



Oregon

John A. Kitzhaber, MD, Governor

Water Resources Department

Eastern Region

Baker County Courthouse

1995 3rd Street, Suite 180

Baker City, OR 97814

Phone: (541) 523-8224

Fax: 1-866-214-3493

www.wrd.state.or.us

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APR 20 2012

**WATER RESOURCES DEPT
SALEM, OREGON**

TO: Water Right Caseworkers

DATE: April 19, 2012

FROM: Rick Lusk, Watermaster Dist. 8

SUBJECT: Jerrett & Stephanie Churchfield Surface Water Application

Jerrett & Stephanie Churchfield have been working with this office on this surface water application. Please contact me if there are questions regarding the application. This office will work with the water right staff and the Churchfields to supply additional information, if necessary.

87710

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

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SECTION 1: APPLICANT INFORMATION AND SIGNATURE

WATER RESOURCES DEPT
 SALEM, OREGON

Applicant Information

NAME Jerrett and Stephanie Churchfield		PHONE (HM) 541-518-9283
PHONE (WK)	CELL	FAX
ADDRESS 28202 Love Ranch Road		
CITY Baker City	STATE OR	ZIP 97814
E-MAIL * l2lacy@wildblue.net		

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.

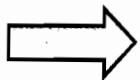
AGENT / BUSINESS NAME		PHONE	FAX
ADDRESS			CELL
CITY	STATE	ZIP	E-MAIL *

Note: Attach multiple copies as needed

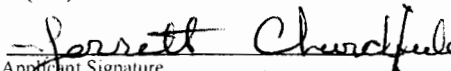
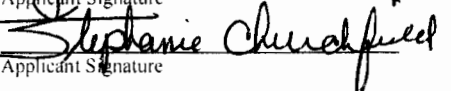
* By providing an e-mail address, consent is given to receive all correspondence from the department electronically. (paper copies of the final order documents will also be mailed.)

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application packet.
- I cannot legally use water until the Water Resources Department issues a permit to me.
- The Department encourages all applicants to wait for a permit to be issued before beginning construction of any proposed diversion. 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.

Jerrett Churchfield Jerrett Churchfield 2-28-12
Applicant Signature Print Name and title if applicable Date

Stephanie Churchfield Stephanie Churchfield 2-28-12
Applicant Signature Print Name and title if applicable Date

Revise	App. No. <u>S-87770</u>	For Department Use	Permit No. _____	Date _____
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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.

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**WATER RESOURCES DEPT
SALEM, OREGON**

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).

James and Sally Timperley
120 Gazelle
Reno, NV

SECTION 3: SOURCE OF WATER

A. Proposed Source of Water

Provide the commonly used name of the water body from which water will be diverted, and the name of the stream or lake it flows into. If unnamed, say so:

Source 1: <u>Love Reservoir</u>	Tributary to: <u>Kittercreek</u>
Source 2: _____	Tributary to: <u>and subsequently to Powder River</u>
Source 3: _____	Tributary to: _____
Source 4: _____	Tributary to: _____

If any source listed above is stored water that is authorized under a water right permit, certificate, or decree, attach a copy of the document or list the document number (for decrees, list the volume, page and/or decree name).

B. Applications to Use Stored Water

Do you, or will you, own the reservoir(s) described in item 3A above?

Yes.

- No. (Please enclose a copy of your written notification to the operator of the reservoir of your intent to file this application, which you should have already mailed or delivered to the operator.)

If *all* sources listed in item 3A are stored water, the Department will review your application using the expedited process provided in ORS 537.147, unless you check the box below. Please see the instruction booklet for more information.

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.

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SALEM, OREGON

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
Love Reservoir	irrigation	March 1 - Oct 31	570 <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
			<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: 570 Acres Supplemental: _____ Acres

List the ~~Permit~~ Certificate number of the underlying primary water right(s): 8053

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 570

- 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 source?

Pump (give horsepower and type):

Other means (describe): Culvert and headgate used to divert water from Love Reservoir into Ritter Creek. Diversion point out of Ritter Creek into another ditch that brings the water to the ranch. It is then diverted into a bubbler and applied to the fields.

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

See attached

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SALEM, OREGON

B. Application Method

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

wheel lines, Pivot, flood

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 public uses of affected surface waters.

To effeciently irrigate the ~~water~~ water righted ground under certificate 8053 we will build a weir below the culvert to measure the amount of water to be diverted.

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:

Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.
Describe planned actions: In existence

Operating equipment in a water body will be managed and timed to prevent damage to aquatic life.
Describe: in existence

Water quality will be protected by preventing erosion and run-off of waste or chemical products.
Describe:

SECTION 7: PROJECT SCHEDULE

Date construction will begin: *in existence*

Date construction will be completed:

Date beneficial water use will begin: *inexistence*
October 1, 2017 or 5 years from permit issuance

SECTION 8: WITHIN A DISTRICT

Check here if the point of diversion or place of use are located within or served by an irrigation or other water district.

Irrigation District Name	Address	
City	State	Zip

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SECTION 9: REMARKS

Use this space to clarify any information you have provided in the application.

*Referring to Property Ownership in Section 2 -
 Gordon Pennington has passed away but we have had permission
 before his passing for our ditch to cross his land.
 We can get written permission from the other property owners
 whose land our ditch crosses, if necessary.
 Our ditch has been in existence since the early 1900's
 and has always followed the same route. This ditch has
 been in use continually. See attached map showing ditch
 route
 Exhibit "map"*

Land Use



Date _____

(For staff use only)



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

WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):

Please "blue" note from Watermaster District #

- SECTION 1: _____
- SECTION 2: _____
- SECTION 3: _____
- SECTION 4: _____
- SECTION 5: _____
- SECTION 6: _____
- SECTION 7: _____
- SECTION 8: _____
- SECTION 9: _____
- Land Use Information Form _____
- Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.
- Fees _____

*Feel free to contact district before sending for application deficiencies
RML
4-19-12*

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SALEM, OREGON

MAP

- Permanent quality and drawn in ink
- Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft. etc.)
- North Directional Symbol
- Township, Range, Section, Quarter/Quarter, Tax Lots
- Reference corner on map
- Location of each well, and/or dam if applicable, by reference to a recognized public land survey corner (distances north/south and east/west)
- Indicate the area of use by Quarter/Quarter and tax lot clearly identified
- Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
- Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)
- Other _____

Exhibit "Map"

T.9S., R.42E., W.M.

FINAL PROOF SURVEY

UNDER

Application No. R-68696
69777

Permit No. R-11212
50967

IN NAME OF

Ralph Byrne

Surveyed August 23, 1996

SCALE 1" = 1320'



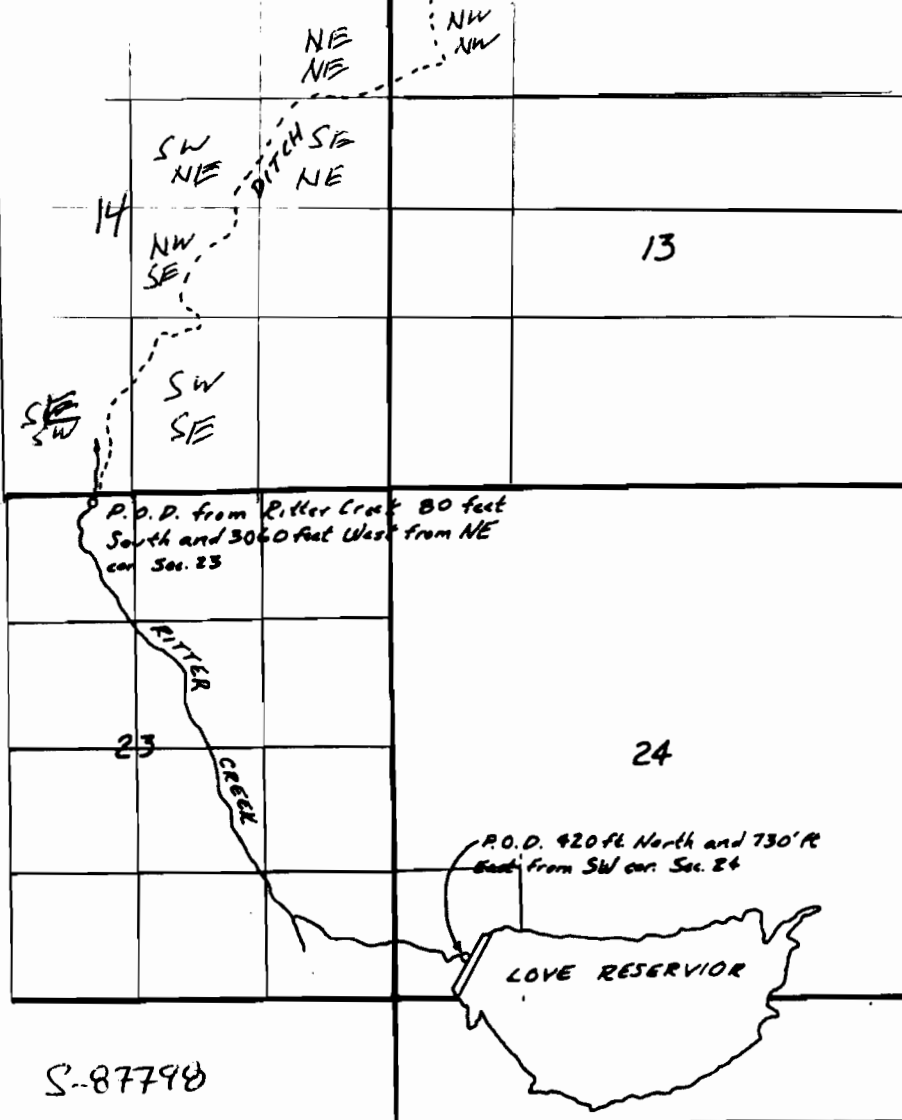
The purpose of this map is for identifying the location of the water right only and is not intended to provide legal dimensions of property ownership lines.

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SEP 25 1996
WATER RESOURCES DEPT.
SALEM OREGON



Map showing
line that
ditch follows
- believed to
be accurate.
RML
4-19-12



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WATER RESOURCES DEPT
SALEM, OREGON

S-87798

Land Use Information Form



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1260
 (503) 986-0900
 www.wrd.state.or.us

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Applicant: Jerrett and Stephanie Church Field
First Last

WATER RESOURCES DEPT
 SALEM, OREGON

Mailing Address: 28202 Love Ranch Road

Baker City OR 97814 Daytime Phone: 541-518-9283
City State Zip

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
95	42E	1, 2, 11, 12		200, 300, 1800		<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
95	43E	6		700		<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" 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:

Baker County

B. Description of Proposed Use

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

- Permit to Use or Store Water
 Water Right Transfer
 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: _____ 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:

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.

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SALEM, OREGON

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. 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 the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): BC250 Section 301(A)

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
		<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.

Name: Tara Andrews Title: Planner

Signature: Tara Andrews Phone: 541-523-8219 Date: 2/28/12

Government Entity: Baker County Planning Department

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: _____

Section 5 water management

Diversion is a dam with a gate valve in the center of the dam. It turns on or off from a wheel on top of the dam that opens or shuts the casted flap. Once the water flows down the 12" culvert that runs through the dam it goes down a draw until it meets with Ritter Creek. It then flows down Ritter Creek until it reaches point of diversion (b) which is shown on the big map. It then stays in a ditch all the way through both places. It irrigates with one pivot, wheellines and flood on the first place (TL300) with a mainline going down the center of the field. Flood and pump the rest for the first place. The rest of the water irrigates (TL200) and (TL700) with one pivot, flood, and wheellines. If there is any excess water it goes down a draw and intersects with a ditch that goes to the powder river.

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WATER RESOURCES DEPT
SALEM, OREGON

S-87798

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

This is to Certify, That Clarence E. Love, Rosa B. Love and Charles H. Colton of Keating, State of Oregon, has made proof

to the satisfaction of the STATE ENGINEER of Oregon, of a right to store the waters of Love Creek, Lawrence Creek, and East and West Love Creeks, and Ritter Creek, all tributaries of Powder River, except Lawrence Creek, which is a tributary of Burnt River. The water to be appropriated under Permit No. 1510.

Irrigation for the purposes of

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WATER RESOURCES DEPT SALEM, OREGON

under Reservoir Permit No. 610 of the State Engineer, and that said right to store said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from January 30, 1928;

that the amount of water entitled to be stored each year under such right, for the purposes aforesaid, shall not exceed 570 acre-feet.

The reservoir is located in Sections 24 and 25, Tp. 9 S, R. 42 E, W. M.

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 5728, Oregon Laws.

WITNESS the signature of the State Engineer,

affixed this 10th day

of July, 19 29

Rhea Luper

State Engineer.

Recorded in State Record of Water Right Certificates, Volume 8, page 8053

S-87790

Attachment

PROPERTY OWNERS THAT THE DITCH GOES THROUGH

✓ DONALD HUBBS	9-42	TL 700
GORDON PENINGTON	9-42	TL 1600
MIKE WIDMAN	9-42	TL 1500
PHILLIPS RANCH	9-42	TL 600
BLM	9-42	TL 400

BLM
FEDERAL BLDG

BAKER CITY, OR 97814

Phillips Ranch
26188 Middle Bridge Ln.
Baker City, OR 97814

Donald & Flora Hubbs =
27465 Keating Grange Ln.
Baker City, OR 97814

Gordon Penington
P.O. Box 305
Baker City, OR 97814

Mike Widman
43444 Old Trail Rd.
Baker City, OR 97814

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WATER RESOURCES DEPT
SALEM, OREGON

S-87798

AFTER RECORDING, RETURN TO:
OREGON TRAIL ELECTRIC CO-OP
PO Box 226
Baker City, OR 97814

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WATER RESOURCES DEPT
SALEM, OREGON

RIGHT OF WAY EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that the undersigned **TIMPERLEY, JAMES & SALLY**, (Grantors), for a good and valuable consideration, the receipt whereof is hereby acknowledged, do hereby grant unto **OREGON TRAIL ELECTRIC CONSUMERS COOPERATIVE, INC.** (Cooperative), a cooperative corporation, whose post office address is PO Box 226, Baker City, Oregon, and to its successors or assigns, the right to enter upon the lands of the undersigned, situated in the County of Baker, State of Oregon, and more particularly described as follows:

Commencing from the south east corner of Section 01 Township 9 south, Range 42 east of the Willamette Meridian, thence West 510 feet M.L. (more or less), thence North 1314 feet M.L. to the P.O.B. (point of beginning) thence North 35 degrees West 712 feet M.L. to the E.P. (end point) and to construct, operate and maintain an electric transmission and/or distribution line or system on or under the above-described lands and/or in, upon or under all streets, roads or highways abutting said lands; to inspect and make such repairs, changes, alterations, improvements, removals from, substitutions and additions to its facilities as Cooperative may from time to time deem advisable, including, by way of example and not by way of limitation, the right to increase or decrease the number of conduits, wires, cables, handholes, manholes, connection boxes, transformers and transformer enclosures; to cut, trim and control the growth by chemical means, machinery or otherwise of trees and shrubbery located within 7.5 feet of the center line of said line or system, or that may interfere with or threaten to endanger the operation and maintenance of said line or system (including any control of the growth of other vegetation in the right-of-way which may incidentally and necessarily result from the means of control employed); to keep the easement clear of all buildings, structures or other obstructions; and to license, permit or otherwise agree to the joint use or occupancy of the lines, system or, if any of said system is placed underground, of the trench and related underground facilities, by any other person, association or corporation.

The undersigned agree that all poles, wires and other facilities including any main service entrance equipment, installed in, upon or under the above-described lands at the Cooperative's expense shall remain the property of the Cooperative, removable at the option of the Cooperative, upon termination of service to or on said lands.

IN WITNESS WHEREOF, the Grantors have set their hands this 23rd day of November, 2007.

[Handwritten signatures of James and Sally Timperley]

(Note: Choose a notary option, delete the option not needed, and delete this note.)
STATE OF OREGON)
County of Baker) ss.
This box reserved for County Clerk recording data

The foregoing instrument was acknowledged before me this 23rd day of November, 2007, by JAMES WALTER & SALLY GAYE TIMPERLEY.

Before me: Gayle Hack
Notary Public for Oregon
My commission expires: 8/26/11

(Place official notary seal in the space below)



STATE OF OREGON)
COUNTY OF BAKER)
I CERTIFY THAT THIS
INSTRUMENT WAS RECEIVED
AND RECORDED IN THE BOOK
OF RECORDS OF SAID COUNTY
TAMARA J. GREEN, BAKER CO. CLERK
By Taren Phillips DEPUTY
DOC#: 07480114B
11/28/2007 11:00 AM
REFUND: .00 26.00
CA

Work order #09P1034

809 17 0012

AFTER RECORDING, RETURN TO:
OREGON TRAIL ELECTRIC CONSUMERS CO-OP
PO Box 226
Baker City, OR 97814

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WATER RESOURCES DEPT
SALEM, OREGON

RIGHT OF WAY EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that the undersigned **TIMPERLEY, JAMES & SALLY**, (Grantors), for a good and valuable consideration, the receipt whereof is hereby acknowledged, do hereby grant unto **OREGON TRAIL ELECTRIC CONSUMERS COOPERATIVE, INC.** (Cooperative), a cooperative corporation, whose post office address is PO Box 226, Baker City, Oregon, and to its successors or assigns, the right to enter upon the lands of the undersigned, situated in the County of Baker, State of Oregon, and more particularly described as a strip of land 10 feet in width whose center line is as follows:

Commencing from the northwest corner of the southeast quarter of the southeast quarter of Township 9 South, Range 42 East, Section 1 of the W.M. thence north 627 feet M.L. (more or less), thence east 423 feet M.L. to the P.O.B. (point of beginning) thence north 47 degrees east 434 feet M.L. thence south 80 degrees east 873 feet M.L. thence north 71 degrees east 998 feet M.L. thence north 49 degrees west 1406 feet M.L. thence 49 degrees west 218 feet M.L. to the E.P. (end point)

and to construct, operate and maintain an electric transmission and/or distribution line or system on or under the above-described lands and/or in, upon or under all streets, roads or highways abutting said lands; to inspect and make such repairs, changes, alterations, improvements, removals from, substitutions and additions to its facilities as Cooperative may from time to time deem advisable, including, by way of example and not by way of limitation, the right to increase or decrease the number of conduits, wires, cables, handholes, manholes, connection boxes, transformers and transformer enclosures; to cut, trim and control the growth by chemical means, machinery or otherwise of trees and shrubbery located within 5 feet of the center line of said line or system, or that may interfere with or threaten to endanger the operation and maintenance of said line or system (including any control of the growth of other vegetation in the right-of-way which may incidentally and necessarily result from the means of control employed); to keep the easement clear of all buildings, structures or other obstructions; and to license, permit or otherwise agree to the joint use or occupancy of the lines, system or, if any of said system is placed underground, of the trench and related underground facilities, by any other person, association or corporation.

The undersigned agree that all poles, wires and other facilities including any main service entrance equipment, installed in, upon or under the above-described lands at the Cooperative's expense shall remain the property of the Cooperative, removable at the option of the Cooperative, upon termination of service to or on said lands.

IN WITNESS WHEREOF, the Grantors have set their hands this 6th day of April, 2009.

SHANNON WINDLE
Notary Public - State of Nevada
Appointment Recorded in Washoe County
No. 98-21802 - Expires April 18, 2010

[Signature]
Nevada
STATE OF OREGON)
County of Washoe) ss.

[Signature]
Sally J. Timperley

The foregoing instrument was acknowledged before me this 6th day of April, 2009, by James Timperley and Sally Timperley.

Before me: *[Signature]*
Notary Public for Nevada
My commission expires: April 18 2010

STATE OF OREGON)
COUNTY OF BAKER)
I CERTIFY THAT THIS
INSTRUMENT WAS RECEIVED
AND RECORDED IN THE BOOK
OF RECORDS OF SAID COUNTY
TAMARA J. GREEN, BAKER CO. CLERK
BY Helen Phillips DEPUTY
DOC#: 09170012B
4/23/2009 3:30 PM
REFUND: .00 26.00

S-87790

B05 42 0056

AFTER RECORDING RETURN TO:
JAMES W. & SALLY G. TIMPERLEY
JERRETT & STEPHANIE CHURCHFIELD
120 Gazelle Rd.
Reno, NV 89511

SEND TAX STATEMENTS TO:
JAMES W. & SALLY G. TIMPERLEY
JERRETT & STEPHANIE CHURCHFIELD
120 Gazelle Rd.
Reno, NV 89511

RECEIVED

APR 20 2012

WATER RESOURCES DEPT
SALEM, OREGON

SPECIAL WARRANTY DEED

RALPH W. BYRNE, Grantor, specially conveys and warrants to JAMES W. TIMPERLEY and SALLY G. TIMPERLEY, husband and wife, as to an undivided 75% interest; and JERRETT CHURCHFIELD and STEPHANIE CHURCHFIELD, husband and wife, as to an undivided 25% interest, Grantees, the following described real property free of encumbrances except as specifically set forth herein:

PARCEL 1:

IN TOWNSHIP 9 SOUTH, RANGE 42 EAST of the Willamette Meridian, County of Baker and State of Oregon:

Section 1: The East half of the Southeast quarter;
The East half of the Southwest quarter;
The Southeast quarter of the Northeast quarter; and,
The Southwest quarter of the Southwest quarter.

IN TOWNSHIP 9 SOUTH, RANGE 43 EAST of the Willamette Meridian, County of Baker and State of Oregon:

Section 6: Lots 5, 6 and 7.

TOGETHER WITH easement given by Willingham & Bunch, a partnership, to Harold F. Willingham, et ux, by instrument, including the terms and provisions thereof, recorded November 25, 1957, in Deed Book 167, page 706, as amended by instrument recorded September 2, 2005, in Book 05 36 0084, from the intersection of the South line of Baker-Cornucopia Highway (State Highway #86) with the East line of the NE¼ of the SW¼ of Section 31, T. 8 S., R. 43 E., W.M., over the East ½ of the NW¼ of Sec. 6, T. 9 S., R. 43 E., W.M.

PARCEL 2:

IN TOWNSHIP 9 SOUTH, RANGE 42 EAST of the Willamette Meridian, County of Baker and State of Oregon:

Section 12: The Northwest quarter; and,
The Northwest quarter of the Southwest quarter.

Section 24: The South half of the Southwest quarter; and
The Southwest quarter of the Southeast quarter.

The true consideration for this conveyance is \$411,500.00,
as paid by Grantee as part of an IRC Section 1031 tax deferred exchange.

TOGETHER WITH any and all improvements, tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining including any appurtenant easements, and all water and water rights, ditches and ditch rights and timber rights appurtenant thereto.

SUBJECT TO easements, rights of way, reservations and restrictions as the same may exist or appear of record.

SUBJECT TO reservations in patents of the United States Federal Government, deeds issuing by, through or under the State of Oregon, deeds issuing by, through or under Baker County, Oregon, covenants, conditions, restrictions, reservations and easements for all roads, ditches, road rights of way, and utility installations as such roads, ditches and utility installations now cross the property whether of record or apparent from an inspection of the property and including easements and assessments, if any, pertaining thereto.

SUBJECT TO rights of the public in and to any portion of the above described premises lying within the boundaries of roads or highways.

SUBJECT TO rights of the public and of governmental bodies in and to any portion of the premises lying below the mean high water mark of the various streams crossing said property.

S-87790

#15800

525 942 200 #7649, 300 #7650, 0507 942 300 #6176 & 1800 #6194, 0525 943 700 #7661



Water Resources Department

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APR 20 2012

WATER RESOURCES DEPT
SALEM, OREGON

Permit to Appropriate Only Stored Water – Expedited Secondary

Today's Date: Thursday, April 19, 2012

Base Application Fee.		\$400.00
Acre feet of Stored Water to be diverted.	570	\$1,050.00
Permit Recording Fee. ***		\$400.00
*** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.	<input type="button" value="Recalculate"/>	
Estimated cost of Permit Application		\$1,850.00

[Return to Fee Calculator Options page](#)

[OWRD Fee Schedule](#)

Fee Calculator Version: B20090701

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