thereon may be levied, which the Grantees herein agree to assume and pay.

ANY ADVERSE CLAIM BASED UPON THE ASSERTION THAT: (A) SOME PORTION OF SAID LAND HAS BEEN CREATED BY ARTIFICIAL HEANS OR HAS ACCRETED TO SUCH PORTION SO CREATED BY APPEL GATE RIVER. (B) SOME PORTION OF SAID LAND HAS BEEN BROUGHT WITHIN THE BOUNDARIES THEREOF BY AN AVULSIVE MOVEMENT OF THE APPEL GATE RIVER, OR HAS BEEN FORMED BY ACCRETION TO ANY SUCH PORTION, SUCH RIGHTS AND EASEMENT FOR NAVIGATION AND FISHERY WHICH MAY EXIST OVER THAT PORTION OF SAID LAND LYING BENEATH THE WATERS OF APPEL GATE RIVER. ANY ADVERSE CLAIMS AS TO THAT PORTION THAT MAY LIE WITHIN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 38 SOUTH, RANGE 5 WEST OF THE WILLAMETTE MERIDIAN, JOSEPHINE COUNTY OREGON. MORTGAGE TO THE FEDERAL LAND BANK DATED DECEMBER 30, 1976, RECORDED JANUARY 19, 1977, VOLUME 214, PAGE 1172, JOSEPHINE COUNTY MORTGAGE RECORDS WHICH CRANTEES ASSUME AND AGREE TO PAY.

JACKSON COUNTY EXCEPTIONS: BUYER IS ASSUMING AND AGREES TO PAY WHEN DUE POTENTIAL REAL PROPERTY TAXES RESULTING FROM CLASSIFICATION OF THE SUBJECT PROPERTY, IN WHOLE OR IN PART, AS FARMLAND FOR REAL PROPERTY TAX PURPOSES, RIGHTS OF THE PUBLIC, EASEMENTS, APPEL GATE RIVER CANNOT BE INSURED AS A DEFINITE BOUNDARY SINCE IT IS AND HAS BEEN SUBJECT TO POSSIBLE RELOCATION DUE TO CHANGES IN THE COURSE OF SAID RIVER, THE EXISTING CREEK AS SHOWN ON SURVEY NO. 6700 FILED IN JACKSON COUNTY SURVEYORS RECORDS CANNOT BE INSURED AS A DEFINITE BOUNDARY SINCE IT IS AND HAS BEEN SUBJECT TO POSSIBLE RELOCATION DUE TO CHANGES IN THE COURSE OF SAID CREEK; RIGHT OF WAY; MORTGAGE DATED DECEMBER 30, 1976, recorded January 18, 1977 as document no. 77-01086, Official Records of Jackson County, Oregon to Federal Land Bnk which ~~the whole consideration and agreed to pay~~ this conveyance is THREE HUNDRED FIFTY THOUSAND AND 00/100 (\$350,000.00). () However, the whole consideration includes other value given or promised (check if other consideration statement applies).

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 13th day of November, 1989.

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JUL 19 2010

WATER RESOURCES DEPT
SALEM, OREGON

S-87641

90-05761

89 NOV 16 AM 9:46

V.115 P1670

Dr. Benjamin J. Mason
DR. BENJAMIN J. MASON

STATE OF OREGON)
)ss.
County of Josephine)

This instrument was acknowledged before me on the 13th day of November, 1989
by DR. BENJAMIN J. MASON

(seal)

Notary Public for Oregon
My commission expires: *Brenda G. Winter*

BRENDA G. WINTER
NOTARY PUBLIC - OREGON
My Commission Expires July 21, 1991

Until a change is requested,
send all tax statements to:
Grantees-address below

Return document to:
13785 N. Applegate Road
Grants Pass, OR 97527

2-

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JUL 19 2010

WATER RESOURCES DEPT
SALEM, OREGON

S-87641

90-05711

EXHIBIT "A"

The following described real property being situated in Josephine County, Oregon: Beginning at a point where Jackson-Josephine County line crosses the North bank of the Applegate River; thence in a Northwesterly direction along the North bank of said river to a point where the North Side Applegate Ditch Company's ditch intersects the river; thence in a Northeasterly direction along the course of said ditch, a distance of 1550 feet, more or less, to a point where said ditch turns in a Northwesterly direction; thence East along the base of a perpendicular cliff, a distance of 250 feet, more or less, to the Jackson-Josephine County line; thence South along said line to the point of beginning, being in Section 1, Township 38 South, Range 5 West of the Willamette Meridian, Josephine County, Oregon.

JACKSON COUNTY:

Lot 3, and the Southwest quarter of the Northwest quarter, and the Northwest quarter of the Southwest quarter of Section 6, Township 38 South, Range 4 West, Willamette Meridian, Jackson County, Oregon.

ALSO: Lot 2, Section 6, Township 38 South, Range 4 West, Willamette Meridian, Jackson County, Oregon.

EXCEPTING THEREFROM the following:

Beginning at the Southeast corner of Lot 2, Section 6, Township 38 South, Range 4 West, Willamette Meridian, Jackson County, Oregon; thence North along the East line of said lot 432.74 feet, more or less, to a 1" iron pipe, on the South side of the Applegate Road; thence North 89° 14' West 808.47 feet along said road line to a 1" iron pipe; thence South 0° 53' West 436.73 feet to a 1" iron pipe, on the South line of said Lot 2; thence South 89° 31' East 815.17 feet, along the South line of said lot, to the point of beginning.

ALSO: The Southwest quarter of the Southwest quarter of Section 6, Township 38 South, Range 4 West, Willamette Meridian, Jackson County, Oregon.

EXCEPTING THEREFROM the following:

That portion lying on the Southerly side of the Applegate River, as described in Volume 42, Page 130, Jackson County, Oregon, Deed Records.

ALSO EXCEPTING THEREFROM the following:

Commencing at a brass disk, monumenting the Township corner common to Townships 37 and 38 South, Ranges 4 and 5 West, Willamette Meridian, Jackson County, Oregon, being on the boundary between Josephine and Jackson County, Oregon; thence South 852.27 feet and East 10.34 feet to a 5/8 inch iron pin at a point on curve on the Southerly right of way line of North Applegate Road (County Road) for the true point of beginning; thence in an Easterly direction along said Southerly right of way line being 30.00 feet Southerly of, when measured at right angles to, the existing center line of said North Applegate Road, as measured on November 19, 1976, along the arc of a 319.111 foot radius curve to the left (the long chord bears South 75° 02' 33" East 162.334 feet) an arc distance of 164.14 feet to a 5/8 inch iron pin at a point of tangent; thence South 89° 46' 40" East 576.72

feet to a 5/8 inch iron pin; thence leaving said Southerly right of way line South 00° 07' 50" East 884.93 feet to a 5/8 inch iron pin; thence South 64° 58' 50" East 329.25 feet to a 5/8 inch iron pin; thence South 25° 18' 30" East 130.73 feet to a 5/8 inch iron pin Witness Corner; thence continuing South 25° 18' 30" East 51.15 feet to intersect an existing creek center line as measured on November 19, 1976; thence along the creek center line as follows: South 77° 11' 45" West 173.16 feet; South 03° 44' 00" West 101.47 feet; North 88° 40' 00" West 108.00 feet; South 64° 35' 30" West 93.58 feet; South 80° 54' 00" West 97.76 feet; South 07° 54' 15" West 193.48 feet; South 78° 20' 30" West 49.28 feet; North 66° 39' 00" West 159.62 feet; North 83° 08' 00" West 71.95 feet; North 63° 25' 30" West 116.91 feet; North 59° 37' 00" West 146.73 feet; North 64° 12' 30" West 133.65 feet to a point that bears South 00° 50' 55" East from a 5/8 inch iron pin Witness Corner; thence leaving said creek center line North 00° 50' 55" West 80.72 feet to a 5/8 inch iron pin Witness Corner; thence continuing North 00° 50' 55" West 459.24 feet to a 5/8 inch iron pin; thence North 88° 46' 20" East 7.75 feet to a 5/8 inch iron pin; thence North 00° 34' 00" East 358.07 feet to a 5/8 inch iron pin; thence North 00° 44' 45" West 472.44 feet to the true point of beginning.

89 NOV 16 AM 9:46
#115 P1671

Jackson County, Oregon
Recorded
OFFICIAL RECORDS

9:43 MAR 12 1990 A.M.

KATHLEEN S. BECKETT
CLERK and RECORDER

Jane Keller Deputy

89-1809
State of Oregon,) ss. Me.
County of Josephine,)
I, Kathleen S. Beckett, Recorder of
County Clerk and Recorder of the
County of Josephine, Oregon, do hereby
certify that the within instrument was
received for record and registered
at Page 1671 of Vol. 115
Book of Records, Josephine County, Oregon
KATHLEEN S. BECKETT, CLERK
By *Jane Keller*
Filed for Record
March 12, 1990

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JUL 19 2010

WATER RESOURCES DEPT
SALEM, OREGON

3'

15 00

S-87641



I, Kathleen S. Beckett, County Clerk for Jackson County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.
Kathleen S. Beckett - County Clerk

RECORDING COVER SHEET
PER ORS 205.234

THIS COVER SHEET HAS BEEN PREPARED BY THE PERSON PRESENTING THE ATTACHED INSTRUMENT FOR RECORDING. ANY ERRORS IN THIS COVER SHEET DOES NOT AFFECT THE TRANSACTION(S) CONTAINED IN THE INSTRUMENT ITSELF.

AFTER RECORDING RETURN TO:

name and address of the person authorized to receive the instrument after recording, as required by ORS 205.180(4) and ORS 205.238

M/M James WESTER
14601 N Applegate Rd.
Grants Pass OR 97527

(b)
FA Account
C100 22549 CM/28440

15
9
11

1. NAMES OF THE TRANSACTION(S), described in the attached instrument and required by ORS 205.234(A)
NOTE: Transaction as defined by ORS 205.010 "means any action required or permitted by state law or rule federal law or regulation to be recorded including, but not limited to, any transfer, encumbrance or release affecting title to or an interest in real property".

2. Grantor(s) as described in ORS 205.160.

JAMES H. WESTER
SANDRA K. WESTER

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JUL 19 2010

WATER RESOURCES DEPT
SALEM, OREGON

3. Grantee(s) as described in ORS 205.160.

JAMES H. WESTER TRUSTEE
SANDRA WESTER TRUSTEE

4. TRUE AND ACTUAL CONSIDERATION PAID for instruments conveying or contracting to convey fee title to any real estate and all memoranda of such instruments, reference ORS 93.030.

NONE

5. UNTIL A CHANGE IS REQUESTED, ALL TAX STATEMENTS SHALL BE SENT TO THE FOLLOWING ADDRESS: for instruments conveying or contracting to convey fee title to any real estate reference ORS 93.260.

14601 N Applegate Rd. Grants Pass OR 97527

11723-5

1

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

CA
J1

Grantor's Name and Address

Grantee's Name and Address

After recording, return to (Name, Address, Zip):

Until requested otherwise, send all tax statements to (Name, Address, Zip):
 14601 N Applegate Road
 Grants Pass, OR 97527

SPACE RESERVED FOR RECORDER'S USE

STATE OF OREGON,) ss.
County of _____

I certify that the within instrument was received for recording on _____ at _____ o'clock _____ M., and recorded in book/reel/volume No. _____ on page _____ and/or as fee/file/instrument/microfilm/reception No. _____ Records of this County.

Witness my hand and seal of County affixed.

By _____, Deputy.

BARGAIN AND SALE DEED - STATUTORY FORM (INDIVIDUAL GRANTOR)

JAMES H. WESTER AND SANDRA K. WESTER HUSBAND AND WIFE Grantor.
conveys to JAMES H. WESTER AND SANDRA WESTER TRUSTEES OF THE JAMES AND SANDRA WESTER REVOCABLE TRUST DATED DECEMBER 31, 1998 Grantee.
the following real property situated in JACKSON County, Oregon, to-wit:
SEE ATTACHED EXHIBIT "A"

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE)

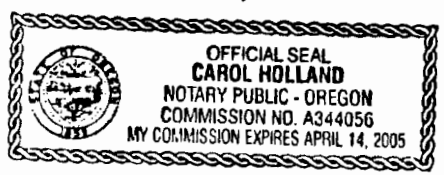
The true consideration for this conveyance is \$ NONE (Here, comply with the requirements of ORS 93.030.)

DATED JANUARY 6 2004

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.

[Signature]
JAMES H. WESTER
[Signature]
SANDRA K. WESTER

STATE OF OREGON, County of JOSEPHINE) ss.
This instrument was acknowledged before me on JANUARY 6 2004
by JAMES H. WESTER AND SANDRA K. WESTER



[Signature]
Notary Public for Oregon
My commission expires _____

11973-5

RECEIVED
JUL 19 2010
WATER RESOURCES DEPT
SALEM, OREGON

EXHIBIT "A"

TRACT A.

Beginning at a point 845.0 feet North of the South Quarter corner of Section 6 in Township 38 South, Range 4 West of the Willamette Meridian in Jackson County, Oregon, thence West 120.0 feet; thence South 29° 30' East 115.0 feet; thence West, to the West line of the Southeast Quarter of the Southwest Quarter of said Section 6, thence North 3215.0 feet to the Northwest corner of the Southeast Quarter of the Northwest Quarter of said Section 6, thence East 1320.0 feet to the Northeast corner of said Quarter-Quarter; thence South 3115.0 feet to the true point of beginning. EXCEPTING THEREFROM the following: Any portion of the above described tract lying Easterly of the North Applegate Road (County Road). ALSO EXCEPTING THEREFROM the following: Beginning at the Northeast corner of the Southeast Quarter of the Northwest Quarter of said Section 6; thence South 150.0 feet; thence West 140.0 feet, thence North 150.0 feet, and thence East 140.0 feet to the point of beginning. ALSO EXCEPTING THEREFROM the following: Commencing at the Northeast corner of the Southeast Quarter of the Northwest Quarter of Section 6 in Township 38 South, Range 4 West of the Willamette Meridian in Jackson County, Oregon; thence South 150.00 feet; thence West 140.00 feet, for the true point of beginning; thence North 150.00 feet, thence West 150.00 feet, thence South 150.00 feet; thence East 150.00 feet to the true point of beginning.

TRACT B.

Commencing at the Northwest corner of the Southwest Quarter of the Northeast Quarter of Section 6 in Township 38 South, Range 4 West of the Willamette Meridian in Jackson County, Oregon, thence South 150.00 feet to the Southwest corner of tract described in Volume 141, Page 159, Jackson County, Oregon, Deed Records, for the true point of beginning, thence East, along the South line of said tract, to the Westerly right of way line of Missouri Flats Road (County Road); thence Southwesterly, along said Westerly right of way, to intersect the West line of said Quarter-Quarter, thence North to the true point of beginning.

2

11978-5

RECEIVED

JUL 19 2010

WATER RESOURCES DEPT
SALEM, OREGON

(18)

NS

99-37500

Estate of Karen L. Schlien and the Estate of David R. Newman

First Party's Name and Address

Thomas D. Van Saun and Vicky R. Van Saun

Second Party's Name and Address

JOSEPHINE COUNTY TITLE CO. 118 N.E. "C" St.

Grants Pass, OR 97526

Until requested otherwise, send all tax statements to (Name, Address, Zip):

GRANTEE/SECOND PARTY 177 Slagle Creek Rd Grants Pass OR 97527

380406 100

3704031 1400

SPACE RESERVED FOR RECORDER'S USE

STATE OF OREGON, County of _____ } ss.

I certify that the within instrument was received for record on the _____ day of _____, 19____, at _____ o'clock _____M., and recorded in book/reel/volume No. _____ on page _____ and/or as fee/file/instrument/microfilm/reception No. _____, Records of said County.

Witness my hand and seal of County affixed.

NAME TITLE

By _____, Deputy.

CT-99211294

PERSONAL REPRESENTATIVE'S DEED

THIS INDENTURE made this 8TH day of JULY, 1999, by and between PAMELA L. BARCUS, the duly appointed, qualified and acting personal representative of the estate of KAREN L. SCHLIEN, deceased, hereinafter called the first party, and THOMAS D. VAN SAUN AND VICKY R. VAN SAUN, husband and wife, as tenants by the entirety hereinafter called the second party; WITNESSETH:

For value received and the consideration hereinafter stated, the first party has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto the second party and second party's heirs, successors and assigns all the estate, right and interest of the estate of the deceased, whether acquired by operation of the law or otherwise, in that certain real property situated in the County of JACKSON, State of Oregon, described as follows, to-wit:

Lot 2 and the Southeast Quarter of the Southeast Quarter of Section 31 in Township 37 South, Range 4 West of the Willamette Meridian, Jackson County, Oregon. ALSO, Lot 1 and the Northeast Quarter of the Northeast Quarter of Section 6 in Township 38 South, Range 4 West of the Willamette Meridian, Jackson County, Oregon. EXCEPTING THEREFROM all that part lying North of Slagle Creek Road.

Jackson County, Oregon Recorded OFFICIAL RECORDS

JUL 15 1999

2:00 PM

County Clerk

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE)

TO HAVE AND TO HOLD the same unto the second party, and second party's heirs, successors-in-interest and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 250,000.00. However, the actual consideration consists of or includes other property or value given or promised which is part of the the whole (indicate which) consideration. (The sentence between the symbols, if not applicable, should be deleted. See ORS 93.030.)

IN WITNESS WHEREOF, the first party has executed this instrument; if first party is a corporation, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

Pamela L. Barcus PAMELA L. BARCUS, PERSONAL REPRESENTATIVE

Personal Representative

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.

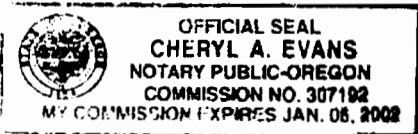
STATE OF OREGON, County of _____) ss. This instrument was acknowledged before me on JULY 1, 1999,

by _____ This instrument was acknowledged before me on JULY 13, 1999,

by PAMELA L. BARCUS as PERSONAL REPRESENTATIVE

of THE ESTATE OF KAREN L. SCHLIEN, DECEASED

RECEIVED



Notary Public for Oregon My commission expires _____ JUL 19 2010 WATER RESOURCES DEPT SALEM, OREGON

10978-5