

Application for a Permit to Use Surface Water



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

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant Information

NAME EDWARD C. COLE OR LINDA D. COLE		PHONE (HM)	
PHONE (WK)	CELL 541-391-4256	FAX	
ADDRESS 776 CHEROKEE AVE.			
CITY ROSEBURG	STATE OR	ZIP 97471	E-MAIL * LECOLE2#ATT.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.)

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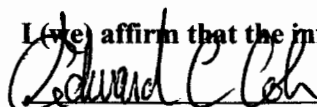
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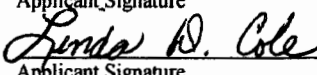
By my signature below I confirm that I understand:

SALEM, OR

- 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.


Applicant Signature


Applicant Signature

EDWARD C. COLE
Print Name and title if applicable

Linda D. Cole
Print Name and title if applicable

4/1/15
Date

4/1/15
Date

Revised

App. No. <u>1-88069</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.

- 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*).

<u>R. Scott Williams</u>	<u>Stonebrook Homeowners Association</u>	<u>David & Carol Zientara</u>
<u>483 Cherokee Ave.</u>	<u>c/o R. Scott Williams</u>	<u>2367 Rollie Loop</u>
<u>Roseburg, OR 97471</u>	<u>483 Cherokee Ave.</u>	<u>Eugene, OR 97495</u>
	<u>Roseburg, OR 97471</u>	

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: North Umpqua River Tributary to: Umpqua River
 Source 2: _____ Tributary to: _____
 Source 3: _____ Tributary to: _____
 Source 4: _____ Tributary to: _____

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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.

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
North Umpqua River	Domestic Expanded	Year Round	0.01 <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: _____ RECEIVED BY OWRD

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- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households: 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): 3 horsepower/submersible

Other means (describe): _____

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

Water will be pumped from the North Umpqua River to the existing irrigation holding pond and then to the residence for domestic use and irrigation of up to 1/2 acre lawn/garden.

B. Application Method

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

Household plumbing system and lawn/garden irrigation sprinklers.

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.

Water is needed for domestic use at the property. Best residential management practices will be used to minimize water use and prevent run off/erosion.

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: ODFW approved fish screening will be installed on pump intake prior to diversion of water.
- Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.
Describe planned actions: None planned.
- Operating equipment in a water body will be managed and timed to prevent damage to aquatic life.
Describe: None Planned.
- Water quality will be protected by preventing erosion and run-off of waste or chemical products.
Describe: Will use best residential management practices to prevent erosion and run off.

SECTION 7: PROJECT SCHEDULE

Date construction will begin: Upon issuance of permit

Date construction will be completed: October 1, 2015

Date beneficial water use will begin: October 1, 2015

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.

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Douglas County

Planning and Sanitation Pre-Application Worksheet

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OTHER ACTION

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Worksheet Number <h2 style="margin: 0;">WS15-0203</h2>	Applicant COLE, EDWARD C & LINDA D 776 CHEROKEE AVENUE ROSEBURG, OR 97471 (541) 391-4256	Owner COLE, EDWARD C & LINDA D 776 CHEROKEE AVENUE ROSEBURG, OR 97471
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SITE INFORMATION

Site Address 776 CHEROKEE AVE ROSEBURG, OR 97471	MTL 26-06W-27C-03300	Property ID Number (Primary) R131637	Size (Acres) 10.90
Improvement LUCS FOR OWRD FOR WATER RIGHTS		Proposed Use Land Use Compatibility Statement	
Existing Structures (Number and Type) SFD		Distance of Building Site from River, Creek, or Stream Bank >50'	
Directions WEST ON GARDEN VALLEY; RIGHT ON CHEROKEE AVE; PROPERTY ON LEFT.			

As, for, or on behalf of, all property owners:
 APPLICANT SIGNATURE: *Edward C Cole* DATE: 3/27/15

PLANNING DEPARTMENT INFORMATION

Zoning RR	Overlays FP
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SETBACKS (Rural Residential - 2 Acre)

Front Property Line of Right of Way 30 Feet	Rear Line 10 Feet	Side Line 10 Feet	Exterior Side Line NA
Sign Code NO SIGN PROPOSED - N/A	Special Setback NA	Riparian Setback 50 FEET	
Parking Spaces Required NA	Building Height 45 Feet	Flood Plain Yes	Floor Height Above Ground NOT REGULATED- IRRIGATION

Conditions of Approval
LUCS FOR WATER RIGHTS FOR OWRD; NO STRUCTURAL DEVELOPMENT APPROVED; MUST MEET ZONING AND SETBACK REQUIREMENTS.

Sanitation OSS - Existing System	Sanitary District	Water Public	Access Permit Required? NO
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Report Codes
NONSTRUCTURAL SEPTIC-EXISTING PUBLIC WATER STATE COMPAT.

Refer To

Approved By: JKA	Date: 3/27/2015	Receipt #: P19963	Amount: \$ 55.00	Expiration Date: 3/25/2016
----------------------------	---------------------------	-----------------------------	----------------------------	--------------------------------------

SANITATION INFORMATION

SE#	STP#	Existing System	System: Approved ___ Denied ___
Remarks			
By:	Date:	CSC Date:	

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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(s): Edward C. Cole

SALEM, OR

Mailing Address: 776 Cherokee Ave

City: Roseburg

State: OR

Zip Code: 97471

WS15-0203 RCP#P19963
R131637 R131644
R131630 R12256
R131639 Zone: RR-2
R131640 Daytime Phone: 541-391-4256

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:
<u>26S.</u>	<u>6W.</u>	<u>27</u>	<u>C</u>	<u>3800.</u>	_____	<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input type="checkbox"/> Used	_____
<u>26S.</u>	<u>6W.</u>	<u>27</u>	<u>C</u>	<u>3100.,</u> <u>3200.,</u> <u>2600 and,</u> <u>303.</u>	_____	<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input type="checkbox"/> Used	_____
<u>26S.</u>	<u>6W.</u>	<u>27</u>	<u>C</u>	<u>3300</u>	_____	<input 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	_____

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

Douglas 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) North Umpqua River

Estimated quantity of water needed: .01 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:

Water is needed for domestic use for one household and irrigation of .50 acre of lawn/garden

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. →

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For Local Government Use Only

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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): **3.9.050**

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.

**DOUGLAS COUNTY PLANNING DEPARTMENT
ROOM 106, JUSTICE BUILDING
DOUGLAS COUNTY COURTHOUSE
ROSEBURG, OR 97470**

Name: Jennifer Arnold Title: Planner
 Signature: Jenifer Arnold Phone: 541-440-4289 Date: 3/27/15
 Government Entity: Douglas County Planning Dept.

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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IRRIGATION WATERLINE EASEMENT AGREEMENT
AND RELEASE OF EASEMENT

This Easement Agreement is hereby made and entered into by and between R. SCOTT WILLIAMS (hereinafter referred to as "WILLIAMS") and WILMA GAMBILL hereinafter referred to as "GAMBILL") on the date herein below provided:

RECITALS:

A. GAMBILL has an irrigation line easement as set out in Judgment filed in Case No. 01CV1748CC in the Circuit Court of Douglas County, Oregon, wherein Donald L. Gambill was Plaintiff and Jon Douglas Gambill was defendant. The irrigation line easement encumbers the property of WILLIAMS.

B. WILLIAMS is the owner of the subservient property described in the irrigation line easement and wishes to relocate the irrigation line easement.

C. WILLIAMS and GAMBILL are in agreement that the line may be relocated to the common water line agreement on WILLIAMS' property. The relocated waterline easement is as described in the Exhibits A & B attached hereto and incorporated herein.

D. WILLIAMS and GAMBILL understand that WILLIAMS may at some future date to

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convey the common water line as part of and to be included as part of a subdivision and intends for
SALEM, OR
the water line easement to be managed by a homeowners association.

NOW THEREFORE: In consideration of the mutual promises herein the parties agree as follows:

(1) WATER LINE EASEMENT: WILLIAMS does hereby convey onto GAMBILL, a Perpetual, Nonexclusive Easement, which Easement Area shall be five feet (5') in width on either side of the centerline of the existing irrigation line described in the attached Exhibit A. and as depicted in Exhibit B.

(2) PURPOSE: Said irrigation line easement is for the purpose of providing GAMBILL access to an existing irrigation line and system of WILLIAMS.

(3) EASEMENT EXPENSE: The cost and expense of the installation, inspection, construction, reconstruction, improvement, installation and/or repair of the water line shall be born by WILLIAMS his heirs, successors and assigns. GAMBILL shall pay any cost and expense necessary to connect her irrigation system to the existing irrigation line described in Exhibit A.

(4) WATER LINE EXCLUSIVE: The easement area described herein is non-exclusive, and WILLIAMS, his heirs, successors and assigns retain all control over the irrigation line, its operation, maintenance and repair and shall have a right to use and occupy the easement area for all purposes. GAMBILL shall have the right to use, and to connect to, the irrigation line in common with other irrigation line users. GAMBILL shall limit her use of the irrigation line to providing water for lawn and garden purposes. GAMBILL agrees to abide by any water use and distribution requirements as set by WILLIAMS or his successors and assigns, that serve to regulate the common use of the irrigation line. Any such water use and distribution requirements will be uniform for all users of the common irrigation line.

(5) MANNER OF USE OF EASEMENT AREA/INDEMNITY: GAMBILL and WILLIAMS, and their successors and assigns, shall use and occupy the irrigation line and easement area such that one another's improvements are not hindered, damaged, delayed or otherwise harmed.

(6) LITIGATION EXPENSE: In the event that a dispute arises over the terms, conditions or enforcement of this Irrigation Waterline Easement Agreement, the unsuccessful party, their heirs, successors and assigns, shall pay to the prevailing party, their heirs, successors and assigns, any and all litigation expense incurred by the prevailing party. Litigation expense includes, but is not limited to: (a) reasonable attorney fees, whether incurred before, during or after legal proceedings are commenced, or before, during or after an appeal; (b) the fees and expenses of investigators, experts and/or surveyors; (c) the fees and expense

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of title reports, title searches and title insurance; (d) the fees and expenses of depositions; and (e) any and all other out-of-pocket expenses incurred in connection with or arising out of the parties' dispute.

(8) PRIOR ENCUMBRANCES: The Irrigation Waterline Easement granted herein is subject to all prior easements, liens and encumbrances of record.

(9) HEIRS/SUCCESSORS: This Irrigation Waterline Easement Agreement is intended to and shall bind and inure to the benefit not only of the immediate parties hereto, but also the respective heirs, devisees, administrators, executors, assigns and successors in interest.

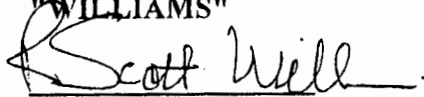
(10) GAMBILL RELEASE OF JUDGMENT EASEMENT: In consideration hereof, GAMBILL hereby releases and quit claims all interest she has in the irrigation ^{line} ~~the~~ easement as set forth in Judgment filed in Case No. 01CV1748CC in the Circuit Court of Douglas County, Oregon, wherein Donald L. Gambill was Plaintiff and Jon Douglas Gambill was defendant.

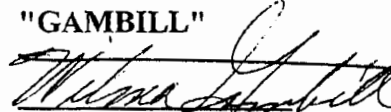
(11) ORS 93.040 NOTICE: "THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930."

"THE PROPERTY DESCRIBED IN THIS INSTRUMENT MAY NOT BE WITHIN A FIRE PROTECTION DISTRICT PROTECTING STRUCTURES. THE PROPERTY IS SUBJECT TO LAND USE LAWS AND REGULATIONS, WHICH, IN FARM OR FOREST ZONES, MAY NOT AUTHORIZE CONSTRUCTION OR SITING OF A RESIDENCE AND WHICH LIMIT LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 IN ALL ZONES. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND EXISTENCE OF FIRE PROTECTION FOR STRUCTURES."

DATED and SIGNED this 6 day of April, 2007.

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"WILLIAMS"

R. Scott Williams

"GAMBILL"

Wilma Gambill

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EXHIBIT "A"

A 10-foot wide irrigation line easement being a portion of Parcel 2 of Partition Plat 2006-0056, Douglas County Plat Records and a portion of Unit 2 of Instrument Number 2006-006254, Douglas County Deed Records, located in the Southwest quarter of section 27, Township 26 South, Range 6 West, Douglas County, Oregon, lying 5 feet on each side of a centerline which is located over and above an existing irrigation line and is more particularly described as follows:

Beginning at a point on the South boundary of said Parcel 2 from which the Southwest corner bears South 23°32'24", 82.58 feet; Thence leaving said South boundary, North 49°50'19" West, 530.95 feet to a point; Thence North 69°33'18" West, 71.72 feet to a point; Thence North 16°50'04" West, 353.37 feet to a point; Thence South 73°09'56" West, 30.00 feet to a point; Thence North 16°50'04" West, 102.12 feet to a point; Thence South 73°09'56" West, 173.28 feet to a point; Thence North 87°05'52" West, 43.53 feet to a point; Thence North 31°40'54" West, 55.93 feet; Thence North 50°07'23" West, 66.13 feet to a point; Thence North 38°39'43" West, 22.44 feet to a point; Thence South 48°51'30" West, 97.70 feet to a point on the West boundary of said Unit 2 and terminus of this description from which a 5/8-inch iron rod at the most Northerly Northwest corner of said Parcel 2 bears South 47°37'30" East, 42.77 feet. The sidelines of the previously described easement are to be lengthened or shortened in order to terminate on the aforementioned boundary lines.

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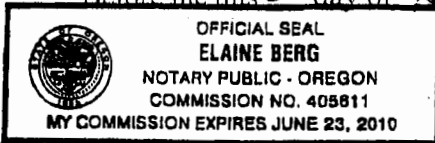
SALEM, OR

S-88068

STATE OF OREGON)
) ss.
County of Douglas)

Personally appeared before me the above named R. SCOTT WILLIAMS and he did acknowledge the foregoing instrument to be his voluntary act and deed.

Before me this 6th day of April, 2007.

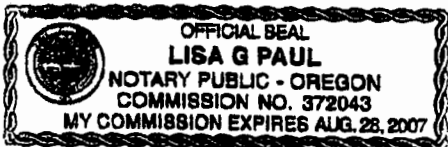


Elaine Berg
Notary Public for Oregon
My Commission Expires: June 23, 2010

STATE OF OREGON)
) ss.
County of Douglas)

Personally appeared before me the above named WILMA GAMBILL and she did acknowledge the foregoing instrument to be her voluntary act and deed.

Before me this 13th day of April, 2007



Lisa G Paul
Notary Public for Oregon
My Commission Expires: Aug. 28, 2007

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Douglas County Official Records
Patricia K. Hitt, County Clerk
2013-020651
12/26/2013 03:20:09 PM
DEED-WD Cnt=1 Str=1 CAROL
\$10.00 \$11.00 \$10.00 \$15.00 \$46.00

TICOR TITLE
470313030304

RECORDING REQUESTED BY:
Ticor Title Company of Oregon
940 NW Garden Valley Blvd, Suite 104
Roseburg, OR 97471

GRANTOR:
Jerry L. Tabor Building Inc.
PO Box 145
Umpqua, OR 97486

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GRANTEE:
Edward C. Cole and Linda D. Cole, as tenants by
the entirety
551 Oakview Drive
Roseburg, OR 97471

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AFTER RECORDING RETURN AND SEND TAX
STATEMENTS TO:
Edward C. Cole and Linda D. Cole
776 Cherokee Avenue
Roseburg, OR 97471

Escrow No: 470313030304-TTJA22

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Jerry L. Tabor Building Inc., Grantor, conveys and warrants to Edward C. Cole and Linda D. Cole, as tenants by the entirety, Grantees, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Douglas, State of Oregon:

Lot 10, Stonebrook Subdivision, Douglas County, Oregon.
TOGETHER WITH easements for access and utilities as recorded in Instrument 84-06731 and as set out in the Plat of Stonebrook Subdivision, records of Douglas County, Oregon.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS \$438,481.00. (See ORS 93.030)

Subject to and excepting:

Current taxes, assessments, reservations in patents, and all agreements, easements, right-of-way, encumbrances, liens, setback lines, reservations, powers of special districts, covenants, conditions and restrictions as may appear of record.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES 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 THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

DATED: 4/26/15

470313030304-TTJA22
Deed (Warranty-Statutory)



589068

Jerry L. Tabor Building Inc.

BY: [Signature]
Jerry L. Tabor, President

State of OREGON

County of Douglas

This instrument was acknowledged before me on December 26, 2013 by

Jerry L. Tabor
as President of Jerry L. Tabor Building, Inc.

[Signature]
Notary Public - State of Oregon

My commission expires: Aug 28, 2015



RECEIVED BY OWRD

APR 03 2015

SALEM, OR



S-88068

AmeriTitle 67606

After recording return to:



AmeriTitle, Inc.
P.O. Box 1609
1495 NW Garden Valley Blvd.
Roseburg, OR 97470 00067606

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

William Mohler and Nancy Mohler
7490 Mines Road
Livermore, CA 94550

DOUGLAS COUNTY OFFICIAL RECORDS
BARBARA E. NIELSEN, COUNTY CLERK

2006-021722



\$31.00

00160332200600217220030033

09/05/2006 01:20:02 PM

DEED-WD Cnt=1 Str=18 RECORDINGDESK

\$15.00 \$11.00 \$5.00

RECEIVED BY OWRD

APR 03 2015

SALEM, OR

STATUTORY WARRANTY DEED

R. SCOTT WILLIAMS, a fee simple estate, Grantor, conveys and warrants to WILLIAM MOHLER and NANCY MOHLER, Husband and Wife, Grantee, the following described real property free of encumbrances, except as specifically set forth herein situated in Douglas County, Oregon, to wit:

See Exhibit A attached hereto and made a part hereof.

This property is free from encumbrances, EXCEPT: ALL THOSE ITEMS OF RECORD, IF ANY, AS OF THE DATE OF THIS DEED AND THOSE SHOWN BELOW, IF ANY: 2006/2007 TAXES, A LIEN IN AN AMOUNT TO BE DETERMINED BUT NOT YET DUE AND PAYABLE

TOGETHER WITH easements more particularly described in Instrument No. 96-4608, Deed Records, Douglas County, Oregon, and as set out on MINOR LAND PARTITION MAP FILE NO. 72-30, Book 3, Page 255, Instrument No. 78-14726;

ALSO, TOGETHER WITH an easement 30 feet in width, for ingress and egress and utilities, more particularly described as follows: BEGINNING at the Southeast corner of the herein described property; thence Easterly and Westerly to a point on the Westerly boundary of Parcel 1, LAND PARTITION 2005-36, Douglas County, Oregon, said point also being on the Northeasterly boundary of a roadway easement described in MINOR LAND PARTITION Map File No. 72-30 recorded in the Deed Records of Douglas County, Oregon, as Instrument No. 78-14726.

RESERVING unto the seller, an easement for access to the existing pond for the purpose of maintaining said pond for irrigation purposes. Also easements for a pumping station, and related electric lines, at the pond and irrigation water lines both from the river and to carry the irrigation water to seller's adjacent lands. Seller covenants with buyer that he will keep the pond full for the benefit of future owners.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY UNDER ORS 197.352.

The true consideration for this conveyance is \$215,000.00. (Here comply with the requirements of ORS 93.030)

Dated July 30, 2006.

R. Scott Williams
R. SCOTT WILLIAMS

ORSTWD

S-88068

STATE OF OREGON
COUNTY OF DOUGLAS

} ss:

8-31-2006

This instrument was acknowledged before me on
by R. SCOTT WILLIAMS



Terrill Morgan

Notary Public for Oregon

My commission expires 12-19-06

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APR 03 2015

SALEM, OR

ORSTWD

5-88068

Exhibit A

A portion of Unit 2 of Instrument No. 2006-006254, Douglas County Deed Records, located in the Southwest quarter of Section 27, Township 26 South, Range 6 West, Willamette Meridian, Douglas County, Oregon, being more particularly described as follows:

BEGINNING at a ¼ inch iron pipe at the Northwest corner of said Unit 2; thence along the North boundary of said Unit 2, North 83° 42' 37" East 388.59 feet to a 5/8 inch iron rod; thence leaving said North boundary, South 21° 02' 45" West 310.33 feet to a 5/8 inch iron rod; thence South 86° 41' 01" West 209.16 feet to a 5/8 inch iron rod on the Southwesterly boundary of said Unit 2; thence along said Southwesterly boundary, North 43° 52' 22" West 95.83 feet to a 5/8 inch iron rod at the most Northerly Southwest corner of said Unit 2; thence along the West boundary of said Unit 2, North 00° 49' 55" East 31.41 feet to a 5/8 inch iron rod; thence continuing along said East boundary, North 00° 00' 50" West 158.67 feet to the point of beginning.

T26S, R06W, S27C, TL 303 (Portion)

Order No. 67606

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APR 03 2015

SALEM, OR

END OF DOCUMENT

S-88068