

Application for a Permit to Use Ground 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: <u>Joseph J. Giniet</u>		PHONE (HM)
PHONE (WK)	CELL	FAX
<u>541-846-7175</u>	<u>541-218-7858</u>	<u> </u>
ADDRESS: <u>16955 Water Gap Rd.</u>		
CITY	STATE	ZIP
<u>Williams</u>	<u>OR</u>	<u>97544</u>
E-MAIL: <u>info@plaisanceranch.com</u>		

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

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.
- Oregon law requires that a permit be issued before beginning construction of any proposed work. If the use is exempt. Acceptance of this application does not guarantee a permit will be issued.
- 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.

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SALEM, OREGON

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

Joseph J. Giniet
Applicant Signature

Joseph J. Giniet owner
Print Name and title if applicable

1-30-12
Date

Applicant Signature

Print Name and title if applicable

Date

For Department Use		
App. No. <u>G-17537</u>	Permit No. _____	Date _____

SECTION 2: PROPERTY OWNERSHIP

Please indicate if you own all the lands associated with the project from which the water is to be diverted, conveyed, and used.

Yes

- There are no encumbrances.
- This land is encumbered by easements, rights of way, roads or other encumbrances.

No

- 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 irrigation and/or domestic use only (ORS 274.040).
- Water is to be diverted, conveyed, and/or used only on federal lands.

List the names and mailing addresses of all affected landowners (*attach additional sheets if necessary*).

SECTION 3: WELL DEVELOPMENT

WELL NO.	NAME OF NEAREST SURFACE WATER	IF LESS THAN 1 MILE:	
		DISTANCE TO NEAREST SURFACE WATER	ELEVATION CHANGE BETWEEN NEAREST SURFACE WATER AND WELL HEAD
JOSE 12821	Williams Crk.	75 ^{.68} mi.	100'
	The well is North 690' from a no name creek and 810' from Sulcha creek both of which only flow as a response to heavy rain.		

Please provide any information for your existing or proposed well(s) that you believe may be helpful in evaluating your application. For existing wells, describe any previous alteration(s) or repair(s) not documented in the attached well log or other materials (*attach additional sheets if necessary*).

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SECTION 3: WELL DEVELOPMENT, CONTINUED

Source (aquifer), if known: _____

Total maximum rate requested: _____ (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below).

Complete the table below. If this is an existing well, the following information may be found on the applicable well log. (If a well log is available, please submit it in addition to completing the table.) If this is a proposed well, or well-modification, consider consulting with a licensed well driller, geologist, or certified water right examiner.

OWNER'S WELL NAME OR NO.	PROPOSED	EXISTING	WELL ID (WELL TAG) NO.* OR WELL LOG ID**	FLOWING ARTESIAN	CASING DIAMETER	CASING INTERVALS (IN FEET)	PERFORATED OR SCREENED INTERVALS (IN FEET)	SEAL INTERVALS (IN FEET)	MOST RECENT STATIC WATER LEVEL & DATE (IN FEET)	PROPOSED USE			
										SOURCE AQUIFER***	TOTAL WELL DEPTH	WELL-SPECIFIC RATE (GPM)	ANNUAL VOLUME (ACRE-FEET)
JOSE 12021	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>	6"	178	81-84	0-40	15'		260	70	
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>			94-99						
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>			121-124						
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>			133-139						
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>			161-163						
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>			172-178						
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									

* Licensed drillers are required to attach a Department-supplied Well Tag, with a unique Well ID or Well Tag Number to all new or newly altered wells. Landowners can request a Well ID for existing wells that do not have one. The Well ID is intended to serve as a unique identification number for each well.
 ** A well log ID (e.g. MARI 1234) is assigned by the Department to each log in the agency's well log database. A separate well log is required for each subsequent alteration of the well.
 *** Source aquifer examples: Troutdale Formation, gravel and sand, alluvium, basalt, bedrock, etc.

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SECTION 4: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Grape drip lines	April 1 ~ Oct 31	

Exempt Uses: Please note that 15,000 gallons per day for single or group **domestic** purposes and 5,000 gallons per day for a single **industrial or commercial** purpose are exempt from permitting requirements.

For irrigation use only:

Please indicate the number of primary and supplemental acres to be irrigated (*must match map*).

Primary: 10 Acres Supplemental: _____ Acres

List the Permit or Certificate number of the underlying primary water right(s): _____

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

- 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: _____

SECTION 5: WATER MANAGEMENT

A. Diversion and Conveyance

What equipment will you use to pump water from your well(s)?

Pump (give horsepower and type): 3 hp

Other means (describe): _____

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. ~~Drip lines in vineyard~~ See Attached

B. Application Method

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

_____ drip

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 damage to aquatic life and riparian habitat; prevent the discharge of contaminated water to a surface stream; prevent adverse impact to public uses of affected surface waters.

_____ using .5 gal/m. drippers

SECTION 6: STORAGE OF GROUND WATER IN A RESERVOIR

If you would like to store ground water in a reservoir, complete this section (*if more than one reservoir, reproduce this section for each reservoir*).

Reservoir name: _____ Acreage inundated by reservoir: _____

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SECTION 5: A Description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water.

From the well to the vineyard there is 1000 feet of 2" pvc pipe. Each of the 56 rows of grapes is equipped with a shut off valve and pressure regulator and drip line with .5 gallon/hour emitters at three foot intervals. I will drip 10 rows at a time for 12 hours, four times per year.

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Use(s): _____

Volume of Reservoir (acre-feet): _____ Dam height (feet, if excavated, write "zero"): _____

Note: If the dam height is greater than or equal to 10.0' above land surface AND the reservoir will store 9.2 acre feet or more, engineered plans and specifications must be approved prior to storage of water.

SECTION 7: USE OF STORED GROUND WATER FROM THE RESERVOIR

If you would like to use stored ground water from the reservoir, complete this section (if more than one reservoir, reproduce this section for each reservoir).

NA

Annual volume (acre-feet): _____

USE OF STORED GROUND WATER	PERIOD OF USE

SECTION 8: PROJECT SCHEDULE

Date construction will begin: _____ *Started planting Vineyard in 2000*

Date construction will be completed: _____ *Presently finished, completed in 2010*

Date beneficial water use will begin: _____ *2000 (using limited Licience now)*

SECTION 9: REMARKS

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

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STATE OF OREGON
WATER WELL REPORT
 (as required by ORS 537.765)

HELENE
 JOSE 12821
 3895W-2286
 72564
 OCT 28 1987

(1) OWNER: Well Number: _____
 Name Horseshoe Creek Ranch
 Address 16955 Water Gap Rd
 City Williams State OR Zip 97544

(2) TYPE OF WORK:
 New Well Deepen Recondition Abandon

(3) DRILL METHOD
 Rotary Air Rotary Mud Cable
 Other _____

(4) PROPOSED USE:
 Domestic Community Industrial Irrigation
 Thermal Injection Other _____

(5) BORE HOLE CONSTRUCTION:
 Special Construction approval Yes No Depth of Completed Well 260 ft.
 Yes No
 Explosives used Type _____ Amount _____

HOLE			SEAL			Amount sacks or pounds
Diameter	From	To	Material	From	To	
10"	0	40	cemt	0	40	26 sacks
6"	40	260				

How was seal placed: Method A B C D E
 Other _____
 Backfill placed from _____ ft. to _____ ft. Material _____
 Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing: 6"	+1	178	0.25	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Liner:				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) _____

(7) PERFORATIONS/SCREENS:

Perforations Method torch
 Screens Type _____ Material _____

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
81	84	6	9	1/2"		<input checked="" type="checkbox"/>	<input type="checkbox"/>
94	99	6	12	1/2"		<input checked="" type="checkbox"/>	<input type="checkbox"/>
121	124	6	9	1/2"		<input checked="" type="checkbox"/>	<input type="checkbox"/>
133	139	6	12	1/2"		<input checked="" type="checkbox"/>	<input type="checkbox"/>
161	163	6	6	1/2"		<input checked="" type="checkbox"/>	<input type="checkbox"/>
172	178	6	15	1/2"		<input checked="" type="checkbox"/>	<input type="checkbox"/>

(8) WELL TESTS: Minimum testing time is 1 hour

Pump Bailer Air Flowing Artesian

Yield gal/min	Drawdown	Drill stem at	Time
70		259	X 1 hr.

Temperature of water 53 Depth Artesian Flow Found _____
 Was a water analysis done? Yes By whom _____
 Did any strata contain water not suitable for intended use? Too little
 Salty Muddy Odor Colored Other _____
 Depth of strata: 617537

(9) LOCATION OF WELL by legal description:
 County Joseph Latitude _____ Longitude _____
 Township 38s N or S, Range 5w E or W, WM.
 Section 22 NW 1/4 SE 1/4
 Tax Lot 700 Lot _____ Block _____ Subdivision _____
 Street Address of Well (or nearest address) 16495 Water Gap Rd
permit #1673

(10) STATIC WATER LEVEL:
15 ft. below land surface. Date 10/16/87
 Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:

Depth at which water was first found 70

From	To	Estimated Flow Rate	SWL
70 70	260		15

(12) WELL LOG: Ground elevation _____

Material	From	To	SWL
brown clay	0	11	
brown clay & cobbles	11	25	15
black & white granite	25	160	15
rock black & wht & green fractured	160	260	15

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Date started 10/16/87 Completed 10/20/87

(unbonded) Water Well Constructor Certification:
 I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon well construction standards. Materials used and information reported above are true to my best knowledge and belief.

Signed James Sublette WWC Number 1324
 Date 10-23-87

(bonded) Water Well Constructor Certification:
 I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. all work performed during this time is in compliance with Oregon well construction standards. This report is true to the best of my knowledge and belief.
Coleman's Well Drilling Co. WWC Number 643
 by D. R. Coleman Pres. Date 10-23-87

JOSEPHINE COUNTY OREGON

WATER RESOURCES DEPARTMENT

WELL PERMIT

NO.

1673

APPLICATION FOR WELL PERMIT

Permit requested: New Repair/Alter... Abandon... Replacement.....

Use of Well: Domestic, S. Domestic, M.... Irrigation.... Institutional....
Thermal.... Commercial/Industrial.... Other.....

Property Owner: BEN WATTS (HORSEHEAD CR. RANCH) Phone:.....

Mailing Address: 16780 WATER GAP RD. WILLIAMS.....

Description of Property: Township 38S Range 5W Section 22 Tax Lot 700

Address of Property: 16495 WATER GAP RD.....

Well (to be) (is) Located: 280 ft. South, 1075 ft. ^{WEST} East, from E. ¹/₄ Corner
of SEC. 22 10 NW ¹/₄ SE ¹/₄.....

Proposed Constructor: COLEMAN'S WELL DRILLING.....

Date of (Construction) Repair/Alteration, Abandonment... 10/16/87.....

Applicant's Signature: Phoned notice @ 1548 Date: 10/13/87.....

Permit Issued By: Mardi Ring Fee? _____ Date: 10/14/87

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Land Use

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Information Form

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

Applicant: Joseph
First

Ginet
Last

Mailing Address: 16955 Water Gap Rd.

Williams
City

OR.
State

97544
Zip

Daytime Phone: 541-846-7175

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. 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:
38S	5W	22	SESE	100 100		<input checked="" type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	EXISTING vineyard
		27	NENE	100		<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

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
 Permit Amendment or Ground Water Registration Modification
 Limited Water Use License
 Allocation of Conserved Water
 Exchange of Water

Source of water: Reservoir/Pond Ground Water Surface Water (name) _____

Estimated quantity of water needed: 8 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:

Existing vineyard that was planted in 2000, water source is a well

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

See bottom of Page 3. →

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project is 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.

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Please check the appropriate box below and provide the requested information

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- Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): see note below
- Land uses to be served by the 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.

ORS Chapter 537 grants Oregon Water Resources Dept. the authority to issue permits to appropriate water. The Planning office has no authority over this proposal.

Name: Valerie Montague Planner
 Signature: Valerie Montague Phone: 541 474 5427 2/9/12
 Government Entity: Josephine County Planning office

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: Joseph Ginet
 City or County: Josephine Staff contact: Valerie Montague
 Signature: Valerie Montague Phone: 541 474 5427 Date: 2/30/12

Tenants by Entirety

16-3584

Lawyers Title

87-12772

Division of Continental Land Title Co.

323 N.E. 7TH STREET • P.O. BOX 968 • GRANTS PASS, OREGON 97526 • (503) 474-1132

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That BEN F. WATTS AND MARY JEAN WATTS,

hereinafter called the Grantors, for the consideration hereinafter stated, to them paid by BEN F. WATTS AND MARY JEAN WATTS, husband and wife JOSEPH J. GINET AND SUZANNE M. GINET, husband and wife, Grantees, do hereby grant, bargain, sell and convey unto the Grantees, as tenants by the entirety, the heirs of the survivor and their assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of JOSEPHINE State of Oregon, described as follows, to-wit:

SEE ATTACHED EXHIBIT "A"

The premises herein described have been zoned or qualified for "Farm Use" tax assessment. At such time as said land is disqualified for such "Farm Use", the property will be subject to additional taxes and interest and possible statutory penalty.

TO HAVE AND TO HOLD the above described and granted premises unto the said Grantees, as tenants by the entirety, their heirs and assigns forever.

And Grantors hereby covenant to and with Grantees and the heirs of the survivor and their assigns, that Grantors are lawfully seized in fee simple of the above granted premises, free from all encumbrances except the rights of the public and the right, title and interest of the State of Oregon, to that part lying below the high-water line of Williams Creek, and rights of way of record, 1987-88 taxes a lien not yet payable

and that Grantors will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

THE TRUE AND ACTUAL CONSIDERATION paid for this transfer, stated in terms of dollars, is \$ 215,000.00

~~However the actual consideration consists of or includes other property or sales given or promised which is the whole part of the consideration*****~~ (Indicate which)

WHERE THE CONTEXT SO REQUIRES, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to individuals and to corporations.

IN WITNESS WHEREOF, the grantor has executed this instrument this 25th day of August, 19 87; if a corporate grantor, it has caused its name to be signed by its officers, duly authorized thereto by order of its board of directors.

"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."

Ben F. Watts
Ben F. Watts
Mary Jean Watts
Mary Jean Watts

STATE OF OREGON (INDIVIDUAL)
COUNTY OF Josephine

STATE OF OREGON (CORPORATE)
COUNTY OF _____

The foregoing instrument was acknowledged before me this 25th day of August, 19 87, by Ben F. Watts and Mary Jean Watts

The foregoing instrument was acknowledged before me this _____ day of _____, 19 _____, by _____ president,

and by _____ secretary of _____

A corporation, on behalf of the corporation.

Valerie J. Brown
VALERIE J. BROWN
NOTARY PUBLIC - OREGON
Notary Public for Oregon
My commission expires 1-5-90

Notary Public for Oregon
My commission expires _____

After recording return to:

Ben F. Watts, et. al.

NAME, ADDRESS, ZIP

Until a change is requested all tax statements shall be sent to the following address.

Same as above

NAME, ADDRESS, ZIP

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The James L. Kent Donation Land Claim Number 39 in Sections 22 and 23 in Township 38 South, Range 5 West of the Willamette Meridian, Josephine County, Oregon. EXCEPTING THEREFROM a parcel of land described as follows, to-wit: Beginning at the Northwest corner of said Donation Land Claim Number 39 and running thence East 5 chains; thence South 9.50 chains; thence West 5 chains; thence North 9.50 chains to the point of beginning, Josephine County, Oregon.

ALSO: Beginning at the Northwest corner of Donation Land Claim of Wm. H. Shoudy, Number 38 in Sections 23 and 26 in Township 38 South, Range 5 West of the Willamette Meridian, and running thence South 25.30 chains, more or less, to the North line of a tract of land owned by Emery Butts; thence East 385 feet to the center of Williams Creek; thence Northerly along the center line of said creek to the South line of a tract of land owned by Daisy V. Lewman and Richard F. Lewman; thence Westerly along the South line of said Lewman Tract to the West bank of Williams Creek; thence Northerly along the Westerly bank of said Creek to the North line of the Wm. H. Shoudy Donation Land Claim Number 38; thence West to the Northwest corner of said Donation Land Claim and the point of beginning, in Josephine County, Oregon.

ALSO: Government Lot 6, in Section 23, Township 38 South, Range 5 West of the Willamette Meridian, Josephine County, Oregon.

ALSO: All that portion of Government Lot 4 lying East of the Easterly right of way line of the relocated Water Gap Road situated in the Northwest Quarter of the Southeast Quarter of Section 22, Township 38 South, Range 5 West of the Willamette Meridian, Josephine County, Oregon.

ALSO: All that portion of Government Lot 5 lying East of the Easterly right of way line of the relocated Water Gap Road situated in the Southwest Quarter of the Southeast Quarter of Section 22, Township 38 South, Range 5 West of the Willamette Meridian, Josephine County, Oregon.

TOGETHER WITH an appurtenant easement for diversion of water from Williams Creek and rights connected therewith as conveyed by instrument recorded April 13, 1964 in Volume 235, Page 426, Josephine County Deed Records.

87-12772

State of Oregon,) ss. No. _____
 County of Josephine,)
 I, County Clerk, do hereby certify that the within instrument was received for record and recorded.

Attest: _____ Vol. 29
 Book of Records, Josephine County, Oregon.
 GEORGETTE BROWN, COUNTY CLERK
 By: _____ Deputy
 Fees _____
 Hand Returned Mailed Hold

1000

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GM7537

② 47639-H
28-5-22 1100
38-5-23 900
38-5-26 200,300
38-5-27 100

Vol 341 pg 1397

WARRANTY DEED
37890

NORMAN C. WITHEM and SANDRA K. WITHEM, husband and wife,
hereinafter called Grantors, convey to JOSEPH J. GINET and
SUZANNE M. GINET, husband and wife, hereinafter called Grantees,
all that real property in Josephine County, Oregon, described
on Exhibit "A" attached hereto, and covenant that Grantors are
the owners of the above described property free of all encum-
brances, except:

1. Easement for transmission and distribution of electricity granted the California Oregon Power Company set forth in Volume 151, Page 509 and Volume 162, Page 643, Josephine County Deed Records.
2. The cemetery excepted herein is not definitely described.
3. Right of way 20 feet in width granted to the Pacific Power and Light Company, set forth in Volume 220, Page 55, Josephine County Deed Records.
4. No responsibility is assumed for changes in the Easterly boundary of the herein described property which may occur due to a change in the course of Williams Creek.
5. Easement for transmission and distribution of electricity granted the Pacific Power and Light Company set forth in Volume 281, Page 219, Josephine County Deed Records.
6. A mortgage, including the terms and provisions thereof, executed by Henry L. McAlmond and Wanda G. McAlmond, husband and wife, to United States of America, acting through the Farmers Home Administration, United States Department of Agriculture, dated January 2, 1973, recorded January 2, 1973, in Volume 193, Page 464, Josephine County Mortgage Records, given to secure payment of a note.
7. A mortgage, including the terms and provisions thereof, executed by Henry L. McAlmond and Wanda G. McAlmond, husband and wife to United States of America, acting through the Farmers Home Administration, U.S. Department of Agriculture, dated January 2, 1973, recorded January 2, 1973, in Volume 193, Page 470, Josephine County Mortgage Records, given to secure payment of a note.

Warranty Deed
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LAW OFFICES OF
DAVIS, AINSWORTH & PINNOCK
216 EAST MAIN STREET
ASHLAND, OREGON 97530

Notes: no charge

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G-17537

8. Financing statement filed July 24, 1973 in the office of the County Clerk of Josephine County as File No. B-869, indicating a security agreement given by Henry L. McAlmond and Wanda G. McAlmond, as debtors, to Southern Oregon State Bank, as secured party, and relating to farm machinery, livestock, etc.

9. Financing statement filed November 21, 1973 in the office of the County Clerk of Josephine County as File No. B-1337, indicating a security agreement given by Henry L. McAlmond and Wanda G. McAlmond, as debtors, to Southern Oregon State Bank, as secured party and relating to farm machinery, livestock, etc.

10. Financing statement filed February 26, 1974 in the office of the County Clerk of Josephine County as File No. C-199 indicating a security agreement given by Henry L. McAlmond and Wanda G. McAlmond, as debtors, to Southern Oregon State Bank, as secured party, and relating to farm machinery, livestock, etc.

11. A mortgage, including the terms and provisions thereof, executed by Henry L. McAlmond and Wanda G. McAlmond, husband and wife, to Southern Oregon State Bank, dated December 10, 1974, recorded December 11, 1974, in Volume 205, Page 322, Josephine County Mortgage Records, given to secure payment of a note.

12. Financing statement filed December 12, 1974 in the office of the County Clerk of Josephine County as File No. C-1001, indicating a security agreement given by Henry L. McAlmond and Wanda G. McAlmond, as debtors, to Southern Oregon State Bank, as secured party, and relating to farm machinery, livestock, etc.

13. A mortgage, including the terms and provisions thereof, executed by Henry L. McAlmond and Wanda C. McAlmond to Josephine Growers Cooperative Association, an Oregon corporation, dated July 26, 1976, recorded July 27, 1976, in Volume 212, Page 219, Josephine County Mortgage Records, given to secure payment of a note.

and will warrant and defend the same against all persons who may lawfully claim the same, except as shown above.

The true and actual consideration for this transfer is two hundred twenty seven thousand dollars (\$227,000.00).

Warranty Deed
Page -2-

LAW OFFICES OF
DAVIS, AINSWORTH & PINNOCK
312 EAST MAIN STREET
ASHLAND, OREGON 97520

RECEIVED

FEB 21 2012

WATER RESOURCES DEPT
SALEM, OREGON

G-7537

DATED this 26th day of April, 1979.

Norman C. Withem
NORMAN C. WITHEM
Sandra K. Withem
SANDRA K. WITHEM

STATE OF OREGON)
) ss:
COUNTY OF JACKSON)

On the 26th day of April, 1979, personally appeared before me the above named NORMAN C. WITHEM and SANDRA K. WITHEM, who acknowledged the foregoing instrument to be their voluntary act and deed.

[Signature]
Notary Public for Oregon
My Commission expires 9-14-82

Warranty Deed
Page -3-

LAW OFFICES OF
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WATER RESOURCES DEPT
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The following described property being situated in Township 38 South; Range 5 West of the Willamette Meridian, Josephine County, Oregon.

Lot 6 in Section 22, excepting 4 acres in the West part of said Lot reserved for a cemetery. ALSO, LESS AND EXCEPT that portion lying within relocated Watergap Road as conveyed to Josephine County, Oregon by instrument recorded in Volume 330, Pages 449, 450, 451 and 452, Josephine County Deed Records.

Lots 10 and 11 in Section 23..

The Northeast Quarter of the Northeast Quarter of Section 27.

The North Half of the Northwest Quarter of the Northwest Quarter of Section 26.

All that portion of Lot 1 in Section 26, described as follows:

Beginning at a point 1320 feet East of the Northwest corner of said Section 26, and running thence South 660 feet; thence East 503.3 feet; thence South 50° East 222.7 feet; thence East 114.6 feet, more or less, to the West line of the William H. Shoudy Donation Land Claim No. 39; thence North along the West line of said Claim a distance of 803 feet to the North line of said Section 26; thence West 788.3 feet to the point of beginning, in Josephine County, Oregon.

ALSO a parcel of land between an average center line of Williams Creek and the West line of the William H. Shoudy Donation Claim No. 38 in Sections 23 and 26, Township 38 South, Range 5 West of the Willamette Meridian, described as follows:

Beginning at a point on the West line of the William H. Shoudy Donation Land Claim No. 38, said point being 1669.8 feet South of the Northwest corner of said Claim; thence running South 1572 feet; thence East 465 feet; thence North 2° 55' West 1575 feet along an average center line of Williams Creek to a point which is 1669.8 feet South of the North line of said Donation Land Claim No. 38; thence West 385 feet to the point of beginning.

ALSO beginning at the Southwest corner of the Northwest Quarter of the Northwest Quarter of Section 26, Township 38 South, Range 5 West of the Willamette Meridian in Josephine County, Oregon; thence running East 21 rods; thence North 38 1/4 rods; thence West 21 rods; thence South 38 1/4 rods to the place of beginning.

LESS AND EXCEPT a parcel of land situated in the Northwest Quarter of the Northwest Quarter of Section 26 and the Northeast Quarter of the Northeast Quarter of Section 27, in Township 38 South, Range 5 West of the Willamette Meridian, in Josephine County, Oregon, more particularly described as follows:

Beginning at the Southwest corner of the Northwest Quarter of the Northwest Quarter of said Section 26; thence East 346.5 feet; thence North 611 feet; thence West and parallel to the South line of the Northwest Quarter of the Northwest Quarter of said Section 26 and parallel to the South line of the Northeast Quarter of the Northeast Quarter of said Section 27, 445 feet; thence South and parallel to the East line of said Section 27, 361 feet; thence West 350 feet; thence South 310 feet to the south line of the Northeast Quarter of the Northeast Quarter of said Section 27; thence East along the South line of said Northeast Quarter of the Northeast Quarter, 448.5 feet to the point of beginning. ALSO LESS & EXCEPT land conveyed by instrument recorded in Volume 266, Page 241, Josephine County Deed Records.

ALSO LESS AND EXCEPT any portion lying within the limits of the County Roads.

Exhibit "A"

JOSEPHINE COUNTY TITLE CO. (1A)

37690

State of Oregon, ss. Josephine County, I, County Clerk and ex officio Recorder of Conveyances, in and for said County, do hereby certify that the within instrument was received for record at

MAR 21 90 AM



COUNTY CLERK

341

DEED

Recording 297-1406 Vol. 341 at Page 1400

MAURIE FOSTER, County Clerk

By: [Signature]

1/10/80

RECEIVED

FEB 2 1980

WATER RESOURCES DEPT SALEM, OREGON

G-7537