



United States Department of the Interior



BUREAU OF RECLAMATION
Pacific Northwest Region
1150 North Curtis Road, Suite 100
Boise, Idaho 83706-1234

IN REPLY REFER TO:

PN-3324
WTR-4.00

JUN 27 2005

RECEIVED

JUN 29 2005

**WATER RESOURCES DEPT
SALEM, OREGON**

Subject: Temporary Water Service Contract, 2005 Irrigation Season, Willamette Basin Project, Oregon

Dear Mr. Van Essen:

Enclosed for your consideration are three copies of a proposed temporary water service contract that when properly executed, would make stored water from the Willamette Basin Project (Project) available to you for irrigation use for the remainder of the 2005 irrigation season ending October 31. The subject contract is a one-season arrangement only, and is intended to address irrigation needs for the 2005 irrigation season while this office continues to process and evaluate your application for a long-term contract for such a water supply. The provision of water service in subsequent irrigation seasons, temporary or otherwise, would be contingent upon execution of a suitable contract for that purpose.

The information detailed in the proposed contract is based on that provided in your contract application to this office and, when possible, it has been reconciled against information provided in the water right application to the Oregon Water Resources Department (OWRD). A water right issued by OWRD is required in order to divert the stored water provided under this proposed contract. If you have not done so, we recommend you contact OWRD for this purpose.

Article 4 describes by quarter-quarter section a total of 9.8 acres that are eligible to receive irrigation water service under the contract. Article 5 of the contract requires payment of \$196.00 be made at this time to receive up to a maximum of 24.5 acre-feet of stored water. Article 5 explains that the payment for the use of stored water is based on a rate of \$8 per acre-foot, provided that such payment shall as a minimum be the greater of \$2 per acre or \$50. In addition, Article 5 allows for the partial refund of the water service payment based on information as to the amount of stored water actually delivered during the irrigation season, provided such information is received by this office by December 1, 2005.

It is important that the information in the contract is accurate. Therefore, you should assure that the contract correctly represents the amount of stored water to be made available and the descriptions of the point(s) of diversion and the acres to be irrigated. In addition to confirming the accuracy of the contract, you now have the opportunity to request a reduction in the amount of stored water provided if you desire. If you decide to request a reduction in water service, please write a note specifying the acre-feet of stored water desired or note it on the contract. If you change the amount of stored water desired, we will revise the amount shown in contract Articles 4 and 5 and the payment shown in Article 5 before executing the contract on behalf of the United States. If other information in the contract should be changed (such as the land description in Article 4, the diversion point(s) in

Article 7, or the mailing address in Article 13), please provide this information along with the completed contract and payments due so that we can modify the contract prior to execution.

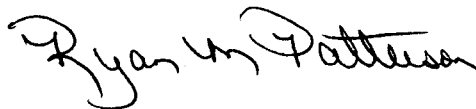
If you find the contract acceptable, we ask that you please sign two copies and have your signature notarized. Then return the two copies of the contract to this office, Attention: PN-3324, along with payment of \$296.00 (\$196.00 for 2005 water service and a \$100 contract administration fee) and your taxpayer identifying number. 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.

Upon our receipt of the items described above, the contract can be executed on behalf of the United States, dated, and assigned a contract number for identification purposes. We would then return to you an executed original, and as many copies as you desire for your records. We would also mail a copy of the contract to the appropriate State and Federal offices.

Execution of the proposed temporary water service contract is voluntary on your part. Should you decide not to execute the proposed water service contract for this season, your decision in no way impacts your standing application for a long-term contract for Project water service.

If you have any questions, please contact Mr. Bill Parks of my staff at the above address or by telephone at 208-378-5344.

Sincerely,



Ryan M. Patterson
Program Manager
Repayment and Acreage Limitation

Enclosure – 3 copies

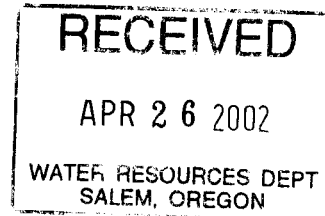
cc: Water Rights Division
Oregon Water Resources Department
725 Summer Street NE., Suite A
Salem, OR 97301-1271
(enclosure available upon request)

U.S. Army Corps of Engineers
Attention: CENWP-EC-HR
P.O. Box 2946
Portland, OR 97208-2946
(enclosure available upon request)



United States Department of the Interior

BUREAU OF RECLAMATION
Pacific Northwest Region
1150 North Curtis Road, Suite 100
Boise, Idaho 83706-1234



IN REPLY
REFER TO:

PN-3322
WTR-4.00

APR 24 2002

Mr. David Van Essen
38846 River Drive
Lebanon OR 97355

Subject: Successor in Interest to Water Service Contract No. 2-07-10-W0904, Willamette Basin
Project, Oregon

Dear Mr. Van Essen:

Enclosed for your records is a fully executed copy of the document for the subject contract recognizing you as the successor in interest to Contract No. 2-07-10-W0904, formerly with Richard D. Carlson, Linda L. Carlson, Ronald J. Train, and Angela L. Train. Thank you for completing the subject document.

Please provide your taxpayer identifying number in the enclosed postage-paid envelope. 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.

Should you have any contract questions, please contact Michael Cobell at the above address or telephone (208) 378-5223. Should you have any billing questions, please contact Nancy Catron at telephone (208) 378-5065.

Sincerely,

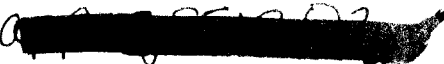
Ryan M. Patterson
Program Manager
Lands and Repayment

Enclosures - 2

cc: Water Rights Division
Oregon Water Resources Department
158 12th Street NE
Salem OR 97310

U.S. Army Corps of Engineers
Attention: CENWP-EC-HR
PO Box 2946
Portland OR 97208-2946

Mr. Michael Mattick
District 2 Watermaster
Central Lane Justice Court
220 N Fifth
Springfield OR 97477
(each w/copy of document)



**RECOGNITION OF SUCCESSOR IN INTEREST TO WILLAMETTE BASIN PROJECT
WATER SERVICE CONTRACT NO. 2-07-10-W0904**

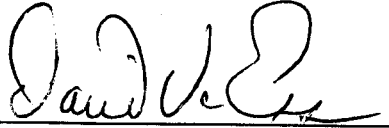
WHEREAS, the United States of America entered into a contract on June 26, 1992, Contract No. 2-07-10-W0904, with Walter A. and Christina F. Meek for an irrigation water supply from the Willamette Basin Project for use on lands owned by the Contractor; and

WHEREAS, all rights, title, and interest in Contract No. 2-07-10-W0904 were subsequently assigned to James P. and Lisa M. Fitzsimmons on November 22, 1993; and

WHEREAS, all rights, title, and interest in Contract No. 2-07-10-W0904 were subsequently assigned to Richard D. Carlson, Linda L. Carlson, Ronald J. Train, and Angela L. Train on November 1, 1996; and

WHEREAS, David Van Essen states that he owns the land to which water was to be provided under said contract and requests that he be recognized as the successor in interest to this contract (at mailing address: 38846 River Drive, Lebanon OR 97355);


NOW, THEREFORE, all right, title, and interest in Contract No. 2-07-10-W0904 dated June 26, 1992, for an irrigation water supply not to exceed 68.75 acre-feet annually is hereby recognized to be held by David Van Essen. This contract action is effective only upon the approval thereof by the United States of America as provided in General Provisions, Article 15.f. of said June 26, 1992, contract.



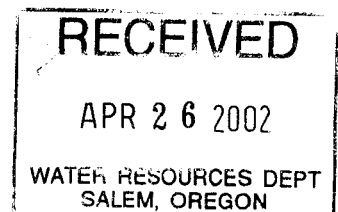
David Van Essen

4-16-02
Date

The above contract action is hereby approved:



Program Manager
Lands and Repayment
PN Region
Bureau of Reclamation
1150 N Curtis Road, Suite 100
Boise ID 83706-1234





United States Department of the Interior

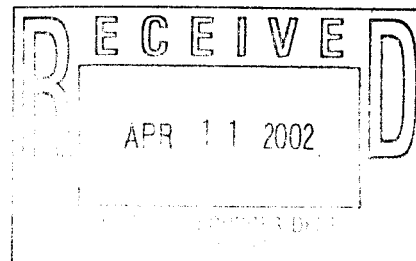


BUREAU OF RECLAMATION

Pacific Northwest Region
1150 North Curtis Road
Boise, Idaho 83706-1234

IN REPLY
REFER TO:

PN-443



NOV 29 1993

Ms. Donna A. Harrison
Escrow Officer
Key Title Company
PO Box 1450
Albany OR 97321-0446

Subject: Assignment of Willamette Basin Project Contract No. 2-07-10-W0904
(Water Service Contract)

Dear Ms. Harrison:

Enclosed for your records is a fully executed copy of the Assignment of Contract which transfers the interest of Walter A. and Christina F. Meek in Willamette Basin Project Water Service Contract No. 2-07-10-W0904 to James P. and Lisa M. Fitzsimmons. Thank you for promptly completing the subject assignment.

If we can be of any further assistance, please feel free to contact this office.

Sincerely,

Max E. Van Den Berg
Regional Supervisor of
Water, Power, and Lands

Application No. S-85120
Permit No.

Enclosure

cc: Mr. Walter A. and Mrs. Christina F. Meek
39310 River Drive
Lebanon OR 97355

Mr. James P. and Mrs. Lisa M. Fitzsimmons
39180 River Drive
Lebanon OR 97355

Oregon Water Resources Department
3850 Portland Road NE.
Salem OR 97310

US Army Corps of Engineers
Attention: CENPP-PE-HR
PO Box 2946
Portland OR 97208
(ea w/cy of Assignment of Contract)

*Include Irrigation
using this contract to
include Tacos*

ASSIGNMENT OF WILLAMETTE BASIN PROJECT WATER SERVICE CONTRACT

WHEREAS, the United States of America entered into a contract on June 26, 1992, Contract No. 2-07-10-W0904, with Walter A. and Christina F. Meek for an irrigation water supply from the Willamette Basin Project for use on lands owned by the Contractor; and

WHEREAS, James P. and Lisa M. Fitzsimmons have now purchased the land to which water was to be provided under said contract and have requested that said contract now be assigned to them at 39180 River Drive, Lebanon, Oregon 97355;

NOW, THEREFORE, for value received, we Walter A. and Christina F. Meek hereby assign to James P. and Lisa M. Fitzsimmons, all our right, title, and interest in Contract No. 2-07-10-W0904, dated June 26, 1992. This assignment is effective only upon the approval thereof by the United States of America as provided in General Provisions, Article f. of said June 26, 1992, contract.

Walter A. Meek

Walter A. Meek, Assignor

Christina F. Meek

Christina F. Meek, Assignor

39310 River Dr Lebanon, Or

Address

97355

27 Oct 93

Date

CONTRACTING OFFICER

By *Mad E. VanDerburg*

Regional Supervisor of
Water, Power, and Lands

PN Region

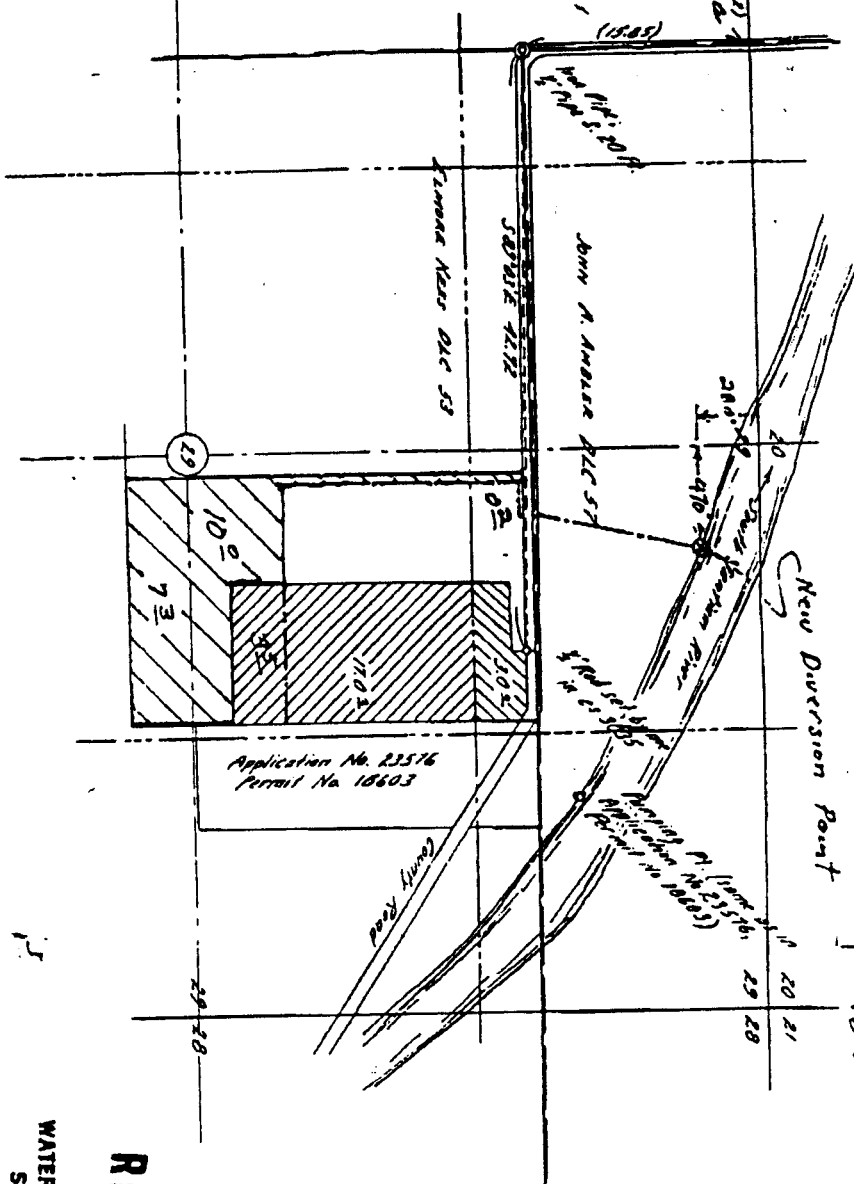
Bureau of Reclamation

1150 North Curtis Road

Boise ID 83706-1234

Application No. 5-8 5120
Permit No.

George W. Klum D.L.C. 39



Application No. 23576
Permit No. 18603

T-4283

S-85120

Application for
Permit No.

T-4283

W.R. 246

C. A. PRACHT

SEC. 29, T. 12 S., R. 1 W., W.M.

LINN CO., ORE.

Scale: 1" = 10 CH. May 3, 1954

I, Curtis A. Carnegie of Linn County, Oregon, do hereby certify that this map was made from notes on record in the office of the Linn County Surveyor and supplemented by information taken from the instrument platography that the monument shown on this map consisting of a 2 1/2" iron pipe 1 1/2" diameter 42.72 chains from the northeast corner of the Florence Mine D.L.C. 53, T. 12 S., R. 1 W. of the Hill, Town, in Linn County, Oregon

REGISTERED
OREGON
LAND SURVEYOR
Orris A. Carnegie
MAY 9, 1947
ORRIS A. CARNEGIE
213

RECEIVED

AUG 20 1979

WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

MAY 10 1954

STATE ENGINEER
SALEM, OREGON

Application No. 29164
Permit No. 22937


ASSIGNMENT OF WILLAMETTE BASIN PROJECT WATER SERVICE CONTRACT


WHEREAS, the United States of America entered into a contract on June 26, 1992, Contract No. 2-07-10-W0904, with Walter A. and Christina F. Meek for an irrigation water supply from the Willamette Basin Project for use on lands owned by the Contractor; and

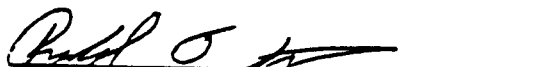
WHEREAS, the said contract was subsequently assigned to James P. and Lisa M. Fitzsimmons on October 27, 1993; and

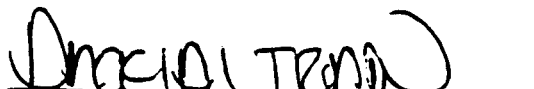
WHEREAS, Richard D. Carlson, Linda L. Carlson, Ronald J. Train, and Angela L. Train state that they now have acquired the land to which water was to be provided under said contract and request that said contract be assigned to them (at mailing address 109 East Main Street, Enterprise OR 97828);

NOW, THEREFORE, all right, title, and interest in Contract No. 2-07-10-W0904, dated June 26, 1992, for an irrigation supply not to exceed 68.75 acre-feet of water annually is hereby assigned to Richard D. Carlson, Linda L. Carlson, Ronald J. Train, and Angela L. Train. This assignment is effective only upon the approval thereof by the United States of America as provided in General Provisions, Article f. of said June 26, 1992, contract.


Richard D. Carlson


Linda L. Carlson


Ronald J. Train


Angela L. Train

9-11-96
Date

Application No. S-85120
Permit No

STATE OF)
 : ss
County of Wallowa)

On this 11th day of September, 1996, before me, a notary public, personally appeared RICHARD D. and LINDA L. CARLSON, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged that they are legal owners of the property for which a water supply is to be provided under the June 26, 1992, contract and have executed this assignment of contract as their free and voluntary act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal as of the day and year first above written.



(SEAL)

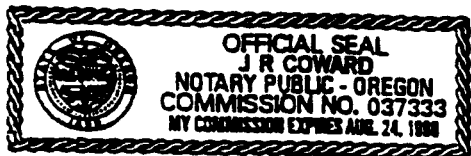
Dana R. Roberts
Notary Public in and for the
State of Oregon
Residing at: Enterprise, OR

My commission expires:

STATE OF)
 : ss
County of Linn)

On this 21st day of October, 1996, before me, a notary public, personally appeared RONALD J. and ANGELA L. TRAIN, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged that they are legal owners of the property for which a water supply is to be provided under the June 26, 1992, contract and have executed this assignment of contract as their free and voluntary act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal as of the day and year first above written.



(SEAL)

[Signature]
Notary Public in and for the
State of Oregon
Residing at: Linn County
My commission expires: 2/4/98

Application No. 5-85120
Permit No.