

Application for a Permit to Use Surface Water

RECEIVED BY OWRD

DEC. 08 2014



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

SALEM, OR

Water-Use Permit Application Processing

1. Completeness Determination

The Department evaluates whether the application and accompanying map contain all of the information required under OAR 690-310-0040 and OAR 690-310-0050 (www.oregon.gov/owrd/law.our). The Department also determines whether the proposed use is prohibited by statute. If the Department determines that the application is incomplete, all fees have not been paid, or the use is prohibited by statute, the application and all fees submitted are returned to the applicant.

2. Initial Review

The Department reviews the application to determine whether water is available during the period requested, whether the proposed use is restricted or limited by rule or statute, and whether other issues may preclude approval of or restrict the proposed use. An Initial Review (IR) containing preliminary determinations is mailed to the applicant. The applicant has 14 days from the mailing date to withdraw the application from further processing and receive a refund of all fees paid minus \$200. The applicant may put the application on hold for up to 180 days and may request additional time if necessary.

3. Public Notice

Within 7 days of the mailing of the initial review, the Department gives public notice of the application in the weekly notice published by the Department at www.oregon.gov/owrd. The public comment period is 30 days from publication in the weekly notice.

4. Proposed Final Order Issued

The Department reviews any comments received, including comments from other state agencies related to the protection of sensitive, threatened or endangered fish species. Within 60 days of completion of the IR, the Department issues a Proposed Final Order (PFO) explaining the proposed decision to deny or approve the application. A PFO proposing approval of an application will include a draft permit, and may request additional information or outstanding fees required prior to permit issuance.

5. Public Notice

Within 7 days of issuing the PFO, the Department gives public notice in the weekly notice. Notice includes information about the application and the PFO. Protest must be received by the Department within 45 days after publication of the PFO in the weekly notice. Anyone may file a protest. The protest filing fee is \$350.00 for the applicant and \$700.00 for non-applicants. Protests are filed on approximately 10% of Proposed Final Orders. If a protest is filed the Department will attempt to settle the protest but will schedule a contested case hearing if necessary.

6. Final Order Issued

If no protests are filed, the Department can issue a Final Order within 60 days of the close of the period for receiving protest. If the application is approved, a permit is issued. The permit specifies the details of the authorized use and any terms, limitations or conditions that the Department deems appropriate.

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SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant Information

NAME <u>CONSUELO BYRD</u>		PHONE (HOM) <u>541-890-7859</u>	
PHONE (WK)	CELL <u>541-890-7859</u>	FAX <u>NONE</u>	
ADDRESS <u>PO BOX 413</u>			
CITY <u>TIERRA AMARILLA</u>	STATE <u>NM</u>	ZIP <u>87575</u>	E-MAIL * <u>CONBYRD09@LIVE.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 <u>SUE SAUNDERS / WINDERMERE VANVLEET</u>		PHONE <u>541-821-2319</u>	FAX <u>541-779-2268</u>
ADDRESS <u>1117 E JACKSON ST</u>			CELL
CITY <u>MEDFORD</u>	STATE <u>OR</u>	ZIP <u>97504</u>	E-MAIL * <u>saunders1976@gmail.com</u>

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.

Consuelo Byrd Consuelo Byrd Nov. 28, 2014
Applicant Signature Print Name and title if applicable Date

Applicant Signature Print Name and title if applicable Date

Revise

App. No. <u>L-88037</u>	For Department Use Permit No. _____	Date _____
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SECTION 2: PROPERTY OWNERSHIP

SALEM, OR

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*).

You must provide the legal description of: 1. The property from which the water is to be diverted, 2. Any property crossed by the proposed ditch, canal or other work, and 3. Any property on which the water is to be used as depicted on the map.

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: ROWE RIVER Tributary to: PACIFIC OCEAN

Source 2: Tributary to:

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.)

N/A

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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.

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
ROBE RIVER	HUMAN CONSUMPTION	YEAR ROUND	.005 <input checked="" 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
			<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: _____ 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: 1
- If the use is **mining**, describe what is being mined and the method(s) of extraction:

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SECTION 5: WATER MANAGEMENT

A. Diversion and Conveyance

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

Pump (give horsepower and type): 1/2 H.P. Submersible

Other means (describe): _____

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

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler) PUMPED, TREATED & BROUGHT TO THE

HOUSE BY A PRESSURE PUMP.

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. DIVERSION WILL BE METERED, AND BECAUSE

IT'S FOR HUMAN CONSUMPTION, IT'S VERY VALUABLE & WILL ONLY BE USED IN THE HOUSE.

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 WILL BE SCREENED.

Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.

Describe planned actions: ~~EX~~ NO EXCAVATION.

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

Describe: FLOW METER & FISH SCREEN WILL BE INSTALLED.

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

Describe: NO CHEMICALS WILL BE USED.

SECTION 7: PROJECT SCHEDULE

Date construction will begin: **ASAP**

Date construction will be completed: **ASAP**

Date beneficial water use will begin: **ASAP**

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

SECTION 9: REMARKS

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

WELL FAILED & THERE IS NO SOURCE OF WATER FOR HUMAN CONSUMPTION. ATTACHED/INCLUDED IS THE HUMAN CONSUMPTION SUPPLEMENTAL APPLICATION & THE LIMITED LICENSE APPLICATION.

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Land Use 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

NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

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) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
 - b) The application involves a change in place of use only;
 - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; and
 - d) The application involves irrigation water uses only.

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

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Date 12/8

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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

(For staff use only)

SALEM, OR

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

- 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 _____

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 _____

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Land Use 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: CONSUELO Byrd
First Last

Mailing Address: P.O. Box 413

TIERRA AMARILLA NM 81575 Daytime Phone: 541-890-7859
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:
34 S	1W	15	BD	204	R1-20	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
			SE/NW			<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:

SHADY COVE, OREGON
JACKSON COUNTY, OREGON

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) ROGUE RIVER

Estimated quantity of water needed: 005 cubic feet per second gallons per minute acre-feet

Intended use of water: Irrigation Commercial Industrial Domestic for 1 household(s)
 Municipal Quasi-Municipal Instream Other _____

Briefly describe:

APPLYING FOR HUMAN CONSUMPTION WATER.

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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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 the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): NA

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 (c.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: Debby Jermain Title: Planning Secretary
 Signature: Debby Jermain Phone: 541-878-8204 Date: 11-25-14
 Government Entity: City of Shady Cove

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: _____

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File #: _____



Oregon Water Resources Department

Application Supplement for Human Consumption & Livestock Uses

For water use permit applications within or above scenic waterways, or from streams for which water is not available due to required instream flows, the Department may issue limited permits for human consumption and livestock uses. Human consumption is limited to indoor use for drinking, cooking, and sanitation and is limited to 500 gallons per day. It does not include outdoor uses such as lawn watering, garden watering or other similar uses.

In order to issue a permit to you for human consumption or livestock use, the Department must find that you cannot reasonably obtain water from any other source. For human consumption, an additional finding must be made that denial of the water right would result in loss of reasonable expectations for use of your property. For livestock use, additional findings must be made that issuance of a permit is necessary to prevent the livestock from watering in or along the stream bed and that you have excluded livestock from the stream and the adjacent riparian zone.

Please answer the following questions, and sign and return this form to Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1266.

- 1. Can you reasonably obtain water from any other source? Yes No

If not, please describe why each of the following options are not reasonable:

- a. Groundwater, such as a well on yours or a neighbor's property. (If expense is the reason groundwater is not reasonable, please provide two estimates of the cost.)

WELL ON PROPERTY IS DRY, WELLS IN THE AREA ARE GENERALLY DRY. DRILLING A NEW WELL IS COST PROHIBITIVE - BIDS ARE \$15,000-\$14,000 - NO GUARANTEE THERE WILL BE ANY WATER.

- b. Securing stored water from upstream reservoirs.

NO WATER AVAILABLE FOR HUMAN CONSUMPTION IN LOST CREEK RESERVOIR.

- c. Trucking water. (If expense is the reason this option is not reasonable, please provide a copy of an estimate of the cost of trucking water.)

Verbal estimates \$80-\$110 for 2000 gallons per week - would need holding tanks.

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d. Community or municipal water suppliers.

NO MUNICIPAL WATER AVAILABLE IN SHADY COVE.

e. Tying in to a neighboring property's spring.

NOT AN OPTION.

f. Transferring existing water rights to your proposed use(s).

EXISTING IRRIGATION WATER RIGHTS IS LIMITED BY ITS VOLUME & NOT SUFFICIENT TO MEET YEAR

AROUND HUMAN CONSUMPTION NEEDS. Please identify any other alternate water sources you have considered, and why they are not feasible:

WELL, MUNICIPAL WATER, NO WATER HAULING - TOO PROHIBITIVE IN COST. NO GUARANTEE WELL WOULD PRODUCE WATER. NO MUNICIPAL WATER AVAILABLE

2. If you are seeking a permit for human consumption use, would denial of your application result in loss of reasonable expectations for use of your property?

Yes No Not Applicable

If so, please describe how:

[Empty box for description]

3. If you are seeking a permit for livestock use, is the proposed use necessary to prevent the livestock from watering in or along the stream bed?

Yes No Not Applicable

4. If you are seeking a permit for livestock use, have you excluded livestock from the stream and the adjacent riparian zone?

Yes No Not Applicable

→ Applicant Signature: Consuelo Byrd Date: NOV. 28, 2014

Applicant Signature: _____

Date: _____

Exhibit "A"

Real property in the County of Jackson, State of Oregon, described as follows:

THE NORTH 90 FEET OF THE FOLLOWING DESCRIBED TRACT: COMMENCING AT A POINT ON THE EAST LINE OF GOVERNMENT LOT 1 IN SECTION 15, TOWNSHIP 34 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN IN JACKSON COUNTY, OREGON, SAID POINT BEING 1335.4 FEET SOUTH OF THE QUARTER CORNER COMMON TO SECTIONS 10 AND 15, SAID TOWNSHIP AND RANGE, THENCE SOUTH 0°09' EAST, ALONG SAID EAST LINE, 543.0 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUE SOUTH 0°09' EAST, ALONG SAID EAST LINE, 180.0 FEET; THENCE WEST 504.0 FEET TO THE HIGH WATER LINE OF EASTERLY BANK OF ROGUE RIVER; THENCE NORTHERLY, ALONG SAID EASTERLY BANK, 180.0 FEET, MORE OR LESS, TO A POINT DUE WEST OF THE TRUE POINT OF BEGINNING; THENCE EAST TO THE TRUE POINT OF BEGINNING.

NOTE: This legal description was created prior to January 01, 2008.



First American

First American Title Company of Oregon
1225 Crater Lake Ave, Ste 101
Medford, OR 97504
Phn - (541)779-7250
Fax - (866)400-2250

Order No.: 7161-2352321
November 26, 2014

FOR QUESTIONS REGARDING YOUR CLOSING, PLEASE CONTACT:

CINDY LEARY, Escrow Officer/Closer
Phone: (541)779-7250 - Fax: (866)839-7125- Email: cleary@firstam.com
First American Title Company of Oregon
1225 Crater Lake Ave, Ste 101, Medford, OR 97504

FOR ALL QUESTIONS REGARDING THIS PRELIMINARY REPORT, PLEASE CONTACT:

Ryan Mateson, Title Officer
Phone: (541)779-7250 - Email: RMateson@firstam.com

Preliminary Title Report

2006 ALTA Owners Standard Coverage	Liability \$	360,570.00	Premium \$	1,072.00
2006 ALTA Owners Extended Coverage	Liability \$		Premium \$	
2006 ALTA Lenders Standard Coverage	Liability \$		Premium \$	
2006 ALTA Lenders Extended Coverage	Liability \$		Premium \$	
Endorsement			Premium \$	
Govt Service Charge			Cost \$	30.00
Other			Cost \$	

We are prepared to issue Title Insurance Policy or Policies of First American Title Insurance Company, a Nebraska Corporation in the form and amount shown above, insuring title to the following described land:

The land referred to in this report is described in Exhibit A attached hereto.

Situs Address as disclosed on Jackson County Tax Roll:

579 Old Ferry Road, Shady Cove, OR 97539

and as of November 14, 2014 at 8:00 a.m., title to the fee simple estate is vested in:

Consuelo I. Byrd

Subject to the exceptions, exclusions, and stipulations which are ordinarily part of such Policy form and the following:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.

This report is for the exclusive use of the parties herein shown and is preliminary to the issuance of a title insurance policy and shall become void unless a policy is issued, and the full premium paid.

S- 88037

2. Facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the public records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Any encroachment (of existing improvements located on the subject land onto adjoining land or of existing improvements located on adjoining land onto the subject land), encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the subject land.
5. Any lien, or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.

The exceptions to coverage 1-5 inclusive as set forth above will remain on any subsequently issued Standard Coverage Title Insurance Policy.

In order to remove these exceptions to coverage in the issuance of an Extended Coverage Policy the following items are required to be furnished to the Company; additional exceptions to coverage may be added upon review of such information:

- A. Survey or alternative acceptable to the company
- B. Affidavit regarding possession
- C. Proof that there is no new construction or remodeling of any improvement located on the premises. In the event of new construction or remodeling the following is required:
 - i. Satisfactory evidence that no construction liens will be filed; or
 - ii. Adequate security to protect against actual or potential construction liens;
 - iii. Payment of additional premiums as required by the Industry Rate Filing approved by the Insurance Division of the State of Oregon
6. Water rights, claims to water or title to water, whether or not such rights are a matter of public record.
7. Taxes for the year 2014-2015

Tax Amount	\$	4,303.34
Unpaid Balance:	\$	2,213.34, plus interest and penalties, if any
Code No.:		9-15
Map & Tax Lot No.:		341W15BD 204
Property ID No.:		1-027108-8
8. City liens, if any, of the City of Shady Cove.
9. The rights of the public in and to that portion of the premises herein described lying within the limits of streets, roads and highways.
10. Rights of the public and of governmental bodies in and to that portion of the premises herein described lying below the mean high water mark of Rogue River and the ownership of the State of Oregon in that portion lying below the high water mark of Rogue River .



First American

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Phn - (541)779-7250
Fax - (866)400-2250

Order No.: 7161-2352321
November 26, 2014

FOR QUESTIONS REGARDING YOUR CLOSING, PLEASE CONTACT:

CINDY LEARY, Escrow Officer/Closer
Phone: (541)779-7250 - Fax: (866)839-7125- Email: cleary@firstam.com
First American Title Company of Oregon
1225 Crater Lake Ave, Ste 101, Medford, OR 97504

FOR ALL QUESTIONS REGARDING THIS PRELIMINARY REPORT, PLEASE CONTACT:

Ryan Mateson, Title Officer
Phone: (541)779-7250 - Email: RMateson@firstam.com

Preliminary Title Report

2006 ALTA Owners Standard Coverage	Liability \$	360,570.00	Premium \$	1,072.00
2006 ALTA Owners Extended Coverage	Liability \$		Premium \$	
2006 ALTA Lenders Standard Coverage	Liability \$		Premium \$	
2006 ALTA Lenders Extended Coverage	Liability \$		Premium \$	
Endorsement			Premium \$	
Govt Service Charge			Cost \$	30.00
Other			Cost \$	

We are prepared to issue Title Insurance Policy or Policies of First American Title Insurance Company, a Nebraska Corporation in the form and amount shown above, insuring title to the following described land:

The land referred to in this report is described in Exhibit A attached hereto.

Situs Address as disclosed on Jackson County Tax Roll:

579 Old Ferry Road, Shady Cove, OR 97539

and as of November 14, 2014 at 8:00 a.m., title to the fee simple estate is vested in:

Consuelo I. Byrd

Subject to the exceptions, exclusions, and stipulations which are ordinarily part of such Policy form and the following:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.

This report is for the exclusive use of the parties herein shown and is preliminary to the issuance of a title insurance policy and shall become void unless a policy is issued, and the full premium paid.

S- 88037