

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 COW CREEK BAND OF UMPQUA TRIBE OF INDIANS			PHONE (HM)
PHONE (WK) 541-863-3928	CELL 541-391-3372	FAX 541-863-5322	
ADDRESS 3845 ROBERTS MT. RD.			
CITY MYRTLE CREEK	STATE OR	ZIP 97457	E-MAIL *

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Organization Information

NAME			PHONE	FAX APR 09 2015
ADDRESS			CELL SALEM, OR	
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 TIM BARE			PHONE	FAX
ADDRESS 3845 ROBERTS MT. RD.			CELL 541-391-3372	
CITY MYRTLE CREEK	STATE OR	ZIP 97457	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.

Tim D. Bare
Applicant Signature

Tim D. Bare G.M.
Print Name and title if applicable

04/07/2015
Date

Applicant Signature

Print Name and title if applicable

Date

Revise

App. No. <u>20007</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*).

City of Myrtle Creek
20 Northwest Pleasant Street
Myrtle Creek, OR 97457

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.

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SECTION 3: SOURCE OF WATER

A. Proposed Source of Water

SALEM, OR

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: Galesville Reservoir

Tributary to: Cow Creek > South Umpqua River

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.)

R-9964

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
Galesville Reservoir	Primary irrigation of 167 acres	March 1 - October 31	421 <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input checked="" type="checkbox"/> af
Galesville Reservoir	Supplemental Irrigation of 158 acres	March 1 - October 31	160 <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

For irrigation use only:

Please indicate the number of primary and supplemental acres to be irrigated.

Primary: 167.0 Acres Supplemental: 158 Acres

List the Permit or Certificate number of the underlying primary water right(s): 28612, 46774, 48679, 34537, 49872

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 581.0

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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: _____
- If the use is **mining**, describe what is being mined and the method(s) of extraction: **SALEM, OR**

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SECTION 5: WATER MANAGEMENT

SALEM, OR

A. Diversion and Conveyance

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

Pump (give horsepower and type): 75, 60, 25, 30, 40 (2), and 50 horsepower centripetal pumps

Other means (describe): _____

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

Water is pumped through mainlines to full circles, half circles, wheel lines and handlines.

B. Application Method

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

Low pressure emitters on circles, rainbird sprinklers on wheel lines and hand lines.

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 irrigation of 325 acres (167 primary, 158 supplemental). Most efficient method of field irrigation will be used to prevent waste, erosion, and run-off. Flow meters will be used to measure water use.

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 is installed on all pump intakes.

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 irrigation management practices to prevent erosion and run-off.

SECTION 7: PROJECT SCHEDULE

Date construction will begin: Systems are currently installed

Date construction will be completed: N/A

Date beneficial water use will begin: Upon issuance of permit.

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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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

R 58720 & others Attached
Zone: FG
WSIS-0235
REP. # P20049

Applicant(s): Cow Creek Band of Umpqua Tribe of Indians
 SALEM, OR

Mailing Address: 3845 Roberts Mt. Rd.

City: Myrtle Creek

State: OR

Zip Code: 97457

Daytime Phone: _____

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>28S</u>	<u>6W</u>	<u>35</u>	_____	<u>200</u>	_____	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____
<u>28S</u>	<u>6W</u>	<u>35</u>	_____	<u>100</u>	_____	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	_____
<u>28S</u>	<u>6W</u>	<u>27</u>	_____	<u>300</u>	_____	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	_____
<u>28S</u>	<u>6W</u>	<u>26</u>	_____	<u>400</u>	_____	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" 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) Galesville Reservoir

Estimated quantity of water needed: 581
 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 irrigation of 325 acres using Galesville Reservoir Stored 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.

See bottom of Page 3. →

A. Land and Location – Continued

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:	Proposed Land Use
28S	6W	26	D	200		Diverted X Conveyed X Used	
28S	6W	26	D	600		Diverted X Conveyed X Used	
28S	6W	26	D	700		Diverted X Conveyed X Used	
28S	6W	26	D	800		Diverted X Conveyed X Used	
28S	6W	35	A	200		Diverted X Conveyed X Used	
28S	6W	35	AC	100		Diverted X Conveyed X Used	
28S	6W	35		100		Diverted X Conveyed X Used	
30S	5W	7	C	1000		X Diverted X Conveyed X Used	
29S	5W	7		200		X Diverted X Conveyed X Used	
29S	5W	7		201		Diverted X Conveyed X Used	
29S	5W	32	D	1000		X Diverted X Conveyed X Used	
29S	5W	32	D	800		Diverted X Conveyed X Used	
29S	5W	32	D	900		Diverted X Conveyed X Used	
29S	5W	32	C	2600		Diverted X Conveyed X Used	
28S	6W	21		200		X Diverted X Conveyed X Used	
28S	6W	21		100		Diverted X Conveyed X Used	
28S	6W	21		300		Diverted X Conveyed X Used	
28S	6W	21		400		Diverted X Conveyed X Used	
28S	6W	21		500		Diverted X Conveyed X Used	
28S	6W	28		300		Diverted X Conveyed X Used	
28S	6W	28	B	1600		Diverted X Conveyed X Used	
28S	6W	28	B	1700		Diverted X Conveyed X Used	
28S	6W	28	B	1800		Diverted X Conveyed X Used	
28S	6W	28	B	1400		Diverted X Conveyed X Used	
28S	6W	20	D	1200		Diverted X Conveyed X Used	
28S	6W	20	D	1400		X Diverted X Conveyed X Used	
28S	6W	20	D	1500		Diverted X Conveyed X Used	
28S	6W	29	A	100		Diverted X Conveyed X Used	
28S	6W	29	A	300		Diverted X Conveyed X Used	
28S	6W	29	A	500		Diverted X Conveyed X Used	
28S	6W	29	A	600		Diverted X Conveyed X Used	

R 58720	R 58678	R 62874	R 42961
R 58713	R 58685	R 62909	R 43009
R 58664	R 58699	R 62930	R 40625
R 58671	R 58706	R 41505	R 40513
R 58440	R 58727	R 42025	R 40593
R 58454	R 58755	R 42185	R 40601
R 58447	R 58713	R 42169	R 43001
R 119754	R 27650	R 42177	R 40641
R 58503	R 57841	R 43057	R 40649
R 58524	R 57855	R 43121	
R 58482	R 57862	R 42201	
	R 62881	R 42193	

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P-88071

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): 3.3.050

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
		<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.

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

SALEM, OR

Name: Jennifer Arnold Title: Planner
 Signature: Jennifer Arnold Phone: 541-440-4289 Date: 4/7/15
 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: _____

STATE OF OREGON
 COUNTY OF DOUGLAS
CERTIFICATE OF WATER RIGHT

This Is to Certify, That CLIFFORD H. PEARSON

of Star Route, Box 607-H, Winston, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of a well

a tributary of South Umpqua River for the purpose of irrigation of 24.0 acres

under Permit No. G-3484 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from September 21, 1966

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.08 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NE¹/₄, NE¹/₄, Section 29, T. 28 S., R. 6 W., W. M. Well located: 2260 feet North and 440 feet West from E¹/₄ Corner, Section 29.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2¹/₂ acre feet per acre for each acre irrigated during the irrigation season of each year,

and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

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SALEM, OR

9.7 acres SE¹/₄ SE¹/₄
 Section 20

14.3 acres NE¹/₄ NE¹/₄
 Section 29
 T. 28 S., R. 6 W., W. M.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed

this date. November 16, 1970

CHRIS L. WHEELER

State Engineer

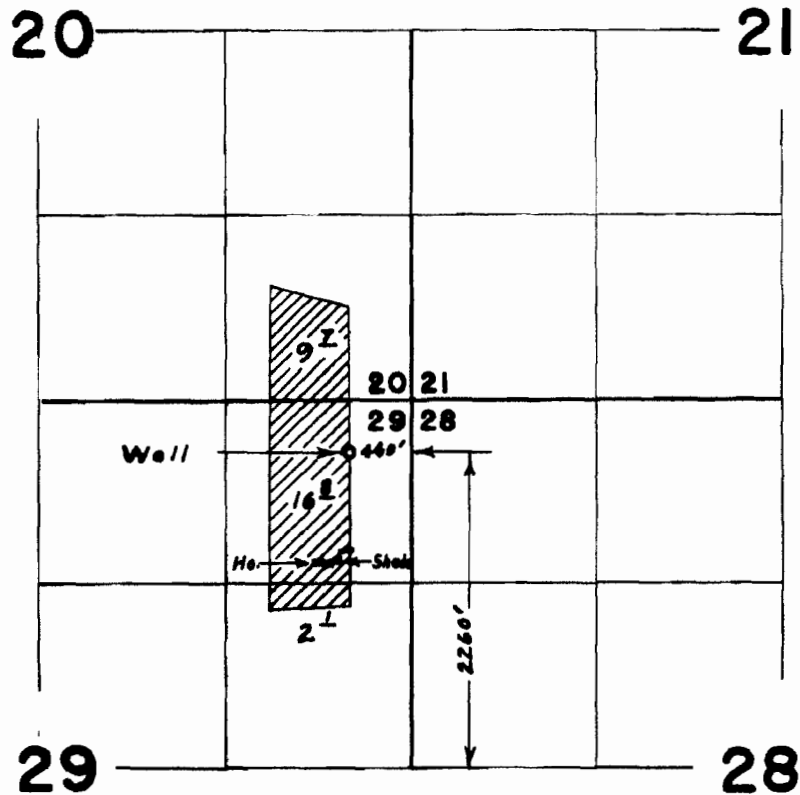
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SALEM, OR

T. 28 S. R. 6 W. W.M.



FINAL PROOF SURVEY UNDER

Application No. G-3678 Permit No. G-3484
IN NAME OF

CLIFFORD H. PEARSON

Surveyed Aug. 8, 1969, by L. E. Gould.

S-88071

1969-V

STATE OF OREGON
COUNTY OF DOUGLAS
CERTIFICATE OF WATER RIGHT

This Is to Certify, That FRED BURKS

of Box 608, Winston, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of South Umpqua River

a tributary of Umpqua River for the purpose of irrigation of 58.7 acres

under Permit No. 28612 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from February 6, 1963

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.73 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 20; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 21; T. 28 S., R. 6 W., W. M. Diversion points located: 4170 feet North and 1000 feet West; 3430 feet North and 1120 feet East; both from W $\frac{1}{4}$ Corner, Section 28.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2 $\frac{1}{2}$ acre feet per acre for each acre irrigated during the irrigation season of each year; provided further that the right to use of water is limited to the period when the flow of the South Umpqua River is more than 60 c.f.s. at its mouth,

and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

4.2 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
5.8 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 20

8.1 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 21

20.5 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$
Section 28

9.6 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
8.2 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$
1.1 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
1.2 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 29

T. 28 S., R. 6 W., W. M.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed

this date. November 16, 1970

CHRIS L. WHEELER

State Engineer

Recorded in State Record of Water Right Certificates, Volume 29, page 37099

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SALEM, OR

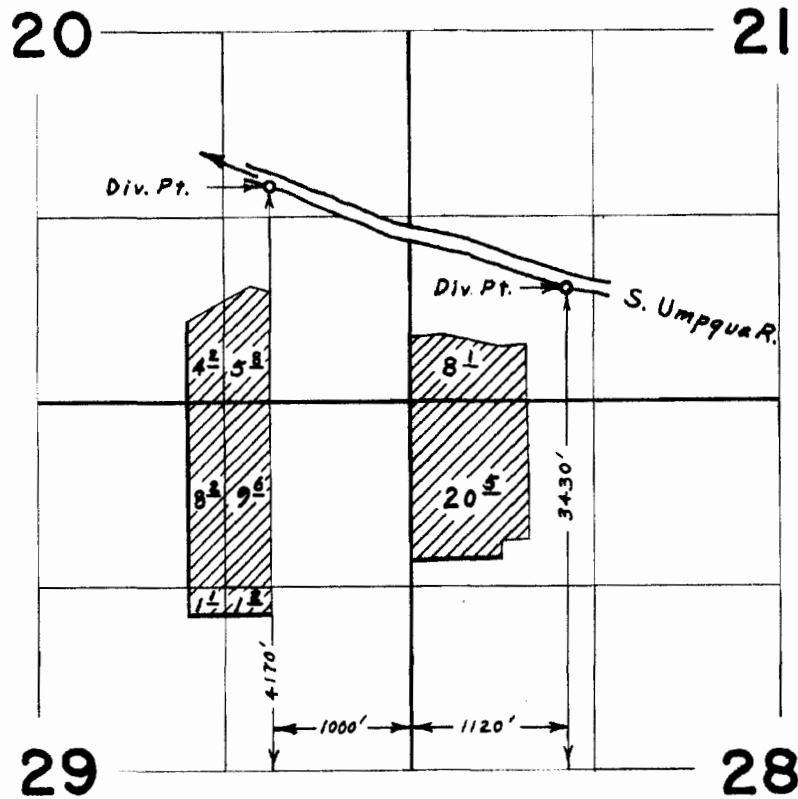
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SALEM, OR

T. 28 S. R. 6 W. W.M.



FINAL PROOF SURVEY UNDER

Application No. 38416 Permit No. 28612
IN NAME OF
FRED BURKS

Surveyed Sept. 12, 1969, by W. J. Ruppert.

S-88071

1969-N 180

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STATE OF OREGON

COUNTY OF DOUGLAS

APR 09 2015

CERTIFICATE OF WATER RIGHT

SALEM, OR

THIS IS TO CERTIFY, that

DAVID K BURKS of RT 1 BOX 704 WINSTON OR 97496 has a right to the use of the waters of SOUTH UMPQUA RIVER a tributary of UMPQUA RIVER for the purpose of IRRIGATION.

The right has been perfected under Permit 46774. The date of priority is MARCH 26, 1982. The right is limited to not more than 0.780 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source. The point of diversion is located in the

(point 1) DLC 52, NE 1/4 SE 1/4, Section 20, T 28 S, R 06 W, WM; 1525 FEET NORTH & 950 FEET WEST FROM SE CORNER SECTION 20 (point 2) SW 1/4 SW 1/4, Section 21, T 28 S, R 06 W, WM; 960 FEET NORTH & 1080 FEET EAST FROM SE CORNER SECTION 20

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

The right shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right, and to which such right is appurtenant, is as follows:

Table with columns: ACRES, 1/4 1/4, DLC, SECTION, TOWNSHIP, RANGE, WM. Rows list primary rights for various sections (52, 20, 21, 28, 29) and a total of 62.40 acres.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. The right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

WITNESS the signature of the Water Resources Director, affixed this date, JANUARY 7, 1988. /S/ WILLIAM H. YOUNG

Water Resources Director

Recorded in State Record of Water Right Certificates number 56607 63428

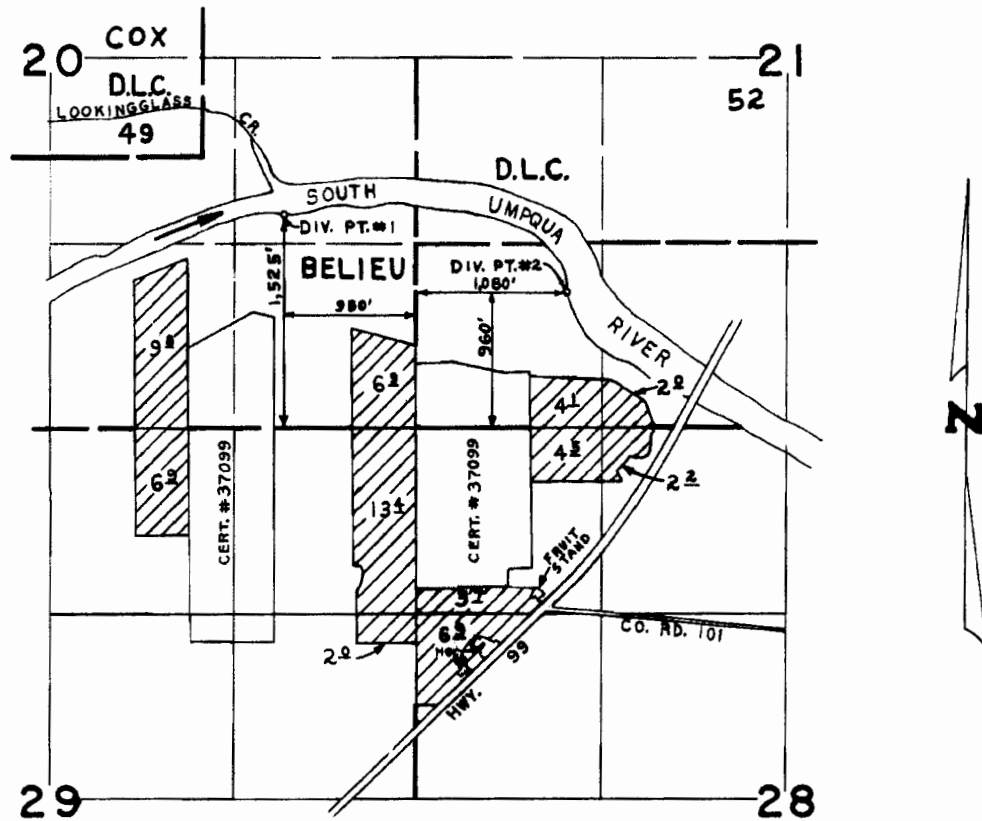
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SALEM, OR

T.28S. R.6W. W.M.



SCALE: 4" = 1 mile

FINAL PROOF SURVEY UNDER

Application No. 63428. Permit No. 46774.....
IN NAME OF

.....**DAVID K. BURKS**.....

Surveyed ...DEC. 8. 1983, by L. CASHION....

S-88071

STATE OF OREGON
COUNTY OF DOUGLAS
CERTIFICATE OF WATER RIGHT

This Is to Certify, That J. IRA MCNUFF

of P.O. Box 296, Springfield, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of South Umpqua River

a tributary of Umpqua River for the purpose of irrigation of 256.7 acres

under Permit No. 23486 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from September 2, 1954

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 3.21 cubic feet per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SE 1/4 NW 1/4, as projected within Burnett DLC 54, Section 35, T. 28 S., R. 6 W., W.M.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2 1/2 acre feet per acre for each acre irrigated during the irrigation season of each year,

and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

- 13.1 acres NE 1/4 SW 1/4
- 3.9 acres NW 1/4 SW 1/4
- 34.4 acres SW 1/4 SW 1/4
- 40.0 acres SE 1/4 SW 1/4
- 1.3 acres NW 1/4 SE 1/4
- 16.1 acres SW 1/4 SE 1/4
- 6.3 acres SE 1/4 SE 1/4
- Section 26
- 11.0 acres NE 1/4 NE 1/4
- 37.0 acres NW 1/4 NE 1/4
- 7.5 acres SW 1/4 NE 1/4
- 2.3 acres SE 1/4 NE 1/4
- 37.4 acres NE 1/4 NW 1/4
- 35.4 acres NW 1/4 NW 1/4
- 7.1 acres SW 1/4 NW 1/4
- 0.9 acre SE 1/4 NW 1/4
- Section 35

all as projected within Burnett DLC 54

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed

this date. APRIL 28 1961

LEWIS A. STANLEY
State Engineer

Recorded in State Record of Water Right Certificates, Volume 20, page 28556

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SALEM, OR

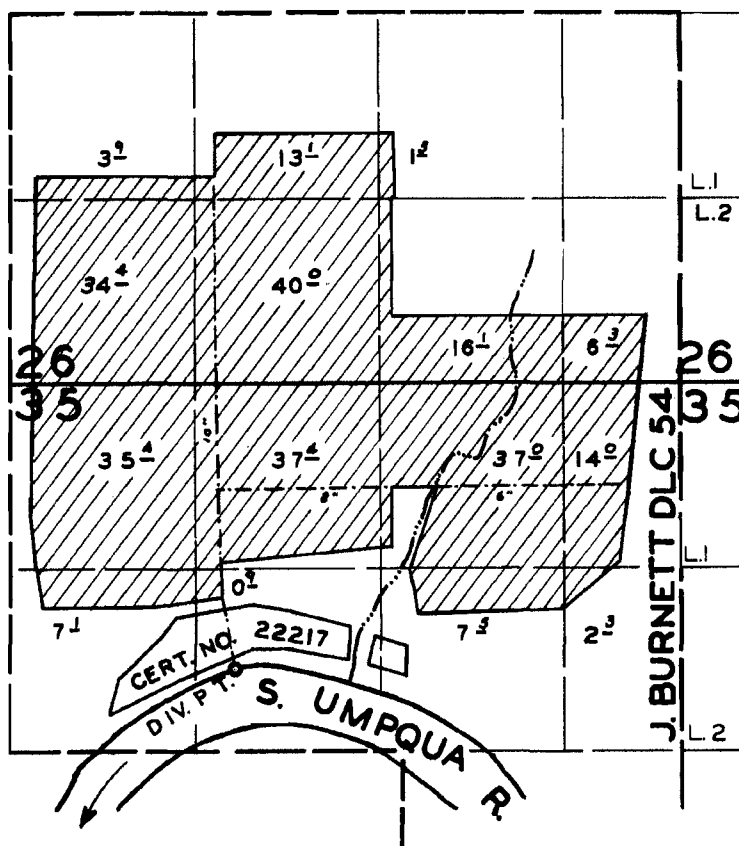
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APR 09 2015

SALEM, OR

T. 28S. R. 6W. W.M.



FINAL PROOF SURVEY
UNDER

Application No. 29446 Permit No. 23486
IN NAME OF

J. IRA MCNUTT

Surveyed AUG. 30. 19. 60. by C.O. BARTELS.

S-88071

1960W *[Signature]*

STATE OF OREGON
COUNTY OF DOUGLAS
CERTIFICATE OF WATER RIGHT

This Is to Certify, That KENNETH R. & GLENNA M. BARE

97458

of **Route 1, Box 431-A, Myrtle Creek**, State of **Oregon**, has made proof to the satisfaction of the **STATE ENGINEER** of Oregon, of a right to the use of the waters of **South Umpqua River**

a tributary of **Umpqua River** for the purpose of
irrigation of 65.6 acres

under Permit No. **34537** of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from **July 15, 1969**

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed **0.31 cubic foot per second**

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the **NE $\frac{1}{4}$ SW $\frac{1}{4}$** , as projected within **Hadley DLC 37, Section 7, T. 29 S., R. 5 W., W. M., 1120 feet South and 60 feet West from NE Corner, Hadley DLC 37.**

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to **one-eightieth** of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed **2 $\frac{1}{2}$ acre feet per acre** for each acre irrigated during the irrigation season of each year,

and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

0.4 acre NW $\frac{1}{4}$ NE $\frac{1}{4}$
As projected within Bean DLC 38
0.1 acre Lot 2 (NE $\frac{1}{4}$ NW $\frac{1}{4}$)
12.3 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
As projected within Bean DLC 38
11.0 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
2.9 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
Both as projected within Hadley DLC 37
20.3 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
17.5 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
Both as projected within Bean DLC 38
0.8 acre NE $\frac{1}{4}$ SW $\frac{1}{4}$
0.3 acre NW $\frac{1}{4}$ SW $\frac{1}{4}$
Both as projected within Hadley DLC 37
Section 7
T. 29 S., R. 5 W., W. M.

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The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed

this date. **February 26, 1974**

Chris L. Wheeler

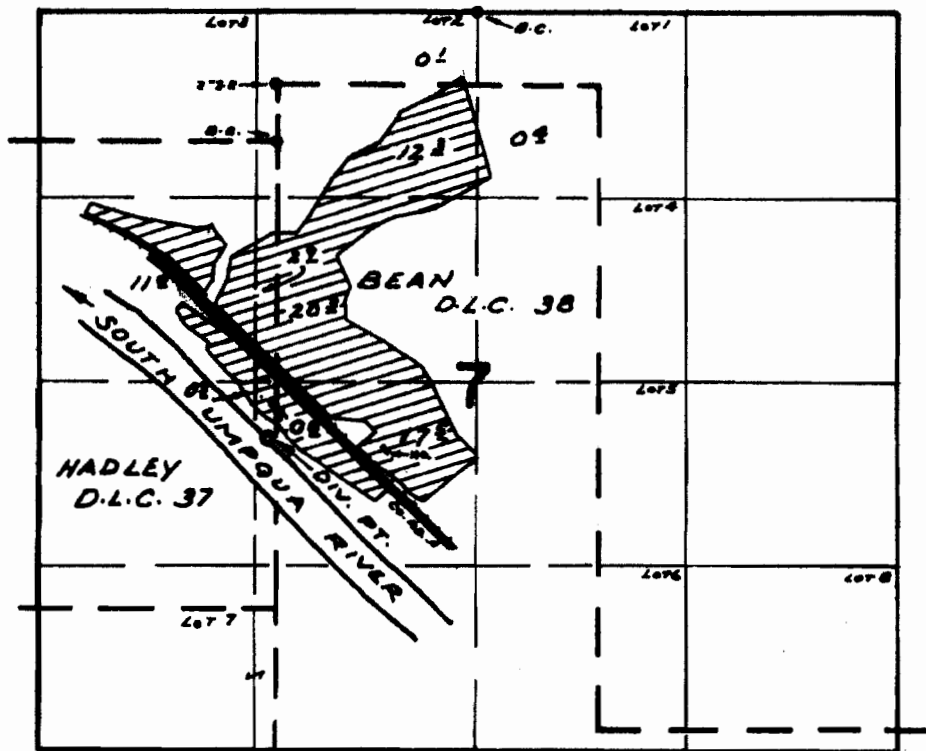
State Engineer

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APR 09 2015

SALEM, OR

T.29S.R.5W.W.M.



DIV. PT. LOC: 2120' S. & 60' W. FROM N.E. COR. HADLEY D.L.C. 37

FINAL PROOF SURVEY UNDER

Application No. 16227 Permit No. 34537
IN NAME OF

KENNETH R. & GLENNA M. BARE

Surveyed MAY 2 1972, by R. MUCKEN

S-88071

1972-K

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STATE OF OREGON

APR 09 2015

COUNTY OF DOUGLAS

CERTIFICATE OF WATER RIGHT

SALEM, OR

THIS CERTIFICATE ISSUED TO

BUSTER R. AND CHLOE J. MANSHACK
724 AVIATION DRIVE
MYRTLE CREEK, OREGON 97457

confirms the right to use the waters of SOUTH UMPQUA RIVER, a tributary of UMPQUA RIVER, for the purpose of IRRIGATING 5.0 ACRES.

This right has been perfected under Permit 48679. The date of priority is MARCH 19, 1984. This right is limited to 0.06 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SW 1/4 SE 1/4, AS PROJECTED WITHIN DLC 44, SECTION 32, T 29 S, R 5 W, W.M.; 100 FEET NORTH AND 960 FEET EAST FROM THE SOUTH 1/4 CORNER OF SECTION 32.

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre-feet for each acre irrigated during the irrigation season of each year.

This right shall conform to any reasonable rotation system ordered by the proper state officer.

A description of the place of use under this right, and to which this right is appurtenant, is as follows:

SE 1/4 SW 1/4 1.6 ACRES
SW 1/4 SE 1/4 3.4 ACRES
BOTH AS PROJECTED WITHIN DLC 44
SECTION 32
TOWNSHIP 29 SOUTH, RANGE 5 WEST, W.M.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. This right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

WITNESS the signature of the Water Resources Director, affixed JUNE 21, 1991.

/s/ WILLIAM H. YOUNG

William H. Young

Recorded in State Record of Water Right Certificates numbered 66155.

68033.JS

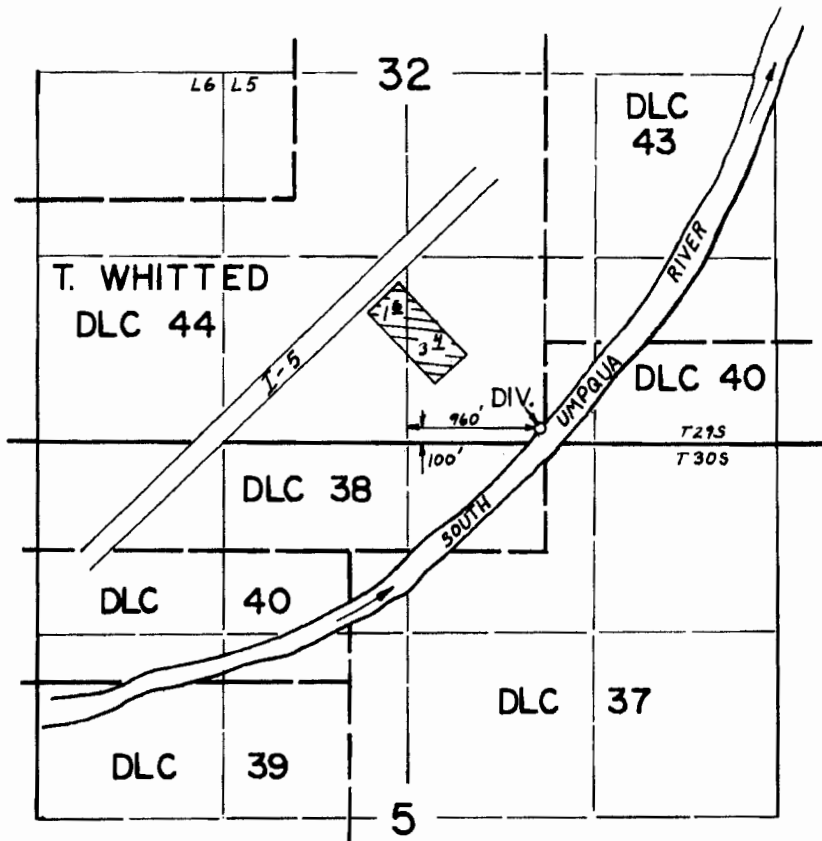
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SALEM, OR

T.29S., R.5W., W.M.



SCALE: 4" = 1 mile

FINAL PROOF SURVEY UNDER

Application No. 68033. Permit No. 48679.....
IN NAME OF

.....MANSHACK.....

Surveyed DEC. 13, 1984, by J.E. Cashion.....

C-88071

BTR-1HH-257

JEC

STATE OF OREGON
COUNTY OF DOUGLAS
CERTIFICATE OF WATER RIGHT

RECEIVED BY OWRD

THIS CERTIFICATE ISSUED TO

APR 09 2015

WEBSTER BRIGGS
4422 GAZLEY ROAD
MYRTLE CREEK, OREGON 97457

SALEM, OR

confirms the right to use the waters of THE SOUTH UMPQUA RIVER, a tributary of THE UMPQUA RIVER, for IRRIGATING 16.0 ACRES.

This right was perfected under Permit 49872. The date of priority is JANUARY 22, 1985. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.20 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source. The quantity of water diverted at the new point of diversion, shall not exceed the quantity of water available at the original point of diversion.

The point of diversion is located as follows:

SW 1/4 SW 1/4, AS PROJECTED WITHIN DLC 42, SECTION 7, T 30 S, R 5 W, W.M.; 1760 FEET SOUTH AND 250 FEET EAST FROM THE W 1/4 CORNER OF SECTION 7.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use to which this right is appurtenant is as follows:

SW 1/4 SW 1/4 8.8 ACRES
SE 1/4 SW 1/4 7.2 ACRES
AS PROJECTED WITHIN DLC 42
SECTION 7
TOWNSHIP 30 SOUTH, RANGE 5 WEST W.M.

When required by the Department, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

This certificate is issued to confirm a change in POINT OF DIVERSION AND PLACE OF USE approved by an order of the Water Resources Director entered JANUARY 30, 1991, and together with Certificate 65232, supersedes Permit 49872, State Record of Water Rights.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

SEE NEXT PAGE

T-6050.DSM

S-88071

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

WITNESS the signature of the Water Resources Director, affixed OCTOBER 23, 1995.

/s/ Martha O. Pagel

Martha O. Pagel

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APR 09 2015

SALEM, OR

Recorded in State Record of Water Right Certificates numbered 68634.

T-6050.DSM

S-88071

FINAL PROOF SURVEY MAP
IN THE NAME OF WEBSTER BRIGGS
SECTION 7, T 30 S, R 5 W, W.M.

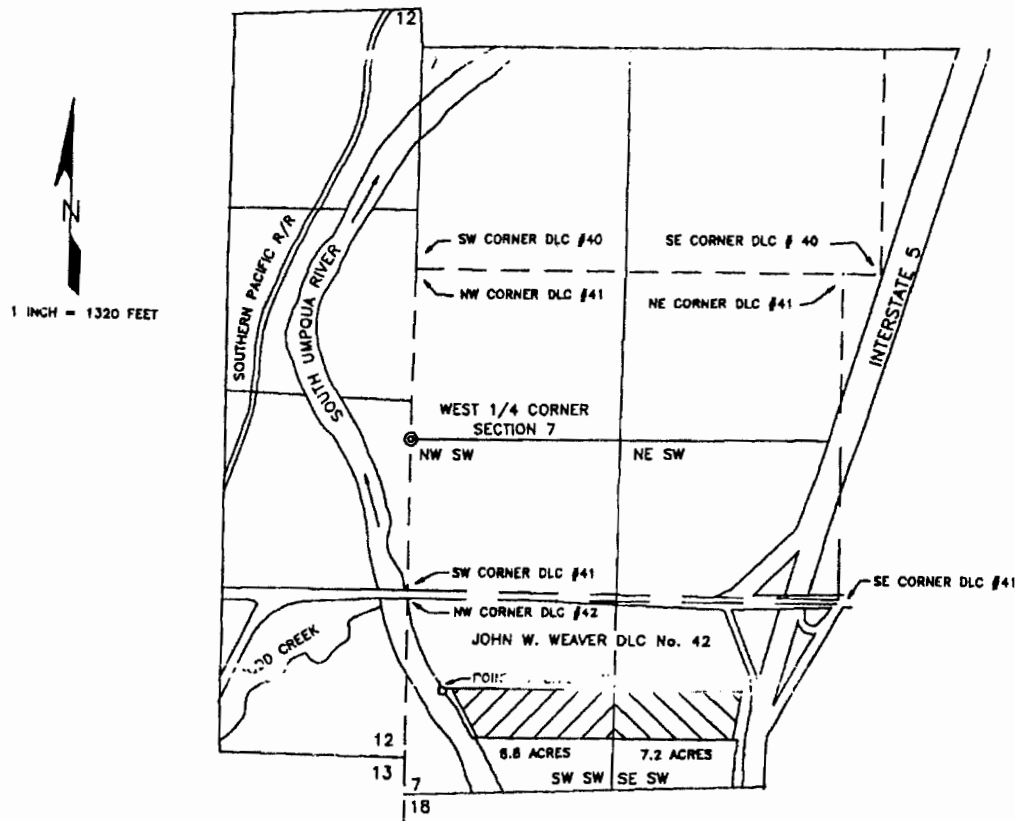
RECEIVED BY OWRD

APR 09 2015

PERMIT No. 49872

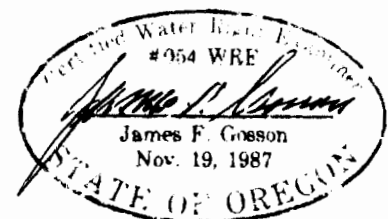
TRANSFER No. 6050

SALEM, OR



THE POINT OF DIVERSION IS LOCATED 1760 FEET SOUTH AND 250 FEET EAST FROM THE WEST ¼ CORNER OF SECTION 7 BEING WITHIN THE SW¼SW¼ OF SECTION 7, TOWNSHIP 30 SOUTH, RANGE 5 WEST, W.M., DOUGLAS COUNTY.

THE PURPOSE OF THIS MAP IS TO IDENTIFY THE LOCATION OF THE WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES.



C-88071

CONTRACT FOR PURCHASE OF AGRICULTURAL WATER FROM GALESVILLE PROJECT

This contract is made on _____, 20__ between Douglas County, a political subdivision of the State of Oregon, ("County"), and K-Bar Ranches Corp. ("Customer").

RECEIVED BY OWRD

APR 09 2015

SALEM, OR

COUNTY AND CUSTOMER AGREE:

1 TERM AND RENEWAL:

1.1. The initial term of this contract shall begin on March 1, 2015 and end on December 31, 2025, unless it is sooner terminated as provided herein.

1.2. As used in this contract, unless the context clearly indicates otherwise, "term" or "term of this contract" shall mean both the initial term and any extension.

1.3. Customer shall have the right to extend the term of this contract for two successive periods of ten years each upon the following conditions:

1.3.1. Approximately ninety days prior to expiration of the contract term, County shall notify Customer in writing that Customer has the right to extend the term at the price set pursuant to section 11.

1.3.2. Customer may elect to extend the contract term by written notice to County within thirty days after County gives notice of the right to extend. Concurrently with written notice of extension Customer may request the Board of Commissioners to review and reduce the price of water in accordance with subsection 11.5.

1.3.3. No other act or agreement shall be required of the parties to effect the extension after Customer gives proper notice of election to extend the contract term.

1.3.4. Each extension shall commence on the day following the termination date of the initial term or the preceding extension.

1.4. The provisions of this contract shall apply to any extension except for changes in the purchase price pursuant to section 11; modifications required to comply with federal or state statutes, regulations, or administrative rules; or modifications required to comply with any contract between County and the United States concerning the Galesville Project.

1.5. Customer shall not be entitled to extend the term of this contract if Customer is in default under this contract at the time extension is requested by Customer.

2 AUTHORITY OF PUBLIC WORKS DIRECTOR:

2.1. The Director of the Douglas County Public Works Department (the Director) has authority to administer this contract on behalf of County.

S-88071

APR 09 2015

SALEM, OR

2.2. The Director may delegate authority to administer this contract to the Manager of the County Public Works Department, Natural Resources Division (the Division Manager), except for authority to establish the price of water under section 11 of this contract. The Director shall retain the right to supersede any decision of the Division Manager in the administration and interpretation of this contract.

2.3. References to the Director in this contract shall be deemed to include the Division Manager, to the extent the Director has delegated authority to the Division Manager.

3 WATER ALLOCATION: Each year during the term of this contract, County shall allocate sufficient acre feet of storage capacity in the Galesville Reservoir for Customer to irrigate 327 acres. This allocation shall not exceed 581 acre feet per irrigation season as specified on the attached Exhibit A.

4 PERMITS AND CERTIFICATES OF WATER RIGHTS:

4.1. County shall file and maintain any reservoir water right permit and/or certificate to store water in the Galesville reservoir allocated for the Customer's use, as required by the State of Oregon Water Resources Department or its successor ("OWRD").

4.2. Customer, at Customer's expense, shall be responsible for obtaining any permit and/or certificate of water rights for use of the stored water allocated under this contract as required by the OWRD.

4.3. Within 6 months after the effective date of this contract, Customer shall provide County with a copy of the application map provided to the State.

5 RELEASE OF WATER:

5.1. Subject to the provisions of this contract, County will release into the natural channel of Cow Creek water comprising the allocation described in section 3. Water released for Customer's allocation shall be measured and delivered to Customer's point of diversion of record by County with equipment installed and maintained by County.

5.2. County shall report to the OWRD all allocated water stored and distributed to Customer's point of diversion of record, including reasonable losses. Customer shall report all water use as described on Customer's water right of record, or as otherwise may be required by the OWRD.

5.3. The obligations of County to allocate capacity may be restricted by any lawful order, regulation, or ruling of any governmental agency or provisions of a contract between County and the United States. Such legal restrictions may impair the County's ability to perform its obligations under this contract. In that event, County shall be relieved of its obligations to the extent necessary to comply with the legal restrictions. Customer's payments under this contract shall be reduced proportionally to any reduction in Customer's allocation resulting from such legal restrictions.

5.4. Notwithstanding any other provision of this contract, County may suspend release and delivery of water to Customer upon written notice to Customer if Customer fails to make any payment for such water when due.

S-80071

APR 09 2015

SALEM, OR

6 DIVERSION AND USE OF WATER:

6.1. Customer shall be wholly responsible for taking, diverting, conveying, and utilizing its water and shall bear all losses from Customer's point of diversion.

6.2. Customer shall divert the water it is entitled to receive under this contract in accordance with schedules developed by the Customer and County.

6.3. The water diverted by Customer may be measured by County at the point of diversion. The point of diversion shall be accessible for inspection and measurement of water at all reasonable times by County. Any easement necessary for County to gain access to the point of diversion shall be provided by Customer when requested by County.

6.4. The water shall be utilized for agricultural use. Customer shall utilize the water only for the uses and only on the real property described in Customer's permit and certificate.

6.5. Customer shall be responsible for purchase and installation of a meter or other suitable measuring device if required by the OWRD. Once installed, it shall be the Customer's responsibility to maintain such device in good working order. If requested by the OWRD, Customer shall maintain a record of the amount of water used and report water use on such periodic schedule as may be established by the OWRD.

6.6. If required, Customer shall purchase, install, maintain, and operate fish screening equipment and by-pass devices to prevent fish from entering the diversion. Any required screens and/or by-pass devices shall be in place, functional, and approved prior to diversion of any water under this contract.

7 QUALITY OF WATER:

7.1. County shall operate and maintain the Galesville dam, reservoir, and related facilities in a reasonable and prudent manner, and shall endeavor in good faith to take adequate measures to maintain the quality of raw stored water at the facilities. County is under no obligation to construct or furnish water treatment facilities to maintain or improve the quality of water. **COUNTY MAKES NO WARRANTIES, EXPRESS OR IMPLIED, REGARDING THE QUALITY OF WATER RELEASED AND DELIVERED FROM GALESVILLE DAM, RESERVOIR, AND RELATED FACILITIES.**

8 WATER SHORTAGES: In any year in which a water shortage in the Galesville reservoir occurs, County shall apportion the available water supply among Customer and other users who are entitled to receive water from the reservoir. The quantity of water to be furnished for irrigation shall first be reduced as necessary, but not greater than 15%. Any further reduction in the reservoir water supply shall be shared by Customer and all other users entitled to water from the reservoir in the same proportion that the entitlement of each user, including Customer's entitlement under this contract, bears to the total entitlements of all users.

9 WATER CONSERVATION: Customer acknowledges the critical need for water conservation in the Umpqua River basin. Customer shall implement reasonable and prudent water conservation measures for agricultural activities.

S-08071

APR 09 2015

SALEM, OR

10 COMPLIANCE WITH LAW: This contract shall be governed by and construed in accordance with the laws of the State of Oregon. Each party shall perform its obligations in accordance with all applicable state, federal, and local laws, rules and regulations now or hereafter in effect.

11 PRICE OF WATER:

11.1. During the initial term, the price for the allocation stated in section 3 shall be \$7825.00 per year.

11.2. For each discrete ten year extension of the contract term, Customer shall pay the then current rate as established by County in accordance with this section. Notice of the right to extend under subsection 1.3.1 shall state the price of water during the extension.

11.3. The Director shall periodically review and adjust the price for water taking into account the following factors:

11.3.1. The current cost of operating and maintaining the Galesville dam, reservoir, and related facilities;

11.3.2. The projected costs for operating, maintaining, and replacing Galesville water storage and delivery facilities; and

11.3.3. The price of water sold by similar facilities for similar uses.

11.4. The allocation price for each renewal term shall not be increased by more than 10% over the previous term.

11.5. Customer may request the Board of Commissioners to review and reduce the price of water established by the Director. Such request shall be in writing and shall be given with the notice of Customer's election to extend the contract term. After considering the factors listed in subsection 11.3, the Board of Commissioners may reduce or affirm the price established by the Director. If the Board of Commissioners fails to take any action on Customer's request to review and reduce the price of water within 30 days after Customer makes the request, the request shall be deemed denied. If Customer is not satisfied with the action of the Board of Commissioners, Customer may rescind their election to extend the contract term and cancel the contract by written notice to County within sixty days after Customer requests the Board of Commissioners to review and reduce the price.

12 PAYMENT:

12.1. Customer shall pay County the annual price established by section 11 for the allocation stated in section 3 regardless of whether Customer uses any or all of the water allocated. Except as provided in subsection 12.2, payment shall be made no later than March 31 of each year.

12.2. If this contract is dated after March 2 in the year for which water is first to be released, then the amount due for the first year only shall be payable within 30 days after the date the contract is signed by County.

12.3. Interest shall accrue on late payments at the rate of eighteen percent per annum commencing the day after the date payment is due. Customer shall pay all interest upon the request of County.

////
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5-8007

13 LIMITATIONS ON LIABILITY:

13.1. County shall not be liable for damages or other expenses sustained by Customer resulting from shortages in the quantity of water available for release, or interruptions in water deliveries to Customer, if such shortages or interruptions in deliveries are caused partially or entirely by hostile diversion, accidental damage to County facilities, operational failure of County facilities, or any cause beyond County's control.

13.2. Notwithstanding any other provision of this contract, County shall not be liable to Customer for damages caused by failure to comply with any obligation of County under this contract, if such failure results from lack of appropriation of funds necessary to perform such obligation pursuant to ORS 294.305 et seq. (Local Budget Law).

13.3. In no event shall County be liable to Customer for any indirect, special, or consequential damages even if Customer previously advised County of the possibility of such damages.

14 DEFAULT:

14.1. There shall be a default under this contract if either party materially fails to comply with any provision of this contract within thirty days after the other party gives written notice specifying the breach. If the breach specified in the notice cannot be completely cured within the thirty day period, no default shall occur if the party receiving the notice begins curative action within the thirty day period and thereafter proceeds with reasonable diligence and in good faith to cure the breach as soon as practicable.

14.2. If a default occurs, the party injured by the default may elect to terminate this contract and pursue any equitable or legal rights and remedies available under Oregon law, except that Customer's remedies shall be subject to the limitations on damages stated in section 13.

14.3. Any litigation arising out of this contract shall be conducted in the Circuit Court of the State of Oregon for Douglas County.

15 SEVERABILITY: If any provision of this contract is held to be invalid, that provision shall not affect the validity of any other provision of this contract. This contract shall be construed as if such invalid provision had never been included.

16 WAIVER: No provision of this contract shall be waived unless the waiver is written and signed by the party waiving its rights. Any waiver of a breach, whether express or implied, shall not constitute waiver of any other breach.

17 SUCCESSORS: The successors, assigns, and legal representatives of Customer and County shall be subject to all provisions of this contract. Customer shall not assign Customer's rights or obligations under this contract without prior written consent of County.

18 NOTICES:

18.1. Notices required by this Contract must be given in writing by personal delivery or mail, unless some other means or method of notice is required by law.

WRD

18.2. Notices to County shall be directed to Thomas R. Manton, Division Manager, Douglas County Public Works Department, Natural Resources Division, Room 306, Douglas County Courthouse, 1036 SE Douglas Street, Roseburg, OR 97470.

18.3. Notices to Customer shall be directed to: _____
K-Bar Ranches Corp.
3845 Roberts Mountain Rd., Myrtle Creek, OR 97457 541 391 3372

19 ENTIRE AGREEMENT: This contract is in the final and complete agreement of the parties and supersedes all prior and existing written or oral understandings. No modification of this contract shall be valid unless it is in writing and signed by the parties.

20 TERMINATION FOR CONVENIENCE: County may terminate this Contract if the Director determines in good faith that termination is in the best interest of the public. The Director will endeavor to give Customer notice thirty days prior to the date of termination under this section, but failure to give notice will not invalidate the decision to terminate. Termination under this section will not affect the rights of County and/or Customer existing at the time of termination

CUSTOMER

By Tim D. Bare
Print Name Tim D. Bare
Date 04/07/2015

DOUGLAS COUNTY

By _____
Robert G. Paul, P.E., Director of Public Works Department, Authority to sign contract granted by order of Board of County Commissioners, dated August 14, 2002.
Date _____

REVIEWED AS TO CONTENT

By _____
Division Manager
Date _____
Coding _____

RECEIVED BY OWRD

APR 09 2015

SALEM, OR

REVIEWED AS TO FORM

By _____
County Legal Counsel
Date _____

S-88071

EXHIBIT A

COMPUTATION OF RATE:

PRIMARY IRRIGATION

1. 189.00 acres of **primary irrigation**. This allocation shall not exceed **2.23** acre feet per acre each irrigation season.

Acre Feet: 421.00 Annual Cost: \$ 5713.00

SUPPLEMENTAL IRRIGATION

2. Rights whose priority is between March 26, 1974, and November 3, 1983:

43.00 acres of **supplemental irrigation**. This allocation shall not exceed **1.5** acre feet per acre each irrigation season on the South Umpqua River and/or Cow Creek or **1.0** acre foot per acre each irrigation season on the main stem, Umpqua River.

Acre Feet: 65.00 Annual Cost: \$ 1047.00

3. Rights whose priority is between October 24, 1958, and March 26, 1974:

95.00 acres of **supplemental irrigation**. This allocation shall not exceed **1.0** acre feet per acre each irrigation season on the South Umpqua River and/or Cow Creek or **0.6** acre foot per acre each irrigation season on the main stem, Umpqua River.

Acre Feet: 95.00 Annual Cost: \$ 1065.00

4. Rights whose priority is prior to October 24, 1958:

 acres of **supplemental irrigation**. This allocation shall not exceed **0.5** acre feet per acre each irrigation season on the South Umpqua River and/or Cow Creek or **0.3** acre foot per acre each irrigation season on the main stem, Umpqua River.

Acre Feet: Annual Cost: \$

Note: Instream delivery losses are not included in the above allocations.

Summary:

Total Acres:	<u>327.00</u>	acres
Total Allocation:	<u>581.00</u>	acre feet
Total Cost:	<u>\$ 7825.00</u>	

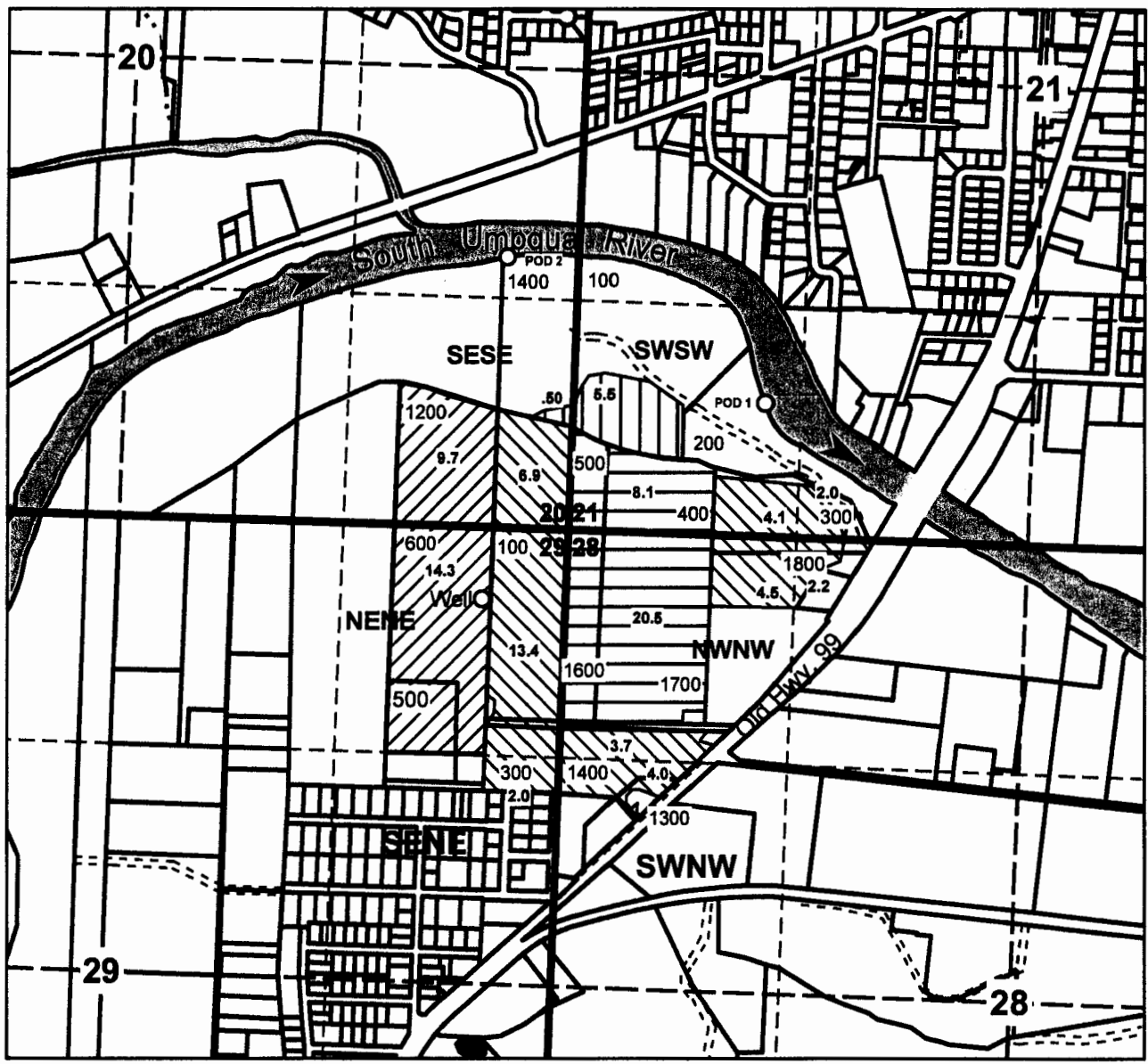
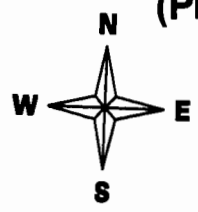
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
APR 09 2015

SALEM, OR

**Water Right Application Map
 (Primary and Supplemental Irrigation from Galesville Reservoir)
 Cow Creek Band of Umpqua Tribe of Indians
 Sections 20, 21, 28, and 29, T28S-R6W
 Douglas County
 Scale: 1" = 1000'**

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 APR 09 2015
 SALEM, OR



Supplemental Galesville Reservoir to Permit 28612- 28.6 acres 
Supplemental Galesville Reservoir to Permit 46774 - 42.8 acres 
Primary Galesville Reservoir - 24.0 acres - Supplemental G-3484 
Primary Galesville Reservoir - 6.0 acres 

POD 1 is located 3430 ft. North and 1120 ft. East from the West quarter corner of Section 28.

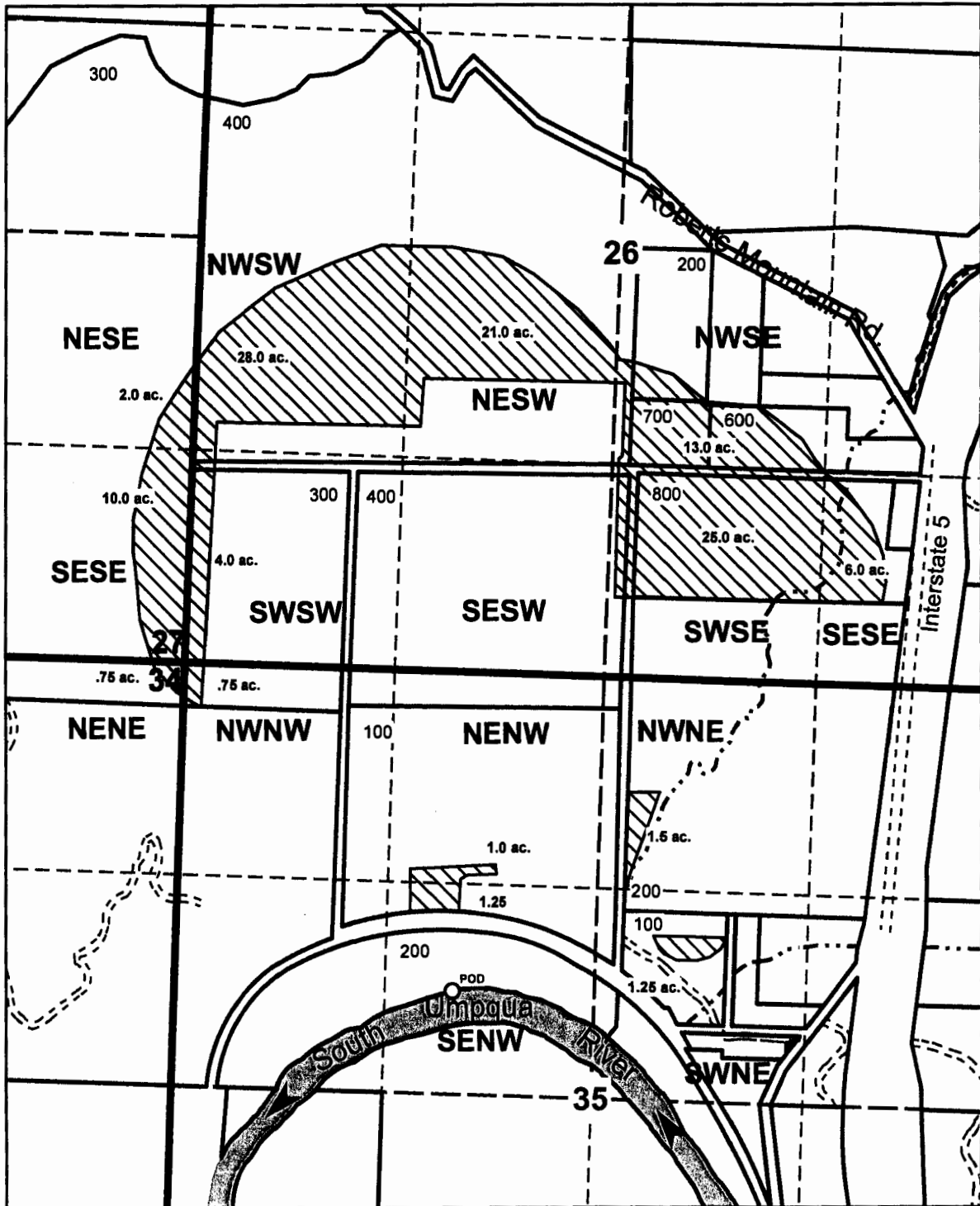
POD 2 is located 1550 ft. North and 450 ft. West from the Southeast corner of Section 20.

POA (Well - G-3484) is located 2260 ft. North and 440 ft. West from the East quarter corner of Section 29.

P-08071

Water Right Application Map
Cow Creek Band of Umpqua Tribe of Indians
(Primary Irrigation from Galesville Reservoir)
Sections 26, 27, 34 and 35, T28S-R6W
Douglas County
Scale 1" = 1000'

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 SALEM, OR



Point of Diversion is 2050 ft. South and 900 ft. West from the North quarter corner of Section 35.

Primary Galesville Reservoir - 115.5 acres

S-00071

**Water Right Application Map
(Supplemental Irrigation from Galesville Reservoir)
Cow Creek Band of Umpqua Tribe of Indians**

Section 7, T29S-R5W

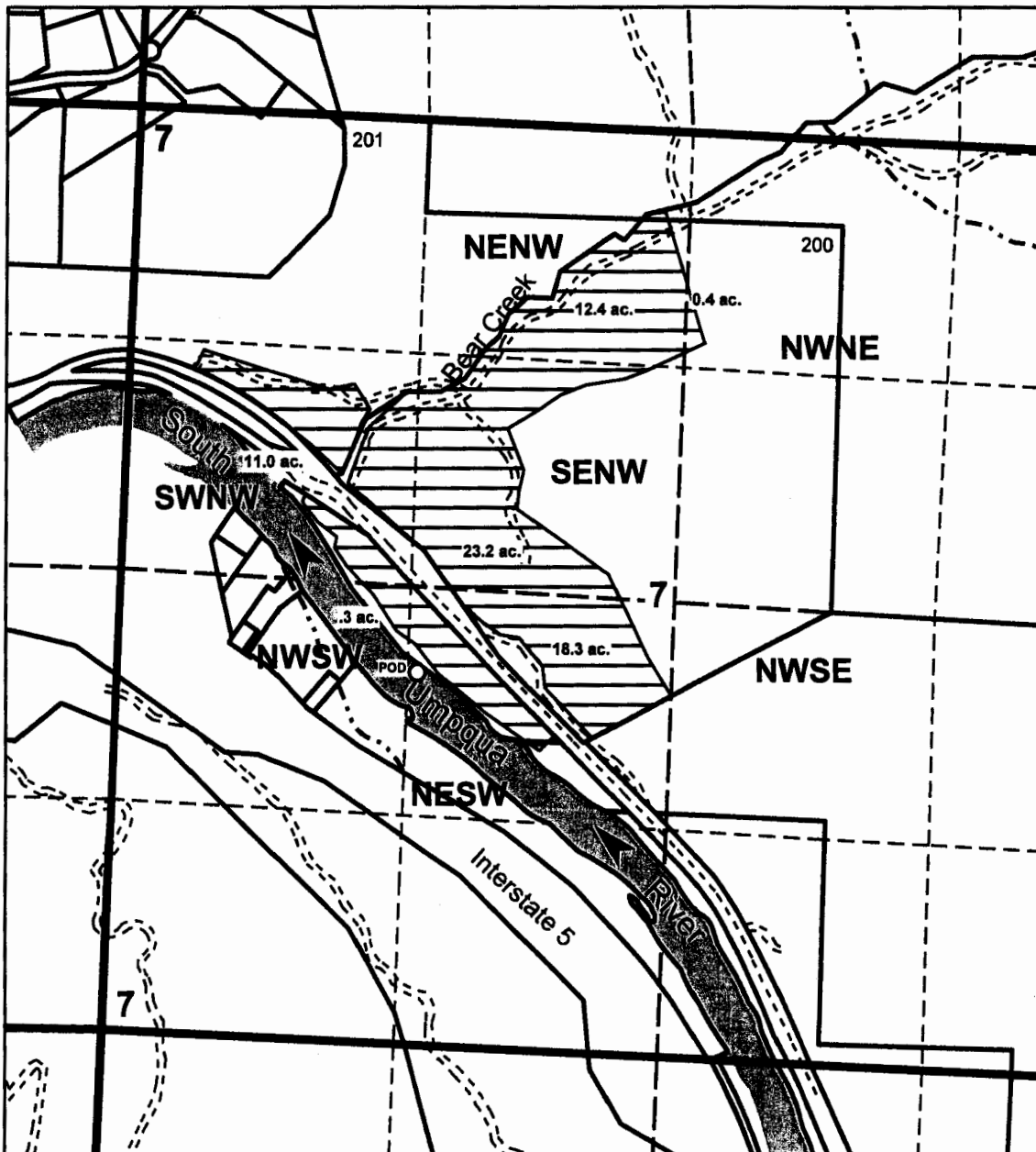
Douglas County

Scale 1" = 1000'

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POD is 400 ft. South and 1300 ft. West from the center of Section 7.

**Primary South Umpqua River Permit 34537 (65.6 acres)
Supplemental Irrigation Galesville Reservoir (65.5 acres)**

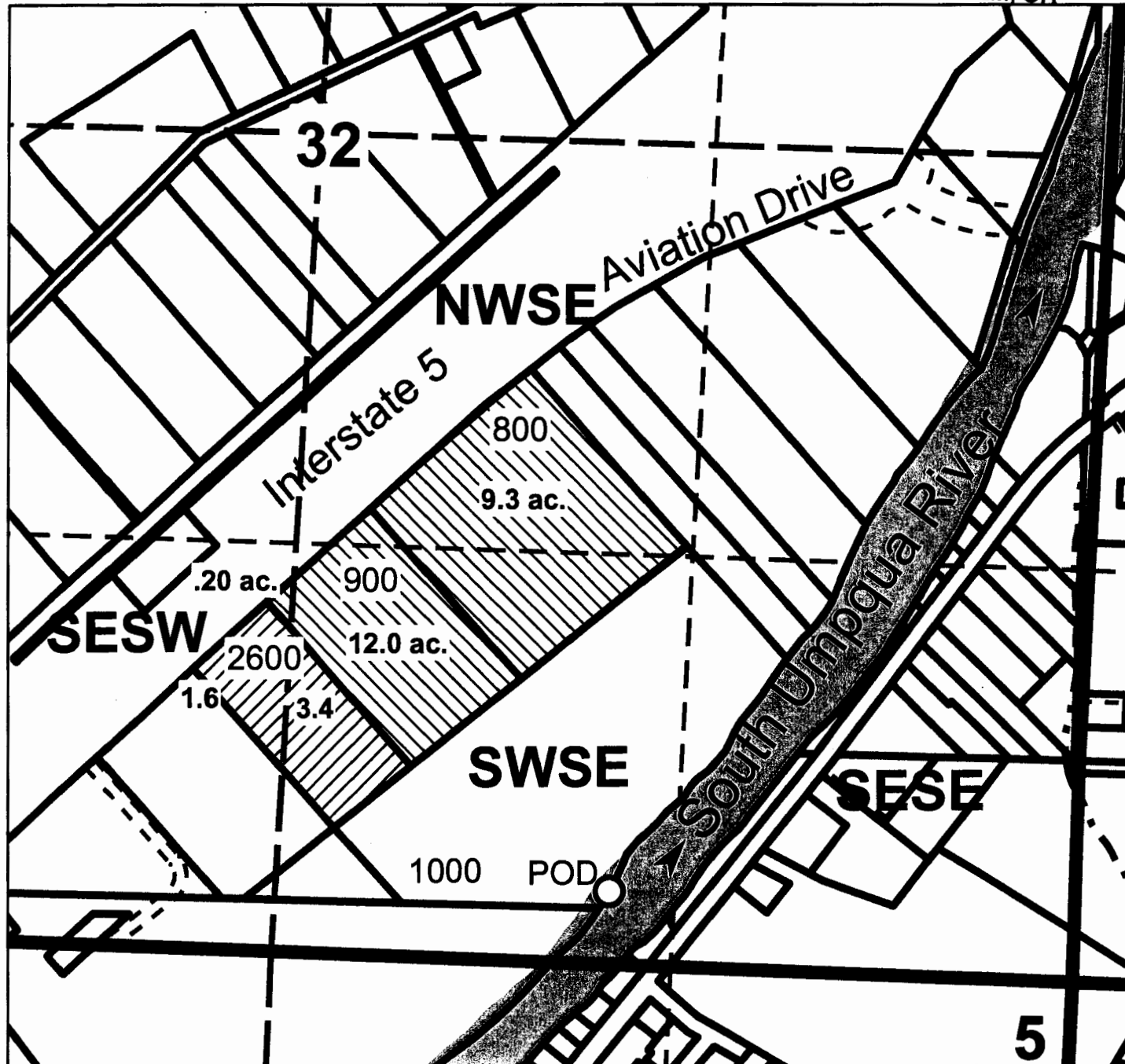
9-88071

**Water Right Application Map
 Cow Creek Band of Umpqua Tribe of Indians
 Sec. 32, T29S-R5W
 Douglas County
 Scale 1" = 500'**

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SALEM, OR

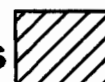


POD is located 100 ft. north and 960 ft. East from the south quarter corner of Section 32.

Primary Galesville Reservoir - 21.5 acres



Supplemental Galesville Reservoir to Permit 48679 - 5 acres



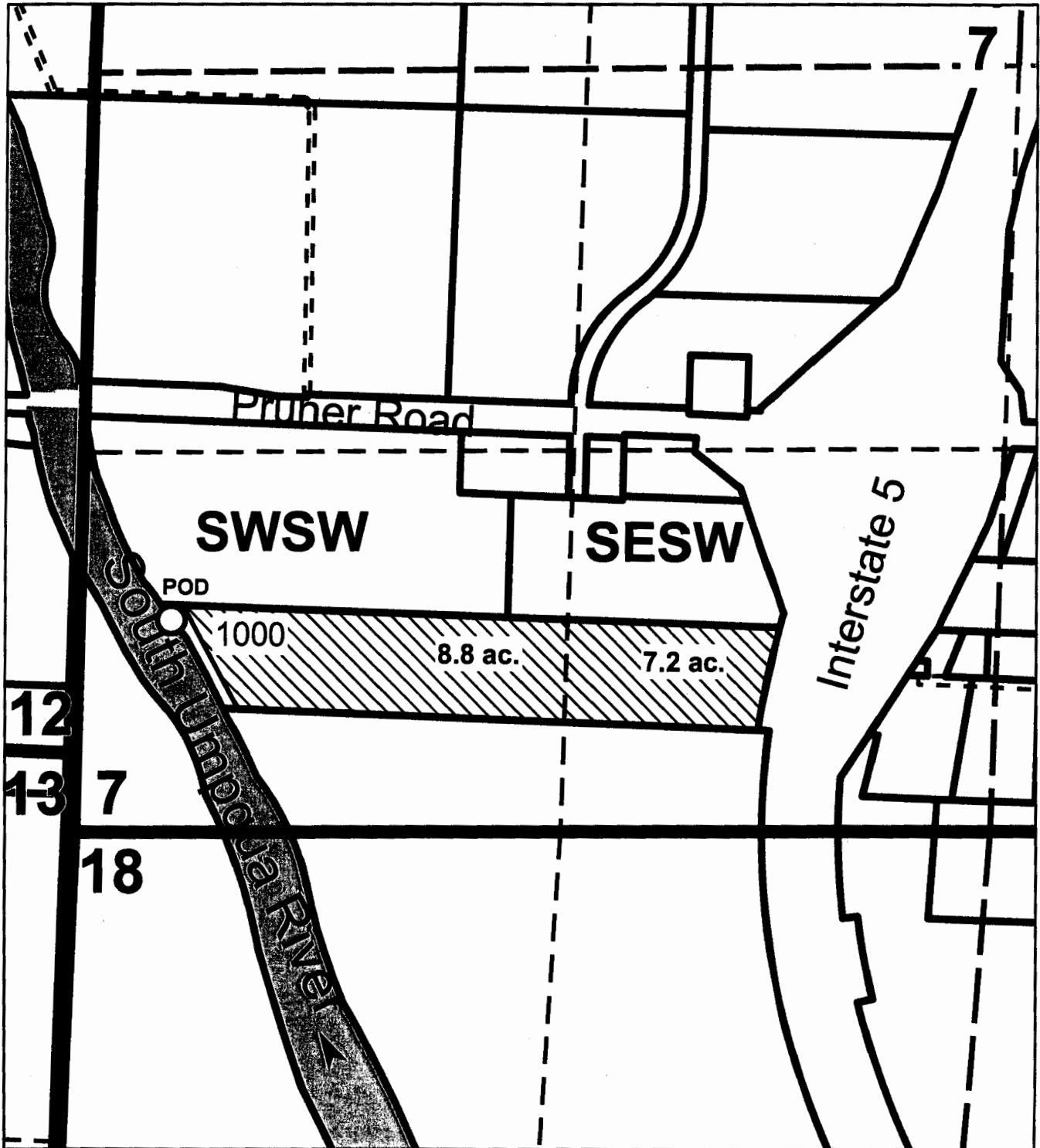
S-00074



Water Right Application Map
(Supplemental Irrigation from Galesville Reservoir) RECEIVED BY OWRD
Cow Creek Band of Umpqua Tribe of Indians
SW 1/4 of Section 7, T30S-R5W
Douglas County
Scale: 1" - 500'

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Point of Diversion is 1760 Ft. South and 250 ft. East from the West 1/4 corner of Section 7.

Primary South Umpqua Permit #49872 - Certificate #68634 (16 acres)

S-88071

Grantor's Name and Address:
The Cow Creek Band of Umpqua Tribe of Indians
2371 NE Stephens, Suite 100
Roseburg, OR 97470

Grantee's Name and Address:
U.S.A. in trust for the Cow Creek Band
of Umpqua Tribe of Indians
PO Box 569
Siletz, OR 97380

After recording return to:
BIA Siletz Agency
PO.Box 569
Siletz, OR 97380

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

--- Not Applicable ---

This space reserved for recorder's use

DOUGLAS COUNTY OFFICIAL RECORDS
BARBARA E. NIELSEN, COUNTY CLERK

2009-016817



\$25.00

00254931200900168170050054

09/22/2009 03:01:10 PM

DEED-WD Cnt=1 Stn=13 MAILDESK
\$25.00

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APR 09 2015

SALEM, OR

STATUTORY WARRANTY DEED

The Cow Creek Band of Umpqua Tribe of Indians, Grantor, conveys and warrants to The United States of America in trust for the Cow Creek Band of Umpqua Tribe of Indians, Grantee, the following described real property free of encumbrances, except as specifically set forth herein situated in Douglas County, Oregon, to wit:

Portions of Sections 26, 27, 34 and 35, Township 28 South, Range 6 West; and of Sections 5,6,7,8, and 12, Township 29 South, Range 5 West; and of Section 3, Township 29 South, Range 6 West, all of the Willamette Meridian, Oregon, as described on Exhibit A, attached and made a part hereof, containing 1,814.40 acres, more or less.

This property is free from encumbrances, **EXCEPT:** title to the land is subject to any existing easements for public roads and highways, for public utilities and for railroads and pipelines and any other right-of-way or reservation of record.

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 true consideration for this conveyance is \$ None*. (Here comply with the requirements of ORS 93.030)

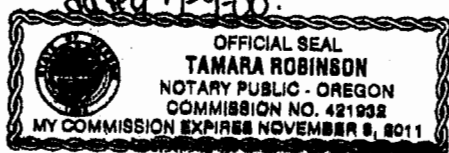
* for conversion of the fee title to trust status. This conveyance is in accordance with the Indian Reorganization Act of 1934 (48 Stat. 984) and and the Cow Creek Restoration Act as Amended (25 USC 712(e)).

Dated August 17th, 20 09.

Sue M. Shaffer, Chairman
Sue M Shaffer, Chairman
Cow Creek Band of Umpqua Tribe of Indians,
per Resolution 2000-11, dated July 9, 2000

STATE OF OREGON } ss:
COUNTY OF Douglas

This instrument was acknowledged before me on August 17, 2009
by Sue M Shaffer chairman of Cow Creek Band of Umpqua Tribe
of Indians per Resolution 2000-11
dated 7-9-00.




Tamara Robinson
Notary Public for Oregon
My commission expires 11-03-11

ORSTWD

S-88071

Fee Title 51859

The within deed is hereby accepted pursuant
to 209 DM 8, 230 DM 1, 3 IAM 4, 4A.



ACTING Superintendent, Siletz Agency

SEPTEMBER 8, 2009
(Date)

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SALEM, OR



17-88071

APR 09 2015

EXHIBIT "A"

SALEM, OR

PARCEL 1:

All of the property covered by that certain Deed from Louis G. Dunn, et ux, as grantors to Dunn Polled Herefords, Oreg. Ltd., a limited Oregon partnership, dated September 10, 1969, recorded in the Douglas County, Oregon, Deed Records, Recorder's No. 69-10025, which is situated on the East side of the following described line to-wit:

COMMENCING at a point where the North-South center line of Section 27, Township 28 South, Range 6 West, Willamette Meridian, intersects the Southerly boundary line of the Southern Pacific Railroad in Section 27; and thence southerly on the North-South center line of Sections 27 and 34, Township 28 South, Range 6 West, and Section 3, Township 29 South, Range 6 West to the Southerly boundary line of property covered by said Deed, Recorder's No. 69-10025 in Section 3, Township 29 South, Range 6 West, Willamette Meridian, which also is the Northerly boundary line of the Southern Pacific Railroad, LESS the portion thereof conveyed to Roseburg Lumber Co. by Deed dated April 24, 1972, and recorded in the Records of Douglas County, Oregon, Recorder's No. 72-5718, Volume 491, Pages 859 through 862.

TOGETHER WITH any land lying contiguous to and Southerly of the following described line in Block 1 of AMENDED PLAT OF ROUND PRAIRIE in Section 26, Township 28 South, Range 6 West, Willamette Meridian, Douglas County, Oregon, more particularly described as follows:

BEGINNING at a 5/8 inch iron rod which is South 66° 01' 02" West 2261.45 feet from the East quarter corner of said Section 26; thence North 89° 25' 22" East 329.35 feet to a 5/8 inch iron rod and there ending.

ALSO, TOGETHER WITH any land lying contiguous to and Southerly of the following described line in Block 1 of AMENDED PLAT OF ROUND PRAIRIE in Section 26, Township 28 South, Range 6 West, Willamette Meridian, Douglas County, Oregon, more particularly described as follows:

BEGINNING at a 5/8 inch iron rod which is South 62° 11' 49" West 1963.57 feet from the East quarter corner of said Section 26; thence North 89° 33' 13" East 552.67 feet to a 5/8 inch iron rod; thence South 0° 20' 00" West 187.71 feet to a 5/8 inch iron rod; thence North 87° 55' 14" East 395.15 feet to a 5/8 inch iron rod; thence continuing North 87° 55' 14" East to the Westerly right of way of Roberts Mountain County Road No. 123 and there ending.

EXCEPTING THEREFROM a parcel of land in Block 1 of AMENDED PLAT OF ROUND PRAIRIE in Section 26, Township 28 South, Range 6 West, Willamette Meridian, Douglas County, Oregon, more particularly described as follows:

BEGINNING at a 5/8 inch iron rod which is South 67° 48' 12" West 1877.23 feet from the East quarter corner of said Section 26; thence from the point of beginning, South 89° 38' 06" East 713.34 feet to a 5/8 inch iron rod; thence South 32° 15' 55" East 438.99 feet to a 5/8 inch iron rod; thence South 87° 55' 14" West 395.15 feet to a 5/8 inch iron rod; thence North 0° 20' 00" East 187.71 feet to a 5/8 inch iron rod; thence South 89° 33' 13" West 552.67 feet to a 1 1/2 inch iron pipe; thence North 0° 20' 25" West 206.68 feet to the point of beginning.

ALSO, EXCEPTING THEREFROM a parcel of land in Block 1 of AMENDED PLAT OF ROUND PRAIRIE in Section 26, Township 28 South, Range 6 West, Willamette Meridian, Douglas County, Oregon, more particularly described as follows:

BEGINNING at a 5/8 inch iron rod which is South 67° 48' 12" West 1877.23 feet from the East quarter corner of said Section 26; thence from the point of beginning, South 0° 20' 25" East 206.68 feet to a 1 1/2 inch iron pipe; thence South 89° 25' 22" West 329.35 feet to a 5/8 inch iron rod; thence North 0° 08' 02" East 897.03 feet to a 5/8 inch iron rod; thence South 67° 42' 06" East 350.04 feet to a 5/8 inch iron rod; thence South 0° 13' 19" East 554.22 feet to the point of beginning.

ALSO, EXCEPTING THEREFROM a tract of land out of Block 7, AMENDED PLAT OF ROUND PRAIRIE as platted and recorded in Volume 3, Page 44, Douglas County, Oregon Plat Records, in Section 35, Township 28 South, Range 6 West of the Willamette Meridian, being more particularly described as follows:

6
BEGINNING at a 5/8 inch iron rod on the Northerly right of way line of County Road No. 123 (Roberts Mountain Road) that bears North 78° 35' 30" West 1446.25 feet from the East quarter corner of Section 35, Township 28 South, Range 6 West of the Willamette Meridian; and running thence along said right of way line, South 32° 21' 19" West 60.48 feet to a 5/8 inch iron rod that is the TRUE POINT OF BEGINNING; thence running along said right of way line, South 32° 21' 19" West 43.20 feet to a 5/8 inch iron rod; thence leaving said right of way line, North 3° 00' 10" West 110.37 feet to a 5/8 inch iron rod; thence North 87° 46' 50" East 25.00 feet to a 5/8 inch iron rod; thence South 3° 00' 10" East 74.80 feet to the TRUE POINT OF BEGINNING, all in Douglas County, Oregon.

ALSO, EXCEPTING THEREFROM a tract of land out of Block 7, AMENDED PLAT OF ROUND PRAIRIE as platted and recorded in Volume 3, Page 44, Douglas County, Oregon Plat Records, in Section 35, Township 28 South, Range 6 West of the Willamette Meridian, being more particularly described as follows:

BEGINNING at a point on the Southeast corner of said tract, which point bears North 77° 30' West a distance of 1,446.7 feet from the East quarter corner of said Section 35, and also bears South 33° 10' West a distance of 85.7 feet from the Northeast corner of said Lot 1, Block 7, ROUND PRAIRIE FRUIT LANDS; thence North 2° 11' West a distance of 36.0 feet to the Northeast corner of said tract; thence South 88° 36' West a distance of 35.0 feet to the Northwest corner of said tract; thence South 2° 11' East a distance of 85.8 feet to the Southwest corner of said tract; thence North 33° 10' East a distance of 60.5 feet to the Southeast corner of said tract and the point of beginning.

ALSO, EXCEPTING THEREFROM any portion thereof lying within the boundaries of roads or highways or the Southern Pacific Railroad right of way.

PARCEL 2:

All that part of the Southwest quarter of Section 6, Township 29 South, Range 5 West, Willamette Meridian, Douglas County, Oregon and all that part of Lot 3 of Section 7, Township 29 South, Range 5 West, Willamette Meridian, Douglas County, Oregon which lies Easterly of the following described line:

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BEGINNING at the center of Section 6, Township 29 South, Range 5 West, Willamette Meridian; thence running the following courses and distances: South 22° 26' 03" West a distance of 360.54 feet; South 65° 37' 34" West a distance of 223.60 feet; South 64° 35' 34" West a distance of 266.82 feet; South 51° 27' 34" West a distance of 159.10 feet; South 56° 26' 49" West a distance of 254.10 feet; South 65° 22' 19" West a distance of 214.00 feet; South 86° 07' 49" West a distance of 312.50 feet; South 57° 39' 49" West a distance of 193.21 feet; South 72° 29' 49" West a distance of 375.58 feet; South 46° 37' 49" West a distance of 255.82 feet; South 9° 53' 21" East a distance of 255.15 feet; South 10° 33' 01" East a distance of 442.65 feet; South 20° 01' 11" East a distance of 728.43 feet; South 3° 23' 21" East a distance of 207.60 feet; South 13° 22' 29" West a distance of 303.30 feet; South 42° 00' 19" West a distance of 486.30 feet, or to the South line of Lot 3 of said Section 7, Township 29 South, Range 5 West, Willamette Meridian, Douglas County, Oregon. ALSO, all that portion of the Donation Land Claim of Samuel B. Hadley and wife described as Claim No. 38, in Section 12, Township 29 South, Range 6 West, Willamette Meridian, Douglas County, Oregon, which lies on the North and East of the South Umpqua River center line. EXCEPTING THEREFROM those parcels conveyed to the State of Oregon, by and through its State Highway Commission, as recorded in Volume 219, Recorder's No. 156882, in Volume 232, Recorder's No. 177308, in Volume 275, Recorder's No. 247312, and in Volume 334, Recorder's No. 338800, Deed Records of Douglas County, Oregon. ALSO, EXCEPT that portion lying within the Southern Pacific Railroad right of way.

TOGETHER WITH the North half of the Southeast quarter, Section 6, Township 29 South, Range 5 West, Willamette Meridian, Douglas County, Oregon.

ALSO, TOGETHER WITH all that part of the South half of the Southeast quarter, Section 6, Township 29 South, Range 5 West, Willamette Meridian; Lots 1 and 2, Section 7, Township 29 South, Range 5 West, Willamette Meridian; S.B. Hadley Donation Land Claim No. 37 and J. H. Bean Donation Land Claim No. 38, Township 29 South, Range 5 West, Willamette Meridian, lying Northerly and Westerly of the following line:

BEGINNING at the South 1/16 corner common to Sections 5 and 6, Township 29 South, Range 5 West, Willamette Meridian, Douglas County, Oregon; thence Southerly along the line between said Sections 5 and 6, 608.21 feet, more or less, to the thread of an unnamed stream; thence downstream along thread of the unnamed stream to its confluence with the South Umpqua River, the approximate meanders of said unnamed stream from its intersection with the section line of Sections 5 and 6 are as follows; thence South 78° 40' 40" West 328.71 feet; thence North 84° 43' 00" West 490.27 feet; thence South 70° 38' 20" West 390.71 feet; thence North 89° 42' 50" West 281.86 feet; thence South 56° 51' 00" West 382.43 feet; thence North 75° 29' 40" West 187.83 feet; thence South 50° 10' 50" West 358.98 feet; thence South 86° 57' 10" West 150.27 feet; thence South 38° 35' 40" West 210.77 feet; thence South 63° 16' 10" West 120.98 feet; thence South 55° 13' 20" West 436.34 feet; thence South 74° 43' 10" West 307.10 feet; thence South 40° 15' 40" West 192.42 feet; thence North 50° 46' 20" West 73.88 feet; thence South 52° 58' 00" West 375.57 feet; thence South 16° 26' 30" West 162.00 feet; thence South 87° 47' 50" West 139.80 feet; thence South 45° 04' 50" West 134.89 feet; thence South 23° 11' 40" West 153.70 feet; thence South 43° 54' 30" West 84.76 feet; thence South 34° 59' 00" West 214.34 feet; thence South 58° 25' 20" West 157.07 feet; thence South 88° 13' 40" West 188.60 feet; South 55° 43' 40" West 294.59 feet; thence South 22° 03' 40" West 330.71 feet; thence South 66° 25' 20" West 99.29 feet across the Southern Pacific Railroad; thence North 46° 59' 30" West 95.30 feet; thence South 79° 15' 00" West 152.76 feet across the County Road; thence West to the thread of the South Umpqua River and there ending.

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SALEM, OR

S-88074

APR 09 2015

EXCEPTING THEREFROM any portion thereof lying within the boundaries of that property SALEM, OR deeded to Douglas County by Instrument No. 87-1993, Deed Records, Douglas County, Oregon.

ALSO, EXCEPTING THEREFROM any portion lying within the boundaries of roads and highways.

PARCEL 3:

The South half of the Southeast quarter of Section 6 and the Southwest quarter of the Southwest quarter of Section 5, all in Township 29 South, Range 5 West, Willamette Meridian, Douglas County, Oregon. The Southeast quarter of the Southwest quarter of Section 5; the North half of the Northwest quarter of Section 8; the East half of the Northeast quarter and Lots 1, 2 and 4 of Section 7; ALSO that part of the Donation Land Claim No. 37 of Samuel B. Hadley lying North of the South Umpqua River in Section 7; ALSO the North half of the James H. Bean Donation Land Claim No. 38 in Section 7.

EXCEPTING THEREFROM any part of said Claim No. 38 lying South of the South Umpqua River; ALSO, EXCEPTING THEREFROM that part sold to Earl Benedick, et ux, by Ethel Weigel, et al, by Deed dated November 25, 1941, recorded December 11, 1941 in Volume 103 at Pages 340-341 of the Deed Records of Douglas County, Oregon; ALSO, EXCEPTING those parts sold to the Oregon and California Railroad Company and the Southern Pacific Company for railroad rights of way and railroad purposes; ALSO, EXCEPTING THEREFROM rights of way for roads and highways, all of the above described land being situated in Township 29 South of Range 5 West of the Willamette Meridian, Douglas County, Oregon.

ALSO, EXCEPTING THEREFROM that part of the above described property lying Northerly and Westerly of the following described line:

BEGINNING at the South 1/16 corner common to Sections 5 and 6, Township 29 South, Range 5 West, Willamette Meridian, Douglas County, Oregon; thence Southerly along the line between said Sections 5 and 6, 608.21 feet, more or less, to the thread of an unnamed stream, thence downstream along thread of the unnamed stream to its confluence with the South Umpqua River, the approximate meanders of said unnamed stream from its intersection with the section line of Sections 5 and 6 are as follows; thence South 78° 40' 40" West 328.71 feet; thence North 84° 43' 00" West 490.27 feet; thence South 70° 38' 20" West 390.71 feet; thence North 89° 42' 50" West 281.86 feet; thence South 56° 51' 00" West 382.43 feet; thence North 75° 29' 40" West 187.83 feet; thence South 50° 10' 50" West 358.98 feet; thence South 86° 57' 10" West 150.27 feet; thence South 38° 35' 40" West 210.77 feet; thence South 63° 16' 10" West 120.98 feet; thence South 55° 13' 20" West 436.34 feet; thence South 74° 43' 10" West 307.10 feet; thence South 40° 15' 40" West 192.42 feet; thence North 50° 46' 20" West 73.88 feet; thence South 52° 58' 00" West 375.57 feet; thence South 16° 26' 30" West 162.00 feet; thence South 87° 47' 50" West 139.80 feet; thence South 45° 04' 50" West 134.89 feet; thence South 23° 11' 40" West 153.70 feet; thence South 43° 54' 30" West 84.76 feet; thence South 34° 59' 00" West 214.34 feet; thence South 58° 25' 20" West 157.07 feet; thence South 88° 13' 40" West 188.60 feet; South 55° 43' 40" West 294.59 feet; thence South 22° 03' 40" West 330.71 feet; thence South 66° 25' 20" West 99.29 feet across the Southern Pacific Railroad; thence North 46° 59' 30" West 95.30 feet; thence South 79° 15' 00" West 152.76 feet across the County Road; thence West to the thread of the South Umpqua River and there ending.

EXCEPTING THEREFROM any portion thereof lying within the boundaries of that property deeded to Douglas County by Instrument No. 87-1992, Deed Records, Douglas County, Oregon.

END OF DOCUMENT

9-88071



After recording return to:

Cow Creek Band of Umpqua Tribe of Indians
2371 NE Stephens St, Suite 100
Roseburg, OR 97470

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

Cow Creek Band of Umpqua Tribe of Indians
2371 NE Stephens St, Suite 100
Roseburg, OR 97470

Escrow No. RB0705944
Title No. 0705944
SWD r.042611

DOUGLAS COUNTY OFFICIAL RECORDS
BARBARA E. NIELSEN, COUNTY CLERK

2011-010558



\$10.00

DEED-WD
\$10.00

Cnt=1 Stn=18 RECORDINGDESK

07/15/2011 09:15:05 AM

RECEIVED BY OWRD

APR 09 2015

SALEM, OR

STATUTORY WARRANTY DEED

James E. Doine and Jennie M. Doine, as tenants by the entirety,

Grantor(s), hereby convey and warrant to

Cow Creek Band of Umpqua Tribe of Indians,

Grantee(s), the following described real property in the County of DOUGLAS and State of Oregon free of encumbrances except as specifically set forth herein:

Lot 9, Block 1 of AMENDED PLAT OF ROUND PRAIRIE, Douglas County, Oregon.

EXCEPTING THEREFROM that part of Lot 9, Block 1, PLAT OF ROUND PRAIRIE, Douglas County, Oregon, described as follows: BEGINNING at the Southeast corner of said Lot 9; thence North along the East line of Lot 9, a distance of 6.26 chains; thence West 7.46 chains to the West line of Lot 9; thence South along the West line of Lot 9, a distance of 6.626 chains to the Southwest corner of Lot 9; thence East 7.46 chains to the place of beginning.

ALSO, EXCEPTING that portion lying within the dedicated road.

ALSO, EXCEPTING therefrom any portion of the herein described property lying Easterly of the following described line: A line in Block 1 of AMENDED PLAT OF ROUND PRAIRIE in Section 26, Township 28 South, Range 6 West, Willamette Meridian, Douglas County, Oregon, more particularly described as follows: Beginning at a 5/8 inch iron rod which is South 66° 01' 02" West 2261.45 feet from the East quarter corner of said Section 26; thence North 0° 08' 02" East 897.03 feet to a 5/8 inch iron rod; thence continuing North 0° 08' 02" East to the Southerly right of way line of Roberts Mountain County Road No. 123 and there ending.

TOGETHER WITH an easement more particularly described in Instrument No. 76-5110, Deed Records, Douglas County, Oregon

FOR INFORMATION PURPOSES ONLY, THE MAP/TAX ACCT #(S) ARE REFERENCED HERE:
R58475 T28S R06W S26D TL 200

The true and actual consideration for this conveyance is \$99,000.00.

The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any:

2011-2012 Real Property Taxes a lien not yet due and payable.

AMENDING 705944

S-88071

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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. 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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009.

Dated this 13 day of July 2011

James E. Doine
James E. Doine

Jennie M. Doine
Jennie M. Doine

State of Oregon
County of DOUGLAS

This instrument was acknowledged before me on July 13 2011 by James E. Doine and Jennie M. Doine.

Shannon B Campbell
(Notary Public for Oregon)
My commission expires 11/5/2012



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APR 09 2015

SALEM, OR

END OF DOCUMENT

Grantor's Name and Address:
The Cow Creek Band of Umpqua Tribe of Indians
2371 NE Stephens, Suite 100
Roseburg, Oregon 97470

Grantee's Name and Address:
U.S.A. in trust for the Cow Creek Band
of Umpqua Tribe of Indians
PO Box 569
Siletz, Oregon 97380

After recording return to:
BIA Siletz Agency
PO Box 569
Siletz, Oregon 97380

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

--- Not Applicable ---

Douglas County Official Records
Patricia K. Hitt, County Clerk
2013-002909
02/05/2013 01:03:43 PM
DEED-WD Cnt=1 Stn=1 CAROL
\$15.00 \$15.00

RECEIVED BY OWRD
APR 09 2015
SALEM, OR

STATUTORY WARRANTY DEED

The Cow Creek Band of Umpqua Tribe of Indians, Grantor, conveys and warrants to The United States of America in trust for the Cow Creek Band of Umpqua Tribe of Indians, Grantee, the following described real property free of encumbrances, except as specifically set forth herein situated in Douglas County, Oregon, to wit:

A parcel of land in the Southwest quarter of Section 7, Township 30 South, Range 5 West, and any portion thereof which may lie in Section 12, Township 30 South, Range 6 West, Willamette Meridian, Douglas County, Oregon, consisting of 35.87 acres, more or less, described in detail on Attachment A hereto, incorporated as part of this description.

This property is free from encumbrances, **EXCEPT:** title to the land is subject to any existing easements for public roads and highways, for public utilities and for railroads and pipelines and any other right-of-way or reservation 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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. 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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009.

The true consideration for this conveyance is \$ None*. (Here comply with the requirements of ORS 93.030)

* for conversion of the fee title to trust status. This conveyance is in accordance with the Indian Reorganization Act of 1934 (48 Stat. 984) and the Cow Creek Recognition Act as Amended (25 USC 712(e)).

Dated Jan 30, 2013.

Michael Rondeau
Michael Rondeau, Tribal Administrator
Cow Creek Band of Umpqua Tribe of Indians,
per Resolution # 2012-38 dated September 26, 2012

STATE OF OREGON } ss:
COUNTY OF Douglas

This instrument was acknowledged before me on January 30, 2013
by Michael Rondeau, Cow Creek Band of Umpqua Tribe of Indians.
Per Tribal Resolution No. 2012-38- September 26, 2012


S. Williams Jones
Notary Public for Oregon
My commission expires May 21, 2016



S-88071

Amélie 4/1890

The within deed is hereby accepted pursuant
to 209 DM 8, 230 DM 1, 3 IAM 4, 4A.



Superintendent, Siletz Agency

FEB 01 2013

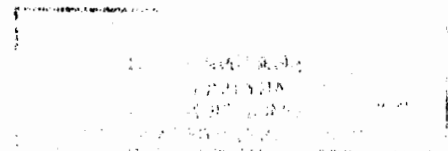
(Date)

RECEIVED BY OWRD

APR 09 2015

SALEM, OR

S-88071



ATTACHMENT A

BEGINNING at a 5/8 inch iron rod located at the Northwest corner of Lot 1 of the BRIGGS MARKET PLAT, as recorded with the Douglas County Surveyor's Office as Volume 18, Page 20; thence along the West boundary of said Lot 1, South 0° 13' 53" West 199.98 feet to a 5/8 inch iron rod located at the Southwest corner of said Lot 1; thence leaving said West boundary of said Lot 1 and running along the South boundary of said Lot 1, South 89° 45' 38" East 175.01 feet to a 5/8 inch iron rod located at the Northwest corner of Lot 4 of the said BRIGGS MARKET PLAT; thence leaving said South boundary of said Lot 1 and running along the West boundary of said Lot 4, South 0° 12' 56" West 409.07 feet to a 5/8 inch iron rod located at the Southwest corner of said Lot 4; thence leaving said West boundary of said Lot 4 and running along the South boundary of said Lot 4, South 89° 45' 38" East 927.78 feet to a 5/8 inch iron rod located at the Southeast corner of said Lot 4 and is also located on the Westerly right of way boundary of U. S. Interstate Highway No. 5; thence leaving said South boundary of said Lot 4 and running along the said Westerly right of way boundary of U.S. Interstate Highway No. 5, along the arc of a 500 foot spiral curve to the left, the long chord of which bears South 11° 32' 15" West 86.64 feet to a 5/8 inch iron rod; thence continuing along said Westerly right of way boundary of U.S. Interstate Highway No. 5, along the arc of a 2706.48 foot radius curve to the left, the long chord of which bears South 8° 17' 05" West 278.21 feet to a 5/8 inch iron rod located on the North boundary of that property described in Deed Reference No. Volume 109, Page 369D, Deed Records, Douglas County, Oregon; thence leaving said Westerly right of way boundary of said U.S. Interstate Highway No. 5 and running along the North boundary of said Deed Reference No. Volume 109, Page 369D, North 89° 45' 20" West 1977.15 feet, more or less, to a point located in the center of the South Umpqua River; thence leaving said North boundary and running downstream along the said center of the South Umpqua River, North 21° 03' 47" West 386.77 feet to a point located at the Southwest corner of Lot 5 of the said BRIGGS MARKET PLAT; thence continuing along said center of the South Umpqua River, along the Westerly boundary of said Lot 5, North 26° 06' 34" West 679.85 feet to a point located at the Northwest corner of said Lot 5; thence leaving the said center of the South Umpqua River, leaving the said Westerly boundary of said Lot 5 and running along the North boundary of said Lot 5, South 89° 45' 26" East 320.00 feet, more or less, to a 5/8 inch iron rod; thence continuing along said North boundary of said Lot 5, South 89° 45' 26" East 1052.24 feet to the point of beginning, all being located in the Southwest quarter of Section 7, Township 30 South, Range 5 West, and that portion, if any, in Section 12, Township 30 South, Range 6 West, Willamette Meridian, Douglas County, Oregon.

RECEIVED BY OWRD

APR 09 2015

SALEM, OR

S-0004

96-09058

WARRANTY DEED—STATUTORY FORM
INDIVIDUAL GRANTOR

BOOK 1406 PAGE 224



The Cow Creek Band of Umpqua Tribe of Indians

conveys and warrants to the United States of America in trust for the Cow Creek Band of Umpqua Tribe of Indians

Grantor, Grantee, the following described real property free of encumbrances except as specifically set forth herein situated in Douglas County, Oregon, to-wit:

A portion of the South half of Section 32, Township 29 South, Range 5 West, Willamette Meridian, as described on Exhibit A attached and made a part hereof, containing 19.99 acres, more or less.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

The property is free from encumbrances except title to the land herein is subject to any existing easements for public roads and highways, for public utilities and for railroads and pipelines and any other right-of-way or reservation of record.

The true consideration for this conveyance is \$ None* (Here comply with the requirements of ORS 93.030) *for conversion of the fee title to trust status.

This conveyance is in accordance with the Indian Reorganization Act of 1934 (48 Stat. 984)

Dated this 14th day of February, 1996

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.

Sue M. Shaffer, Chairman
Cow Creek Band of Umpqua Tribe of Indians
per Resolution 95-20

STATE OF OREGON, County of Douglas ss.

This instrument was acknowledged before me on February 14, 1996,

by Sue M. Shaffer



Ronald D. Korthen
Notary Public for Oregon
My commission expires April 23, 1996

WARRANTY DEED

Cow Creek Band of Umpqua Tribe
USA in trust for Cow Creek
P.O. Box 569
Siletz, Oregon 97380

GRANTOR
GRANTEE
GRANTEE'S ADDRESS, ZIP

After recording return to:

BIA Siletz Agency
P.O. Box 569
Siletz, OR, 97380

NAME, ADDRESS, ZIP

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

BIA Siletz Agency
P.O. Box 569
Siletz, OR 97380

NAME, ADDRESS, ZIP

STATE OF OREGON,

County of } ss.

I certify that the within instrument was received for record on the day of 19, at o'clock M., and recorded in book/real/volume No. on page or as fee/title/instrument/microfilm/reception No. Record of Deeds of said County.

Witness my hand and seal of County affixed.

NAME TITLE
By Deputy

DOUGLAS COUNTY TITLE CO.
203 S. MAIN ST.
SALEM, OR 97301

DOUGLAS COUNTY TITLE COMPANY

RECEIVED BY OWRD

APR 09 2015

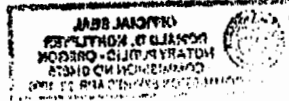
SALEM, OR

5-88071

The within deed is hereby accepted pursuant to 209 DM 8, Secretary's Order No. 3177, Secretary's Order No. 3150, 10 BIAIM Bulletins 13, 14, 15, and amendments thereto, and Portland Area Office 10 BIAIM Bulletin No. 9402 dated May 6, 1994.

Mary D Vance
Acting Superintendent, Siletz Agency

April 25, 1996
(Date)



RECEIVED BY OWRD

APR 09 2015

SALEM, OR

17088-5

Attached to Warranty Deed from the Cow Creek Band of Umpqua Tribe of Indians to the United States of America in trust for the Cow Creek Band of Umpqua Tribe of Indians (Page 1 of 1)

EXHIBIT "A"

The following described real property is located in the Southeast quarter of Section 32, Township 29 South, Range 5 West, Willamette Meridian, Douglas County, Oregon: Beginning at a 5/8 inch iron rod located on the easterly right of way boundary of U.S. Interstate Highway No. 5, said 5/8 inch iron rod bears North 89° 36' 02" East 4377.78 feet from the west-northwest corner of the Thomas Whitted Donation Land Claim No. 44; thence along said easterly right of way boundary of said U.S. Interstate Highway No. 5, North 50° 59' 35" East 207.83 feet to a 5/8 inch iron rod; thence leaving said easterly right of way boundary of said U.S. Interstate Highway No. 5 and running South 43° 50' 08" East along the northeasterly line of that property described in Recorder's No. 95-12052, Records of Douglas County, Oregon; 778.78 feet to a 5/8 inch iron rod located on the westerly boundary of the Tri-City State Airport; thence along said westerly boundary of said Tri-City State Airport, South 49° 45' 00" West 1162.50 feet to a railroad iron fence corner; thence leaving said westerly boundary of said Tri-City State Airport, and running North 43° 49' 11" West along the southwesterly line of that property described in Recorder's No. 95-12052, Records of Douglas County, Oregon, 722.64 feet to a 5/8 inch iron rod located on the said easterly right of way boundary of said U.S. Interstate Highway No. 5; thence along said easterly right of way boundary of said U.S. Interstate Highway No. 5, North 46° 06' 30" East 952.93 feet to the point of beginning.

Together with a perpetual easement for access to a well, granted by George D. Weaver to Donald L. Mauck and Hulda M. Mauck, by instrument dated January 29, 1971, and recorded December 10, 1973, in Book 535, Page 200, Recorder's No. 73-17681, Records of Douglas County, Oregon.

Also together with a perpetual easement for installation and maintenance of a water pump and irrigation pipeline granted by the Oregon State Board of Aeronautics, to Donald L. Mauck and Hulda M. Mauck, husband and wife, George D. Weaver, and to the Weaver Water Improvement District, by easement dated October 17, 1966, and recorded December 7, 1966, in Book 382, Recorder's No. 66-13325, Records of Douglas County, Oregon.

STATE OF OREGON
COUNTY OF DOUGLAS
I, GAY FIELDS, COUNTY CLERK AND RECORDER OF CONVEYANCES, DO HEREBY CERTIFY THAT THIS INSTRUMENT WAS RECORDED

96 APR 26 PM 2:32

GAY FIELDS
DOUGLAS COUNTY CLERK

IN THE OFFICIAL RECORDS OF DOUGLAS COUNTY

BY *Glenn J. Bennett*
DEPUTY

96-09058

DCT

FEE *M/C*

RECEIVED BY OWRD

APR 09 2015

SALEM, OR

S-88071

2000-05617

Cow Creek Band of Umpqua Tribe of Ind.,
2371 NE Stephens, Suite 100,
Roseburg, OR 97476
Grantor's Name and Address

U.S.A. in trust for the Cow Creek Band
of Umpqua Tribe of Indians
PO Box - Siletz, OR 97380
Grantor's Name and Address

After recording, return to (Name, Address, Zip):
BIA Siletz Agency
PO Box 569
Siletz, OR 97380

Until requested otherwise, send all tax statements to (Name, Address, Zip):
N/A

BOOK 1676 PAGE 799

STATE OF OREGON,
County of _____) ss.

I certify that the within instrument was received for record on the _____ day of _____, 19____, at _____ o'clock _____ M., and recorded in book/reel/volume No. _____ on page _____ and/or as fee/file/instrument/microfilm/reception No. _____, Records of said County.

Witness my hand and seal of County affixed.

NAME TITLE
By _____, Deputy.

SPACE RESERVED FOR RECORDER'S USE

WARRANTY DEED - STATUTORY FORM (INDIVIDUAL GRANTOR)

The Cow Creek Band of Umpqua Tribe of Indians

_____, Grantor, conveys and warrants to the United States of America in trust for the Cow Creek Band of Umpqua Tribe of Indians, Grantee, the following described real property free of encumbrances, except as specifically set forth herein, situated in Douglas County, Oregon, to-wit:

A portion of Section 32, Township 29 South, Range 5 West, Willamette Meridian, Douglas County, Oregon, as described in Exhibit A, attached and made a part hereof, containing 5.33 acres, more or less.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE)

The property is free from encumbrances, except (if none, so state): title to the land herein is subject to any existing easements for public roads and highways, for public utilities and for railroads and pipelines and any other right-of-way or reservation of record.

The true consideration for this conveyance is \$ None* (Here, comply with the requirements of ORS 93.030.) for conversion of the fee title to trust status.

This conveyance is in accordance with the Indian Reorganization Act of 1934 (48 Stat. 984)

Dated this 21st day of December, 1999

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 DERIVED IN ORS 30.030.

Sue M. Shaffer
Sue M. Shaffer, Chairman
Cow Creek Band of Umpqua Tribe of Indians
Per Resolution 98-20

STATE OF OREGON, County of Douglas) ss.
This instrument was acknowledged before me on December 21, 1999,
by Sue M. Shaffer



Janice B. Moulton
Notary Public for Oregon
My commission expires August 2, 2002

RECEIVED BY OWRD

APR 09 2015

SALEM, OR

C-88074

UMPUQA TITLE & ESCROW SERVICES 5075

0 17 3540701 8003

BOOK 1676 PAGE 799-A

The within deed is hereby accepted pursuant to 209 DM 8, Secretary's Order No. 3177, Secretary's Order No. 3150, 10 BIRM Bulletins 13, 15, and amendments thereto, and Northwest Regional Office 10 BIRM Bulletin No. 2000-01 dated January 31, 2000.

Ronald D. Kettlever
Superintendent, Siletz Field Office

March 7, 2000
(Date)

RECEIVED BY OWRD

APR 09 2015

SALEM, OR

1000323
030810 041 V1
2001.5 DUA 02A

C-0807

THE FOLLOWING DESCRIBED REAL PROPERTY IS LOCATED IN THE SOUTH HALF OF SECTION 32, TOWNSHIP 29 SOUTH, RANGE 5 WEST, WILLAMETTE MERIDIAN, DOUGLAS COUNTY, OREGON:

BEGINNING AT A 5/8 INCH IRON ROD LOCATED ON THE EASTERLY RIGHT OF WAY OF U.S. INTERSTATE HIGHWAY NUMBER 5, SAID 5/8 INCH IRON ROD BEARS SOUTH 80° 19' 02" EAST 3744.37 FEET FROM THE WEST-NORTHWEST CORNER OF THE THOMAS WHITTED DONATION LAND CLAIM NUMBER 44; THENCE LEAVING SAID EASTERLY RIGHT OF WAY BOUNDARY OF SAID U.S. INTERSTATE HIGHWAY NUMBER 5 AND RUNNING SOUTH 43° 49' 17" EAST ALONG THE SOUTHERLY BOUNDARY OF THAT PROPERTY DESCRIBED IN DEED REFERENCE NUMBER 96-09058, RECORDS OF DOUGLAS COUNTY, OREGON, 722.78 FEET TO A RAILROAD IRON FENCE CORNER LOCATED ON THE WESTERLY BOUNDARY OF THE TRI-CITY STATE AIRPORT; THENCE ALONG SAID WESTERLY BOUNDARY OF THE SAID TRI-CITY STATE AIRPORT, SOUTH 49° 44' 27" WEST 326.63 FEET TO A 5/8 INCH IRON ROD LOCATED AT THE MOST EASTERLY CORNER OF THAT PROPERTY DESCRIBED IN DEED REFERENCE NUMBER 89-02462, RECORDS OF DOUGLAS COUNTY, OREGON; THENCE LEAVING THE SAID WESTERLY BOUNDARY OF THE TRI-CITY STATE AIRPORT AND RUNNING NORTH 43° 47' 48" WEST ALONG THE NORTHERLY BOUNDARY OF THAT PROPERTY DESCRIBED IN SAID DEED REFERENCE NUMBER 89-02462, RECORDS OF DOUGLAS COUNTY, OREGON, 702.07 FEET TO A 5/8 INCH IRON ROD LOCATED ON THE SAID EASTERLY RIGHT OF WAY BOUNDARY OF SAID U.S. INTERSTATE HIGHWAY NUMBER 5; THENCE LEAVING SAID NORTHERLY BOUNDARY OF THAT PROPERTY DESCRIBED IN SAID DEED REFERENCE NUMBER 89-02462 AND RUNNING NORTH 46° 06' 30" EAST ALONG THE SAID EASTERLY RIGHT OF WAY OF SAID U.S. INTERSTATE HIGHWAY NUMBER 5, 325.70 FEET TO THE POINT OF BEGINNING.

RECEIVED BY OWRD

APR 09 2015

SALEM, OR

STATE OF OREGON | 68
COUNTY OF DOUGLAS | 68
I, DOYLE SHAVER JR., COUNTY CLERK AND
RECORDER OF CONVEYANCES, DO HEREBY CERTIFY
THAT THIS INSTRUMENT WAS RECORDED

00 MAR -9 AM 9:35

DOYLE SHAVER JR.
DOUGLAS COUNTY CLERK

IN THE OFFICIAL RECORDS OF DOUGLAS COUNTY

BY *John J. Bennett*
DEPUTY

FEE *N/C*

2000-05617

FOUNDATION, the corporation therein named, and acknowledged to me that the corporation executed it.

WITNESS my hand and official seal.

Jennifer L. Miller
Notary Public for Oregon
My Commission Expires: 9/16/08

L.S.



STATE OF OREGON)
) ss.
County of Douglas)

On this 16th day of December, in the year 2004, before me
Jennifer L. Miller **Notary Public, personally appeared TERRY SWAGERTY,**
(personally known to me) to be the person who executed the within instrument as
Executive Director on behalf of UMPQUA COMMUNITY COLLEGE FOUNDATION,
the corporation therein named, and acknowledged to me that the corporation executed
it.



WITNESS my hand and official seal.

Jennifer L. Miller
Notary Public for Oregon
My Commission Expires: 9/16/08

L.S.

Until Further Notice, Send
All Tax Statements To:
COW CREEK BAND OF
UMPQUA TRIBE OF INDIANS
2371 NE Stephens, Suite 100
Roseburg, OR 97470

After recording, return to:

RECEIVED BY OWRD
APR 09 2015
SALEM, OR

W-00071

RECEIVED BY OWRD

APR 09 2015

SALEM, OR

Order No. 00092204

Exhibit A

BEGINNING at a point from which the quarter section corner between Sections 28 and 29, Township 28 South, Range 6 West, Willamette Meridian, Douglas County, Oregon, bears East 597.78 feet and South 0° 27' West 1549.55 feet; thence running South 0° 35' East 386.69 feet to a point from which a 5/8 inch x 30 inch iron rod set on the north line of Dillard Bottom Subdivision bears South 0° 35' East 40.0 feet; thence running parallel to and 40 feet North of the north line of said subdivision, North 89° 42' West 412.32 feet to a point from which a 5/8 inch x 30 inch iron rod bears South 0° 28' West 40 feet; thence running North 0° 28' East 580.01 feet to a 3/4 inch iron pipe; thence running South 89° 42' East 401.69 feet to a 3/4 inch x 48 inch iron pipe; thence running South 0° 35' East 193.32 feet to the point of beginning, being situated in Section 29, Township 28 South, Range 6 West, Willamette Meridian, Douglas County, Oregon.

Beginning at a point on the section line between Sections 28 and 29, Township 28 South, Range 6 West, Willamette Meridian, Douglas County, Oregon, which is 1124.0 feet South 00° 39' West of the section corner common to Sections 20, 21, 28 and 29, said township and range; thence West 436.0 feet to the east line of Loren Miller tract; thence North 00° 27' East 1801.5 feet to a point on the south bank of the South Umpqua River bar; thence following said bank, South 77° 02' East 456.0 feet to a point on the east line of said Section 20; thence South 00° 39' West 1698.7 feet along said section line to the place of beginning.

ALSO, that portion of bar of South Umpqua River on south side of river and adjacent to the above described tract and described as: Beginning at the northeast corner of said tract on the east line of said Section 20, at a point North 00° 39' East 574.7 feet from the section corner common to Sections 20, 21, 28 and 29, Township 28 South, Range 6 West, Willamette Meridian, and running North 77° 02' West 456.0 feet along the north side of above described tract to the northwest corner of said tract; thence North 00° 27' East 975.0 feet to a point in the center of the South Umpqua River; thence running downstream, East 300.0 feet, and South 85° East 149.0 feet to a point; thence leaving center of said river and running South 00° 39' West 1065.0 feet to the place of beginning, in Section 20, Township 28 South, Range 6 West, Willamette Meridian, Douglas County, Oregon.

ALSO, beginning at a point on the division line between Loren Miller and the Ruth Miller Blair Properties as recorded in Volume 23, Page 489, Probate Records of Douglas County, Oregon, said beginning point being 423.7 feet West and North 0° 27' East 1106.7 feet from the quarter section corner between Sections 28 and 29, Township 28 South, Range 6 West, Willamette Meridian; thence running West 573.3 feet to a point; thence North 0° 28' East 2380.8 feet to a point on the right or south bank of the South Umpqua River at the south edge of river bar; thence running along said river bank, North 88° East 21.1 feet, South 79° 30' East 135.0 feet, South 71° East 135.0 feet and South 75° East 300.0 feet to a point on said division line; thence leaving said river bank and running South 0° 27' West 2235.7 feet along said division line to the place of beginning, all the above situated in Sections 20 and 29, Township 28 South, Range 6 West, Willamette Meridian, Douglas County, Oregon.

EXCEPTING THEREFROM the South 40 feet, as conveyed in that certain deed from Bert J. Laurance and Virginia Laurance, husband and wife, to Lena Burks and Fred Burks, wife and husband, dated October 29, 1954, and recorded November 4, 1954, in Volume 238, Recorder's No. 187660, Deed Records of Douglas County, Oregon.

ALSO EXCEPTING THEREFROM that portion as described deed recorded in Book 782, Page 497, Recorder's No. 81-2857, Records of Douglas County, Oregon.

ALSO, beginning at a 1 inch x 30 inch iron pipe driven at the south end of a north-south fence line which is North 0° 27' East 1549.55 feet from the quarter section corner between Sections 28 and 29, Township 28 South, Range 6 West, Willamette Meridian, Douglas County, Oregon; thence running from said beginning point along a fence line, North 0° 52' East 1698.7 feet to a 3 inch x 48 inch iron pipe on the south bank of South Umpqua River; thence running along the south line of a 20.7 acre tract, South 59° 19' East 129.60 feet to a 1 inch iron pipe; thence running South 78° 11' East 90.10 feet to a flanged truck axle set by a 5 foot steel post on bank of said South Umpqua River; thence running South 0° 52' West 1614.12 feet to a 1 inch iron pipe which is West 640.54 feet from a 1 inch iron pipe at the common corner of the southwest corner of an 8.14 acre tract and southeast corner of a 30 acre tract owned by Fred Burks; thence running along the south line of a 30 acre tract, West 200.76 feet to the place of beginning, being situated in Sections 21 and 28, Township 28 South, Range 6 West, Willamette Meridian, Douglas County, Oregon.

**EXHIBIT "1" to
Warranty Deed**

W S-8804

**EXHIBIT "2" to
Warranty Deed**

Subject to:

- 1) **unpaid property taxes, if any;**
- 2) **rights of way of record;**
- 3) **any adverse claim or rights based upon assertion that this land, or any portion thereof, is now, or at any time has been below the high water mark of the South Umpqua River.**

This conveyance includes all appurtenant water rights, including but not limited to the Oregon Certificate of Water Right recorded at Volume 29, Page 37089 of Water Right Certificates, (Permit G-3484).

RECEIVED BY OWRD

APR 09 2015

SALEM, OR

END OF DOCUMENT

**EXHIBIT "2" to
Warranty Deed**

*17-088-5
m*

58.

After recording return to:

Cow Creek Band of Umpqua Tribe of Indians
2371 NE Stephens Street, Suite 100
Roseburg, OR 97470

DOUGLAS COUNTY OFFICIAL RECORDS
BARBARA E. NIELSEN, COUNTY CLERK

2011-016277



\$20.00

00307980201100162770040047

11/14/2011 02:26:16 PM

DEED-WD Cnt=1 Stn=18 RECORDINGDESK
\$20.00

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

Cow Creek Band of Umpqua Tribe of Indians
2371 NE Stephens Street, Suite 100
Roseburg, OR 97470

RECEIVED BY OWRD

APR 09 2015

WARRANTY DEED

SALEM, OR

Donald G. MacGregor and Kristin Jill MacGregor, Grantors, convey and warrants to Cow Creek Band of Umpqua Tribe of Indians, a federally recognized Indian Tribe, Grantee, the real property described Exhibit A attached, free of encumbrances except as specifically set forth herein, subject to the covenants, conditions, restrictions and/or easements which may appear in the public record, including those shown on any recorded plat or survey and the usual printed exceptions remaining in any issued Standard Coverage of Title Insurance Policy.

The true consideration paid for this conveyance is \$450,000.00.

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 OF CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. 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 THIS 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 OF CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009.

PER THE SALE AGREEMENT BETWEEN GRANTORS AND GRANTEE, GRANTEE CERTIFIES THAT THIS DEED IS ACCEPTED AND EXECUTED ON THE BASIS OF ITS EXAMINATION AND PERSONAL KNOWLEDGE OF THE PROPERTY AND OPINION OF THE VALUE THEREOF; THAT GRANTEE ACCEPTS THE LAND, BUILDINGS, IMPROVEMENTS AND ALL OTHER ASPECTS OF THE PROPERTY AND BUSINESS INCLUDING BUT NOT LIMITED TO SEWER OR SEPTIC SYSTEMS, WELLS, WATER SOURCES, DRAINAGE, FUEL STORAGE TANKS, FENCE LINES AND BOUNDARIES, INCLUDING ANY CLAIMS FOR ADVERSE POSSESSION, IN THEIR PRESENT CONDITION, **AS IS**, INCLUDING LATENT DEFECTS, INCLUDING ANY LIABILITY ASSOCIATED WITH THE PROVISIONS OF ORS CHAPTERS 465 AND 466 AND 42 USC §9601-9675 AND 42 USC §6901-6999 AND ANY OTHER STATE OR FEDERAL STATUTES OR REGULATIONS RELATING TO ENVIRONMENTAL RISKS AND GRANTEE FURTHER RELEASES AND COVENANTS NOT TO SUE GRANTORS IN RELATION TO ANY LIABILITY ASSOCIATED WITH SUCH PROVISIONS OF STATE OR FEDERAL STATUTE OR REGULATION, WITHOUT ANY REPRESENTATIONS OR WARRANTIES, EXPRESSED OR IMPLIED, UNLESS THEY ARE IN WRITING SIGNED BY GRANTORS; THAT NO ATTEMPT HAS BEEN MADE TO INFLUENCE

First American Title Insurance Company

P.O. Box 1825
Roseburg, OR 97470

1-783-1691

S-98071

GRANTEE'S JUDGMENTS; THAT NO REPRESENTATIONS AS TO THE CONDITION OR REPAIR OF THE PROPERTY HAVE BEEN MADE BY GRANTORS OR BY ANY AGENT OF GRANTORS; AND THAT NO AGREEMENT OR PROMISE TO ALTER, REPAIR OR IMPROVE THE PROPERTY HAS BEEN MADE BY GRANTORS OR BY ANY AGENT OF GRANTORS. GRANTEE HAS HAD AN OPPORTUNITY TO INSPECT THE PROPERTY WITH REGARD TO ENVIRONMENTAL MATTERS, GOVERNMENTAL REQUIREMENTS AND OTHER MATTERS AND HAS FORMED ITS OWN OPINION AS TO THE CONDITION AND VALUE OF THE PROPERTY. GRANTEE RELEASES AND FOREVER DISCHARGES GRANTORS, AND GRANTORS' HEIRS, SUCCESSORS AND LEGAL REPRESENTATIVES, FROM ALL CLAIMS, PENALTIES, DAMAGES, COSTS AND EXPENSES (INCLUDING ATTORNEY FEES) WHICH MAY ARISE ON ACCOUNT OF OR IN ANY WAY GROWING OUT OF OR IN CONNECTION WITH ANY PHYSICAL CHARACTERISTIC OR CONDITION OF THE PROPERTY, INCLUDING ANY SURFACE OF SUBSURFACE CONDITION OR ANY HAZARDOUS TOXIC SUBSTANCE, MATERIAL OR WASTE (INCLUDING PETROLEUM PRODUCTS) ON, UNDER OR RELATED TO THE PROPERTY. THIS RELEASE SHALL BE BINDING ON GRANTEE AND GRANTEE'S SUCCESSORS AND ASSIGNS, INCLUDING ALL SUCCESSORS IN INTEREST TO OWNERSHIP OF THE PROPERTY.

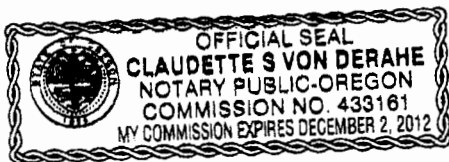
DATED this 10th day of November, 2011.

Donald G. MacGregor
Donald G. MacGregor

STATE OF OREGON)
County of Douglas)ss.

This instrument was acknowledged before me on November 10th, 2011, by Donald G. MacGregor.

Claudette S von Derahe
Notary Public for Oregon
My Commission Expires: 12/2/12



Kristin Jill MacGregor
Kristin Jill MacGregor

STATE OF OREGON)
County of Douglas)ss.

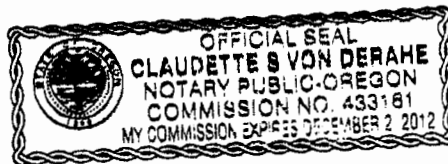
This instrument was acknowledged before me on November 10th, 2011, by Kristin Jill MacGregor.

Claudette S von Derahe
Notary Public for Oregon
My Commission Expires: 12/2/12

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C-08071

EXHIBIT A

PARCEL 2:

THAT PORTION OF PARCEL 3 OF PARTITION PLAT 1993-0012, DOUGLAS COUNTY, OREGON LYING NORTH OF A LINE BEGINNING AT A 1 1/4 INCH IRON PIPE AT THE NORTHEAST CORNER OF BLAIR SUBDIVISION, DOUGLAS COUNTY, OREGON AND RUNNING SOUTH 85° 40' 21" EAST 326.75 FEET TO THE NORTH CORNER OF PARCEL 2 OF SAID PARTITION PLAT.

EXCEPTING THEREFROM THAT PORTION CONVEYED TO DOUGLAS COUNTY BY WARRANTY DEED RECORDED OCTOBER 14, 1993 IN BOOK 1260, PAGE 459, RECORDER'S NO. 93-20974, RECORDS OF DOUGLAS COUNTY, OREGON.

PARCEL 3:

BEGINNING AT A POINT ON THE WEST LINE OF SECTION 28, TOWNSHIP 28 SOUTH, RANGE 6 WEST OF THE WILLAMETTE MERIDIAN, DOUGLAS COUNTY, OREGON, WHICH BEARS SOUTH 00° 39' WEST 1124.0 FEET FROM THE NORTHWEST CORNER OF SAID SECTION 28; THENCE NORTH 00° 39' EAST 1698.7 FEET ALONG THE WEST LINE OF SECTIONS 28 AND 21, SAID TOWNSHIP AND RANGE, TO THE SOUTH BANK OF THE SOUTH UMPQUA RIVER BAR, THENCE ALONG SAID SOUTH BANK, SOUTH 77° 02' EAST 23.0 FEET, SOUTH 57° 02' EAST 114.4 FEET, SOUTH 73° 17' EAST 177.3 FEET, SOUTH 79° 10' EAST 224.7 FEET, AND SOUTH 87° 16' EAST 112.0 FEET TO THE SOUTHWEST CORNER OF THE STATE HIGHWAY PROPERTY; THENCE ALONG THE SOUTH LINE OF THE STATE HIGHWAY PROPERTY, SOUTH 87° 24' EAST 100.5 FEET, SOUTH 67° 39' EAST 89.2 FEET, AND SOUTH 76° 14' EAST 19.0 FEET; THENCE SOUTH 00° 37' WEST 1489.9 FEET; THENCE WEST 841.3 FEET TO THE PLACE OF BEGINNING.

EXCEPT THAT PROPERTY DESCRIBED IN BOOK 450, PAGE 235, RECORDER'S NO. 70-8063, RECORDS OF DOUGLAS COUNTY, OREGON.

PARCEL 4:

BEGINNING AT A POINT WHICH BEARS 839.2 FEET EAST AND 127.9 FEET SOUTH FROM THE NORTHWEST CORNER OF SECTION 28, TOWNSHIP 28 SOUTH, RANGE 6 WEST OF THE WILLAMETTE MERIDIAN, DOUGLAS COUNTY, OREGON; THENCE NORTH 00° 37' EAST 493.7 FEET TO THE SOUTH LINE OF THE STATE HIGHWAY PROPERTY ON THE SOUTH BANK OF THE SOUTH UMPQUA RIVER BAR; THENCE FOLLOWING SAID SOUTH LINE 76° 14' EAST 244.8 FEET, NORTH 83° 07' EAST 217.6 FEET, SOUTH 66° 42' EAST 367.0 FEET, AND SOUTH 21° 22' EAST 340.2 FEET; THENCE WEST 920.9 FEET TO THE PLACE OF BEGINNING.

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Exhibit A - Page 1 of 2

S-88071

PARCEL 5:

BEGINNING AT A POINT WHICH BEARS NORTH 0° 39' EAST 574.7 FEET TO THE SOUTHWEST CORNER OF SECTION 21, TOWNSHIP 28 SOUTH, RANGE 6 WEST OF THE WILLAMETTE MERIDIAN, DOUGLAS COUNTY, OREGON; THENCE NORTH 0° 39' EAST 1065.0 FEET ALONG THE WEST LINE OF SECTION 21 TO THE CENTERLINE OF THE SOUTH UMPQUA RIVER; THENCE DOWNSTREAM ALONG SAID CENTERLINE, SOUTH 85° EAST 151.0 FEET, SOUTH 77° EAST 3001.0 FEET, SOUTH 68° EAST 300.0 FEET, AND SOUTH 57° 05' EAST 475.1 FEET TO THE NORTHWEST CORNER OF THE STATE HIGHWAY PROPERTY; THENCE ALONG THE WEST LINE OF THE STATE HIGHWAY PROPERTY, SOUTH 44° 47' WEST 723.0 FEET AND SOUTH 265.5 FEET TO THE SOUTH BANK OF THE SOUTH UMPQUA RIVER BAR; THENCE ALONG SAID SOUTH BANK, NORTH 87° 16' WEST 112.0 FEET, NORTH 79° 10' WEST 224.7 FEET, NORTH 73° 17' WEST 177.3 FEET, NORTH 57° 02' WEST 114.4 FEET, AND NORTH 77° 02' WEST 23.0 FEET TO THE PLACE OF BEGINNING.

PARCEL 6:

BEGINNING AT A 3/4-INCH PIPE WHICH BEARS SOUTH 412.9 FEET AND EAST 836.2 FEET FROM THE NORTHWEST CORNER OF SECTION 28, TOWNSHIP 28 SOUTH, RANGE 6 WEST OF THE WILLAMETTE MERIDIAN, DOUGLAS COUNTY, OREGON; THENCE NORTH 0° 37' EAST 285.0 FEET TO A POINT WHICH BEARS SOUTH 127.9 FEET AND EAST 839.2 FEET FROM SAID NORTHWEST CORNER; THENCE EAST 920.9 FEET TO AN ANGLE POINT ON THE WEST RIGHT-OF-WAY LINE OF THE OREGON STATE HIGHWAY; THENCE ALONG SAID WEST RIGHT-OF-WAY LINE, SOUTH 31° 57' WEST 335.9 FEET TO A 3/4-INCH PIPE, SOUTH 31° 57' WEST 120.1 FEET, SOUTH 55° 33' EAST 20.0 FEET, SOUTH 39° WEST 598.1 FEET, AND SOUTH 46° 03' WEST 197.7 FEET TO A 3/4-INCH PIPE ON THE NORTH LINE OF A 40- FOOT ROADWAY; THENCE ALONG SAID NORTH LINE, WEST 187.8 FEET TO A 3/4-INCH PIPE; THENCE NORTH 00° 36' EAST 711.1 FEET TO THE PLACE OF BEGINNING.

EXCEPT THAT PROPERTY DESCRIBED IN RECORDER'S NO. 97-2660, RECORDS OF DOUGLAS COUNTY, OREGON.

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AFFIDAVIT FOR THE DIMINUTION OF AN ENTIRE WATER RIGHT CERTIFICATE

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State of Oregon)
County of Douglas) ss

I/We (or authorized agent), Tim Bare (Agent for Cow Creek Band of Umpqua Tribe of Indians), residing at 3845 Roberts Mt. Rd., Myrtle Creek, OR 97457, telephone number 541-391-3372, being first duly sworn depose and say:

- 1. I/We are the legal owner(s) of the property described as tax lot number 1200, within the SE 1/4 SE 1/4, Section 20, Township 28S N/S, Range 6W E/W, of the Willamette Meridian, in Douglas County County, Oregon, as shown on the attached map and described in the attached deed and legal description and made part of this affidavit;
2. Water right certificate number 37089 issued in the name of Clifford H. Pearson, with a date of priority of 9/21/1966 for use of 0.08 cubic foot per second of water from a well (G-3484) (source) for the purpose of Irrigation of 24.0 acres (use) is appurtenant to my/our property;
3. I/We have obtained a more reliable (e.g., better, more economical) source of water for the primary irrigation of these lands, and request the entire water right described be diminished from a right for primary irrigation to a right for supplemental irrigation of the same lands;
4. The appurtenant water right is (is not) located within the boundaries of an irrigation, drainage, water improvement, or water control district, or federal reclamation project (if the right is located within a district or reclamation project, name it here: Not Applicable); and
5. I/We agree that if this change is approved, it is permanent and the right to the use of water from a well (G-3484) (source) cannot be changed back to the primary source unless otherwise provided by law. I/We also agree that so long as there is sufficient water available from the new primary source, I am/we are not entitled to use any water from a well (G-3484) (source) for primary irrigation of these lands.

Signature of legal owner as listed on deed, or authorized agent

Date 04/07/2015

Signature of legal co-owner as listed on deed (if applicable)

Date

Subscribed and Sworn to Before Me this 7th day of April, 2015



Signature of Dana M Epperly, Notary Public for Oregon

My Commission Expires July 18, 2015

PLEASE ATTACH A LEGIBLE COPY OF : 1) A DEED WHICH LISTS LAND OWNERS AND INCLUDES A LEGAL DESCRIPTION OF AFFECTED LANDS, AND 2) AN ADJUDICATION MAP, WATER RIGHT FINAL PROOF MAP, OR A TAX LOT MAP WITH THE WATER RIGHT CLEARLY DRAWN AND IDENTIFIED. IF ACTING AS AN AUTHORIZED AGENT, INCLUDE COPY OF POWER OF ATTORNEY OR OTHER DOCUMENTS GRANTING AUTHORITY TO ACT ON BEHALF OF LEGAL OWNER(S).

9-88071

Attachment for Affidavit for the Diminution of an Entire

Water Right Certificate 37089

1. I/We are the legal owner(s) of the property described as tax lot number 600, within the NE ¼ NE 1/4 , Section 29, Township 28S, Range 6W, of the Willamette Meridian, in Douglas County, Oregon as shown on the attached map and described in the attached deed and legal description and made part of this affidavit;

I/We are the legal owner(s) of the property described as tax lot number 500, within the NE ¼ NE 1/4 , Section 29, Township 28S, Range 6W, of the Willamette Meridian, in Douglas County, Oregon as shown on the attached map and described in the attached deed and legal description and made part of this affidavit;

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STATE OF OREGON
COUNTY OF DOUGLAS
CERTIFICATE OF WATER RIGHT

This Is to Certify, That CLIFFORD H. PEARSON

of Star Route, Box 607-H, Winston, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of a well

a tributary of South Umpqua River for the purpose of irrigation of 24.0 acres

under Permit No. G-3484 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from September 21, 1966

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.08 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NE¼, NE¼, Section 29, T. 28 S., R. 6 W., W. M. Well located: 2260 feet North and 440 feet West from SW Corner, Section 29.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2½ acre feet per acre for each acre irrigated during the irrigation season of each year,

and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

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9.7 acres SE¼ SE¼
Section 20
14.3 acres NE¼ NE¼
Section 29
T. 28 S., R. 6 W., W. M.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed

this date. November 16, 1970

CHRIS L. WHEELER

State Engineer

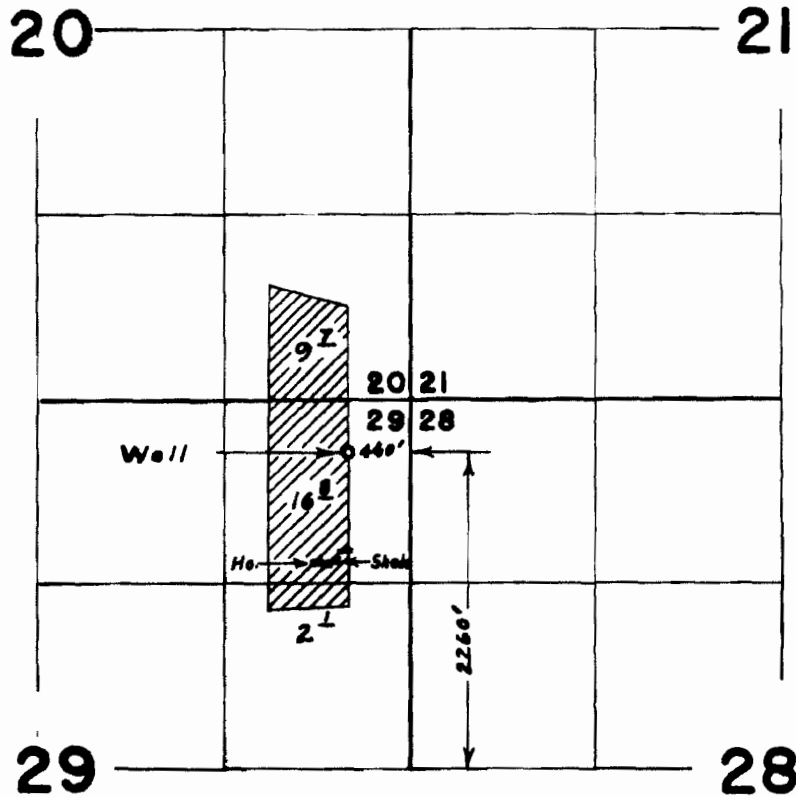
17088-5

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T. 28 S. R. 6 W. W.M.

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FINAL PROOF SURVEY
UNDER

Application No. G-3678 Permit No. G-3484
IN NAME OF

CLIFFORD H. PEARSON

Surveyed Aug. 8, 1969, by L. E. Gould

S-88071

WARRANTY DEED

UMPQUA COMMUNITY COLLEGE FOUNDATION, an Oregon non-profit corporation, Grantor, conveys and warrants to COW CREEK BAND OF UMPQUA TRIBE OF INDIANS, Grantee, that certain real property more particularly described in attached Exhibit "A" which by this reference is incorporated herein in full, free of all monetary liens or monetary encumbrances.

The true consideration for this conveyance is \$425,000.

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.

Dated this 20th day of December, 2004.

UMPQUA COMMUNITY COLLEGE FOUNDATION, an Oregon non-profit corporation

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SALEM, OR

By: Tom Loomis - Chairman of Board of Directors

By: Terry Swagerty - Executive Director

DOUGLAS COUNTY TITLE COMPANY

STATE OF OREGON)) ss. County of Douglas)

On this 20th day of December, in the year 2004, before me Jennifer L. Miller Notary Public, personally appeared TOM LOOMIS, personally known to me to be the person who executed the within instrument as Chairman of the Board of Directors on behalf of UMPQUA COMMUNITY COLLEGE

WARRANTY DEED - 1

SEND TAX STATEMENTS TO: Grantee 2371 NE Stephens, Ste. 100 Roseburg, OR 97470

DOUGLAS COUNTY OFFICIAL RECORDS BARBARA E. NIELSEN, COUNTY CLERK 2004-030919

\$20.00 00094691200400309190040049

12/22/2004 02:07:42 PM DEED-WD Cnt=1 Str=18 RECORDINGDESK \$20.00

DOUGLAS COUNTY TITLE CO. 639 S.E. MAIN ST. ROSEBURG, OR 97470

P-88071

FOUNDATION, the corporation therein named, and acknowledged to me that the corporation executed it.

WITNESS my hand and official seal.

Jennifer L. Miller
Notary Public for Oregon
My Commission Expires: 9/16/08

L.S.



STATE OF OREGON)
) ss.
County of Douglas)

On this 16th day of December, in the year 2004, before me
JENNIFER L. MILLER Notary Public, personally appeared **TERRY SWAGERTY,**
(personally known to me) to be the person who executed the within instrument as
Executive Director on behalf of **UMPQUA COMMUNITY COLLEGE FOUNDATION,**
the corporation therein named, and acknowledged to me that the corporation executed
it.



L.S.

WITNESS my hand and official seal.

Jennifer L. Miller
Notary Public for Oregon
My Commission Expires: 9/16/08

**Until Further Notice, Send
All Tax Statements To:
COW CREEK BAND OF
UMPQUA TRIBE OF INDIANS
2371 NE Stephens, Suite 100
Roseburg, OR 97470**

After recording, return to:

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Order No. 00092204

Exhibit A

BEGINNING at a point from which the quarter section corner between Sections 28 and 29, Township 28 South, Range 6 West, Willamette Meridian, Douglas County, Oregon, bears East 597.78 feet and South 0° 27' West 1549.55 feet; thence running South 0° 35' East 386.69 feet to a point from which a 5/8 inch x 30 inch iron rod set on the north line of Dillard Bottom Subdivision bears South 0° 35' East 40.0 feet; thence running parallel to and 40 feet North of the north line of said subdivision, North 89° 42' West 412.32 feet to a point from which a 5/8 inch x 30 inch iron rod bears South 0° 28' West 40 feet; thence running North 0° 28' East 580.01 feet to a 3/4 inch iron pipe; thence running South 89° 42' East 401.69 feet to a 3/4 inch x 48 inch iron pipe; thence running South 0° 35' East 193.32 feet to the point of beginning, being situated in Section 29, Township 28 South, Range 6 West, Willamette Meridian, Douglas County, Oregon.

Beginning at a point on the section line between Sections 28 and 29, Township 28 South, Range 6 West, Willamette Meridian, Douglas County, Oregon, which is 1124.0 feet South 00° 39' West of the section corner common to Sections 20, 21, 28 and 29, said township and range; thence West 436.0 feet to the east line of Loren Miller tract; thence North 00° 27' East 1801.5 feet to a point on the south bank of the South Umpqua River bar; thence following said bank, South 77° 02' East 456.0 feet to a point on the east line of said Section 20; thence South 00° 39' West 1698.7 feet along said section line to the place of beginning.

ALSO, that portion of bar of South Umpqua River on south side of river and adjacent to the above described tract and described as: Beginning at the northeast corner of said tract on the east line of said Section 20, at a point North 00° 39' East 574.7 feet from the section corner common to Sections 20, 21, 28 and 29, Township 28 South, Range 6 West, Willamette Meridian, and running North 77° 02' West 456.0 feet along the north side of above described tract to the northwest corner of said tract; thence North 00° 27' East 975.0 feet to a point in the center of the South Umpqua River; thence running downstream, East 300.0 feet, and South 85° East 149.0 feet to a point; thence leaving center of said river and running South 00° 39' West 1065.0 feet to the place of beginning, in Section 20, Township 28 South, Range 6 West, Willamette Meridian, Douglas County, Oregon.

ALSO, beginning at a point on the division line between Loren Miller and the Ruth Miller Blair Properties as recorded in Volume 23, Page 489, Probate Records of Douglas County, Oregon, said beginning point being 423.7 feet West and North 0° 27' East 1106.7 feet from the quarter section corner between Sections 28 and 29, Township 28 South, Range 6 West, Willamette Meridian; thence running West 573.3 feet to a point; thence North 0° 28' East 2380.8 feet to a point on the right or south bank of the South Umpqua River at the south edge of river bar; thence running along said river bank, North 88° East 21.1 feet, South 79° 30' East 135.0 feet, South 71° East 135.0 feet and South 75° East 300.0 feet to a point on said division line; thence leaving said river bank and running South 0° 27' West 2235.7 feet along said division line to the place of beginning, all the above situated in Sections 20 and 29, Township 28 South, Range 6 West, Willamette Meridian, Douglas County, Oregon.

EXCEPTING THEREFROM the South 40 feet, as conveyed in that certain deed from Bert J. Laurance and Virginia Laurance, husband and wife, to Lena Burks and Fred Burks, wife and husband, dated October 29, 1954, and recorded November 4, 1954, in Volume 238, Recorder's No. 187660, Deed Records of Douglas County, Oregon.

ALSO EXCEPTING THEREFROM that portion as described deed recorded in Book 782, Page 497, Recorder's No. 81-2857, Records of Douglas County, Oregon.

ALSO, beginning at a 1 inch x 30 inch iron pipe driven at the south end of a north-south fence line which is North 0° 27' East 1549.55 feet from the quarter section corner between Sections 28 and 29, Township 28 South, Range 6 West, Willamette Meridian, Douglas County, Oregon; thence running from said beginning point along a fence line, North 0° 52' East 1698.7 feet to a 3 inch x 48 inch iron pipe on the south bank of South Umpqua River; thence running along the south line of a 20.7 acre tract, South 59° 19' East 129.60 feet to a 1 inch iron pipe; thence running South 78° 11' East 90.10 feet to a flanged truck axle set by a 5 foot steel post on bank of said South Umpqua River; thence running South 0° 52' West 1614.12 feet to a 1 inch iron pipe which is West 640.54 feet from a 1 inch iron pipe at the common corner of the southwest corner of an 8.14 acre tract and southeast corner of a 30 acre tract owned by Fred Burks; thence running along the south line of a 30 acre tract, West 200.76 feet to the place of beginning, being situated in Sections 21 and 28, Township 28 South, Range 6 West, Willamette Meridian, Douglas County, Oregon.

**EXHIBIT "1" to
Warranty Deed**

W 5-8807

**EXHIBIT "2" to
Warranty Deed**

Subject to:

- 1) unpaid property taxes, if any;**
- 2) rights of way of record;**
- 3) any adverse claim or rights based upon assertion that this land, or any portion thereof, is now, or at any time has been below the high water mark of the South Umpqua River.**

This conveyance includes all appurtenant water rights, including but not limited to the Oregon Certificate of Water Right recorded at Volume 29, Page 37089 of Water Right Certificates, (Permit G-3484).

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SALEM, OR

END OF DOCUMENT

**EXHIBIT "2" to
Warranty Deed**

ll

S-88071