

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 DAMEON AND AMBER BARROWS		PHONE (HM)	
PHONE (WK)	CELL 541-817-7358	FAX	
ADDRESS 1804 WILD RIVER DRIVE			
CITY ROSEBURG	STATE OR	ZIP 97470	E-MAIL *

Organization Information

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

Agent Information – The agent is authorized to represent the applicant in all matters relating to this application.

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

Note: Attach multiple copies as needed

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

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application packet.
- I cannot legally use water until the Water Resources Department issues a permit to me.
- The Department encourages all applicants to wait for a permit to be issued before beginning construction of any proposed diversion. Acceptance of this application does not guarantee a permit will be issued.
- If I begin construction prior to the issuance of a permit, I assume all risks associated with my actions.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be cancelled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water right holders to get water to which they are entitled.

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

Applicant Signature
Dameon Barrows
Applicant Signature
Amber Barrows

Dameon Barrows
Print Name and title if applicable
Amber Barrows
Print Name and title if applicable

8-12-15
Date
8/12/15
Date

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Revise	App. No. <i>58819</i>	For Department Use Permit No. _____	Date _____	AUG 17 2015 SALEM, OR
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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*).

Robert and Julia Kidder
341 Cabot Court
Roseville, CA 95746

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

SECTION 3: SOURCE OF WATER

A. Proposed Source of Water

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

Source 1: <u>North Umpqua River</u>	Tributary to: <u>Umpqua River</u>
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.

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

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

- By checking this box, you are requesting that the Department process your application under the standard process outlined in ORS 537.150 and 537.153, rather than the expedited process provided by ORS 537.147. To file an application under the standard process, you must enclose the following:
- A copy of a signed non-expired contract or other agreement with the owner of the reservoir (if not you) to impound the volume of water you propose to use in this application.
 - A copy of your written agreement with the party (if any) delivering the water from the reservoir to you.

SECTION 4: WATER USE

Provide the amount of water you propose to use from each source, for each use, in cubic feet-per-second (cfs) or gallons-per-minute (gpm). If the proposed use is from storage, provide the amount in acre-feet (af):
(1 cfs equals 448.8 gpm. 1 acre-foot equals 325,851 gallons or 43,560 cubic feet)

SOURCE	USE	PERIOD OF USE	AMOUNT
North Umpqua River	Domestic Expanded	Year -round	0.01 <input checked="" type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af

For irrigation use only:

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

Primary: _____ Acres Supplemental: _____ Acres

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

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

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households: 1
- If the use is **mining**, describe what is being mined and the method(s) of extraction:

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SECTION 5: WATER MANAGEMENT

A. Diversion and Conveyance

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

Pump (give horsepower and type): 3 Horsepower - Bank Mounted

Other means (describe): _____

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

Water will be pumped from the North Umpqua River for domestic purposes and .50 acre irrigation.

B. Application Method

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

Household plumbing system and residential lawn/garden sprinkler irrigation.

C. Conservation

Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; prevent damage to public uses of affected surface waters.

Water is needed for domestic use and lawn/garden irrigation on the property. Best residential management practices will be used to prevent waste, erosion and control run-off.

SECTION 6: RESOURCE PROTECTION

In granting permission to use water from a stream or lake, the state encourages, and in some instances requires, careful control of activities that may affect the waterway or streamside area. See instruction guide for a list of possible permit requirements from other agencies. Please indicate any of the practices you plan to undertake to protect water resources.

- Diversion will be screened to prevent uptake of fish and other aquatic life.
Describe planned actions: ODFW approved fish screening will be installed on pump intake prior to diversion of water.
- Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.
Describe planned actions: N/A
- Operating equipment in a water body will be managed and timed to prevent damage to aquatic life.
Describe: N/A
- Water quality will be protected by preventing erosion and run-off of waste or chemical products.
Describe: Will use best residential management practices to prevent erosion and run-off.

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SECTION 7: PROJECT SCHEDULE

Date construction will begin: Upon issuance of permit

Date construction will be completed: October 31, 2016

Date beneficial water use will begin: October 31, 2017

SECTION 8: WITHIN A DISTRICT

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

Irrigation District Name	Address	
City	State	Zip

SECTION 9: REMARKS

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

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Douglas County

Planning and Sanitation Pre-Application Worksheet

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OTHER ACTION

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Worksheet Number <h2 style="margin: 0;">WS15-0689</h2>	Applicant BARROWS, DAMEON & AMBER 1804 WILDRIVER DRIVE ROSEBURG, OR 97470 (541) 817-7358	Owner SALEM, OR BARROWS, DAMEON & AMBER 1804 WILDRIVER DRIVE ROSEBURG, OR 97470
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SITE INFORMATION

Site Address 903 WHISTLERS LN ROSEBURG, OR 97470	MTL 26-04W-16A-01800	Property ID Number (Primary) R42840	Size (Acres) 40.25
Improvement LUCS FOR OWRD FOR WATER RIGHTS		Proposed Use Land Use Compatibility Statement	
Existing Structures (Number and Type) SFD		Distance of Building Site from River, Creek, or Stream Bank >50'	
Directions NA			

As, for, or on behalf of, all property owners:
APPLICANT SIGNATURE: *Amber Barrows* **DATE:** 8/12/15

PLANNING DEPARTMENT INFORMATION

Zoning FG	Overlays		
SETBACKS (EFU - Grazing)			
Front Property Line of Right of Way 30 Feet	Rear Line 10 Feet	Side Line 10 Feet	Exterior Side Line NA
Sign Code NO SIGN PROPOSED - N/A	Special Setback NA	Riparian Setback 50 FEET	
Parking Spaces Required NA	Building Height None	Flood Plain No	Floor Height Above Ground NA
Conditions of Approval LUCS FOR OWRD FOR WATER RIGHTS; NO STRUCTURAL DEVELOPMENT AUTHORIZED; MUST MEET ZONING AND SETBACK REQUIREMENTS.			

Sanitation OSS - Existing System	Sanitary District	Water Private	Access Permit Required? NO	
Report Codes NONSTRUCTURAL SEPTIC-EXISTING PRIVATE WATER				
Refer To NONE				
Approved By: JKA	Date: 8/12/2015	Receipt #: P21246	Amount: \$ 165.00	Expiration Date: 8/10/2016

SANITATION INFORMATION

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

3-88119

Land Use Information Form



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

WSK-0689
 R42840
 R68525
 zone FG & RR
 RCR # P 21246

Applicant(s): Dameon & Amber Barrows

Mailing Address: 1804 Wildriver Drive

City: Roseburg

State: OR

Zip Code: 97470

Daytime Phone: 541-817-7358

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
<u>26S.</u>	<u>4W.</u>	<u>16</u>	_____	<u>1200</u>	_____	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____
<u>26S.</u>	<u>4W.</u>	<u>16</u>	_____	<u>1800</u>	_____	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	_____
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____

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

Douglas County

B. Description of Proposed Use

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

- Permit to Use or Store Water
 Water Right Transfer
 Permit Amendment or Ground Water Registration Modification
 Limited Water Use License
 Allocation of Conserved Water
 Exchange of Water

Source of water: Reservoir/Pond Ground Water Surface Water (name) North Umpqua River

Estimated quantity of water needed: .01 cubic feet per second gallons per minute acre-feet

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

Briefly describe:

Water is needed for domestic use and .50 acre lawn/garden.

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

See bottom of Page 3. →

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For Local Government Use Only

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 and 3.9.050

Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

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

Name: Jennifer Arnold Title: Planner
 Signature: Jennifer Arnold Phone: 541-440-4239 Date: 8-12-15
 Government Entity: Douglas County Planning Dept.

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

Receipt for Request for Land Use Information

Applicant name: _____
 City or County: _____ Staff contact: _____
 Signature: _____ Phone: _____ Date: _____

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DOUGLAS COUNTY PLANNING & BUILDING

8/12/2015
12:00 pm

Room 106, Justice Building
Douglas County Courthouse, Roseburg, Oregon 97470
Planning - (541) 440-4289
Building - (541) 440-4559

Permit Number: WS15-0689
Job Address: 903 WHISTLERS LN, ROSEBURG

Receipt: P21246

Fee Description	Fee Amount
LAND USE COMPATABILITY STATEMENT	\$165.00
Total Fees Paid:	\$165.00

Paid By: **BARROWS DAMEON R42840**

Pay Method: **CASH**

Received By: **KRISTIN MARTIN**

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NO PART OF ANY STEVENS-NESS FORM MAY BE REPRODUCED IN ANY FORM OR BY ANY ELECTRONIC OR MECHANICAL MEANS.



Grantor's Name and Address

Douglas County Official Records
Patricia K. Hitt, County Clerk

2014-007002

Grantee's Name and Address



\$51.00

After recording, return to (Name and Address):

DEED-BS Cnt=1 Stn=12 HEDI
\$10.00 \$11.00 \$20.00 \$10.00

05/20/2014 09:16:29 AM

Until requested otherwise, send all tax statements to (Name and Address):

Dameon And Amber Barrows
1304 Wild River Drive
ROSEBURG, OR 97470

BARGAIN AND SALE DEED

KNOW ALL BY THESE PRESENTS that ~~DAVEON ALLEN BARROWS and WAYNE MAURICE BARROWS~~ ^{DAVEON ALLEN BARROWS and WAYNE MAURICE BARROWS} AS TRUSTEES OF THE ~~KAREN ALLEN BARROWS and WAYNE MAURICE BARROWS~~ ^{KAREN ALLEN BARROWS and WAYNE MAURICE BARROWS} hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto ~~Dameon Phillip Barrows and Amber Elaine Barrows~~ ^{Dameon Phillip Barrows and Amber Elaine Barrows} as tenants by hereinafter called grantee, and unto grantee's heirs, successors and assigns, all of that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in ~~Douglas~~ ^{Douglas} County, State of Oregon, described as follows (legal description of property):

That part of Government Lot 7, Section 16, Township 26 South, Range 4 West, Willamette Meridian, Douglas County, Oregon, lying Southerly of the Southerly right of way line of County Road No. 223-A.

* Barrows Revocable TRUST

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(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE)

To Have and to Hold the same unto grantee and grantee's heirs, successors and assigns forever. The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 210,000.00. However, the actual consideration consists of or includes other property or value given or promised which is part of the the whole (indicate which) consideration. (The sentence between the symbols @, if not applicable, should be deleted. See ORS 93.090.7)

In construing this instrument, where the context so requires, the singular includes the plural, and all grammatical changes shall be made so that this instrument shall apply equally to businesses, other entities and to individuals.

IN WITNESS WHEREOF, grantor has executed this instrument on 5/13/14; any signature on behalf of a business or other entity is made with the authority of that entity.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL AS DEFINED IN ORS 92.010 OR 215.010. TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Karen Allen Barrows
Trustee

STATE OF OREGON, County of Douglas ss.

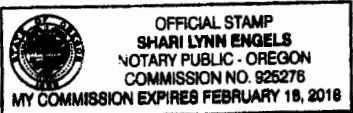
This instrument was acknowledged before me on _____

by _____

This instrument was acknowledged before me on 5/13/14

by Karen Allen Barrows

of the Karen Allen Barrows and Wayne Maurice Barrows Revocable Trust



Notary Public for Oregon
My commission expires _____

PUBLISHER'S NOTE: If using this form to convey real property subject to ORS 92.027, include the required reference.

S-8817

STATE OF OREGON,

County of Douglas } ss.

On 5/16/2014 before me personally appeared Wayne Maurice Barrows, Trustee of the Karen Aileen Barrows and Wayne H. Barrows Revocable Trust whose identity was established to my satisfaction and who executed the foregoing instrument, acknowledging to me that the same was executed freely and voluntarily.

IN TESTIMONY WHEREOF I have hereunto set my hand and affixed my official seal on the date first written above.
OFFICIAL STAMP
SHARI LYNN ENGELS
NOTARY PUBLIC - OREGON
COMMISSION NO. 925276
MY COMMISSION EXPIRES FEBRUARY 18, 2018

Shari Lynn Engels
Notary Public for Oregon
My commission expires 2/18/18

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FORM No. 23 - ACKNOWLEDGMENT, INDIVIDUAL EA

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BARGAIN AND SALE DEED

ROBERT P. KIDDER, and JULIA W. KIDDER, husband and wife, (Grantors) do grant, sell, release and transfer to ROBERT P. KIDDER and JULIA W. KIDDER, Trustees of the KIDDER FAMILY TRUST u.a.d. January 3, 1990, all right, title and interest in and to the real property located in Douglas County, Oregon described as follows:

SEE ATTACHED LEGAL DESCRIPTIONS

The true consideration for this conveyance is valuable, but not expressed in dollars; the conveyance is made to organize the estates ROBERT P. KIDDER and JULIA W. KIDDER for improved administration of assets while alive and competent, and ease of transition thereafter.

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 PERSONS ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USE.

Until change is requested, all tax statements shall be sent to the following address: Mr. and Mrs. Robert P. Kidder, 996 Whistlers Lane, Roseburg, Oregon, 97470.

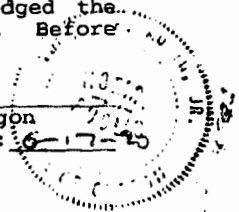
DATED this 3 day of Jan., 1990.

Robert P. Kidder
ROBERT P. KIDDER
Julia W. Kidder
JULIA W. KIDDER

STATE OF OREGON)
)ss.
County of Douglas)

On January 3, 1990 personally appeared ROBERT P. KIDDER and JULIA W. KIDDER, who, being duly sworn, acknowledged the foregoing instrument to be their voluntary act and deed. Before me signed:

Wm. J. ...
Notary Public for Oregon
My Commission Expires: 6-17-93



BARGAIN AND SALE DEED - 1

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PARCEL 1

Lot 7 of Section 16, Township 26 S Range 4 W. WM, Douglas County, Oregon, except Lots 1, 2, and 3 of KIDDER ACRES and that portion dedicated for County Road No. 223-A.

PARCEL 2

The Southeast quarter of Section 16, Township 26 south, Range 4 West, Willamette Meridian, in Douglas County, Oregon, lying North of the North Umpqua Highway as relocated, being 157 acres, more or less.

STATE OF OREGON)
COUNTY OF DOUGLAS) SS.
L. BAY FIELDS, COUNTY CLERK AND RECORDER
OF CONVEYANCES, DO HEREBY CERTIFY THAT
THIS INSTRUMENT WAS RECORDED

1990 JAN 10 AM 8:51

L. BAY FIELDS
DOUGLAS COUNTY CLERK
IN THE OFFICIAL RECORDS OF DOUGLAS COUNTY

BY L. Bay Fields
DEPUTY

FEE 30.00 pk

90-00376

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S-88119

*Dames
Appel*



After recording return to Grantee and until a change is requested all tax statements shall be sent to the Grantee at the following address:
Wayne M. Barrows and Karen A. Barrows
903 Whistlers Lane
Roseburg, OR 97470

Grantor Address:
Kidder Family Trust
1700 NW Garden Valley Blvd, Ste 204
Roseburg, OR 97471

File No.: 7391-1828445 (se)
Date: March 07, 2012

THIS SPACE RESERVED FOR RECORDER'S USE

**Read and approved as to
the form and content**

STATUTORY WARRANTY DEED

Nancy West, Successor Trustee of The Kidder Family Trust u.a.d. January 3, 1990, Grantor, conveys and warrants to Wayne M. Barrows and Karen A. Barrows, as tenants by the entirety, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

LEGAL DESCRIPTION: Real property in the County of Douglas, State of Oregon, described as follows:

See attached Exhibit "A"

Subject to:

1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is **\$210,000.00**. (Here comply with requirements of ORS 93.030)

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BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated this _____ day of _____, 20_____.

Kidder Family Trust

Nancy West, Trustee

STATE OF _____)
)ss.
County of _____)

This instrument was acknowledged before me on this _____ day of _____, 20_____
by Nancy West, Successor Trustee of the Kidder Family Trust .

Notary Public for _____
My commission expires:

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EXHIBIT A

That part of Government Lot 7, Section 16, Township 26 South, Range 4 West, Willamette Meridian, Douglas County, Oregon, lying Southerly of the Southerly right of way line of County Road No. 223-A.

This legal description was created prior to January 1, 2008.

RESERVING UNTO GRANTOR THE FOLLOWING THREE EASEMENTS:

EASEMENT ONE

1. A perpetual non-exclusive easement for ingress, egress and utilities over a strip of land described in the attached Exhibit E1, under the following terms and conditions:

- a. The purpose of this easement is to allow Grantee to install, construct, reconstruct, repair, maintain, and replace any utilities and an access road.
- b. Grantee shall contribute to the maintenance of any road on the easement based upon ORS 105.170 to 105.185 as now in existence or as amended.
- c. Should grantees hereunder choose to use any road on the easement reserved in this paragraph for access to a home on the property conveyed hereby, buyer shall pay the party constructing such road, whether Grantor or Grantor's successor, in interest a proportionate share of the cost of building the road on the easement reserved in this paragraph. The proportionate share shall be equal to the number of feet used by Grantee divided by the total number of feet of the road divided by two then multiplied by the total cost of the road;
- d. The road bed surface in this easement shall not exceed 16 feet in width.
- e. Grantor shall notify Grantee of Grantor intent to begin construction of any road on the easement reserved hereby.
- g. After the construction of a graveled road on the easement reserved hereby Grantees at their expense may have the centerline of the road re-surveyed and an amendment prepared to this easement modifying the width of the easement so that the width will be 17.5 feet on either side of the centerline of the roadbed as constructed or as wide as the width from the top of any cut to the bottom of any fill or slough, whichever is greater. Grantor shall sign any amendment that conforms to this paragraph 1(g).
- f. This easement is appurtenant to Parcel One in the attached Exhibit E2

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EASEMENT TWO

2. A temporary non-exclusive easement for ingress and egress over the currently existing dirt road running generally through the center of the property conveyed hereby.
 - a. This easement will terminate without further action by either party six months after the sale of any portion of Parcel One described in the attached Exhibit E2.
 - b. Grantor will provide 24 hours oral notice of any use of the temporary access easement except any realtor wanting to use the easement to show any portion of the real property to which this easement is appurtenant may give oral notice and have access immediately if using a "lock box" access system. Oral notice is sufficient if given to a phone number which Grantee shall provide to Grantor. Grantor and its agents and invitees shall leave all open gates open and shall immediately reclose all closed gates.
 - c. This temporary easement does not include the right of grantor herein to improve the easement and grantor is responsible for any damage done to the currently existing dirt road thereon. This Easement Two is appurtenant to Parcel One in the attached Exhibit E2.

EASEMENT THREE

3. A temporary easement for the use, maintenance and repair of the current water system for the benefit of the real property described as Parcel Two in the attached Exhibit E2. This temporary easement will terminate without further action by either party on the earlier of (1) sale of the Parcel 2 described in the attached Exhibit E2 or (2) August 31, 2012, whichever occurs first.

Grantor will cooperate in signing any documents after termination at the request of Grantee to effectuate paragraph 1g or to remove Easements 2 and 3 after their termination.

Easements are binding on the heirs successors and assigns hereof.

TOGETHER WITH THE FOLLOWING TWO EASEMENTS:

EASEMENT FOUR

4. An 18 foot wide easement for the installation, construction, reconstruction, maintenance repair and replacement of irrigation lines and utilities association with irrigation over the real property described in the attached Exhibit E3.
 - a. Such lines and utilities may only be used in conjunction with a submersible irrigation pump.
 - b. All irrigation lines and utilities to the extent possible shall be installed underground.

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- c. Grantee shall notify grantor of intent to install irrigation lines or utility lines and Grantor may at Grantor's expense install additional irrigation lines or electrical lines or conduit for the benefit of the Parcel 3 in the attached Exhibit E2 (hereinafter Parcel 3). The cost of the installation of any water lines, utilities or conduit for the benefit of Parcel 3 shall be the expense of grantor.

EASEMENT FIVE

5. Together with an easement over lots 6, 7 and 8 Kidder Acres, Douglas County Oregon for ingress and egress to the northerly most end of the easement set forth in paragraph 4 above. While this is now a blanket easement covering all of such lots, Grantor reserves the right to specifically locate and describe the easement.

- a. Access is for the sole purpose of installation repair maintenance removal and replacement of a submersible pump and associated irrigation equipment and utilities.
- b. The centerline of the easement will generally be on the end of east boundary lot 8 and once closer to the river will turn westerly and cross lots 8, 7 and 6 to the point of diversion. By June 1, 2012 Grantor will, at grantors expense, install a dirt road for access to the North end of the easement and thereafter may record a written description of the centerline of the easement. Written recording of the centerline of the constructed easement by grantor with reference to this deed shall become the description of the area of Lots 6, 7 and 8 Kidder Acres Douglas County Oregon subject to the easement shall free the remainder of Lots 6, 7 and 8 Kidder Acres from the easement created in this Easement 5.
- c. The improved width of the access will be sufficient for an all terrain vehicle to access the north end of the easement described above for water for installation of a pump and the travelled width shall be no greater than 6 feet. Access may be by foot or by an all terrain type vehicle only.
- d. This easement is for access only and no water lines or utilities may be installed in it

These Easements 4 and 5 are binding on the heirs successors and assigns hereof. Grantee will sign any documents to effectuate the specification of the centerline of the easement as set forth in paragraph 5d.

All easements are subject to easements of record on the servient parcels.

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EXHIBIT #
60' Access & Utility Easement

A 60 foot wide strip of land located in the Government Lot 7 of Section 16, T.26S., R.4W., W.M. and lying 30.00 feet on each side of the following described centerline:

Beginning at a point on the South Right of Way Line of Whistlers Lane County Road No. 223A from which a 3/4" iron rod at the Southwest Corner of said Government Lot 7 bears S.16°06'25"W., 1371.43 feet; thence S.4°14'22"W., 30.00 feet to a point; thence N.85°45'38"W., 351.58 feet to a point; thence S.0°04'56"W., 485.24 feet to a point; thence 170.95 feet along the arc of a 165.00 foot radius curve to the left (the long chord of which bears S.29°45'45"E., 163.40 feet) to a point; thence S.59°26'33"E., 108.34 feet to a point; thence 134.47 feet along the arc of a 485.00 foot radius curve to the left (the long chord of which bears S.67°23'08"E., 134.04 feet) to a point; thence 151.74 feet along the arc of a 225.00 foot radius curve to the right (the long chord of which bears S.56°00'31"E., 148.88 feet) to a point; thence 135.02 feet along the arc of a 300.00 foot radius curve to the left (the long chord of which bears S.49°34'55"E., 133.88 feet) to a point; thence 184.66 feet along the arc of a 200.00 foot radius curve to the right (the long chord of which bears S.36°01'31"E., 178.17 feet) to a point; thence S.9°34'31"E., 99.38 feet to a point; thence 41.00 feet along the arc of a 335.00 foot radius curve to the right (the long chord of which bears S.6°04'09"E., 40.98 feet) to a point; thence S.2°33'47"E., 128.45 feet and terminating at a point on the South Line of said Government Lot 7 from which a 3/4" iron rod at the Southwest Corner of said Government Lot 7 bears N.89°56'43"W., 683.22 feet.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Kristian O. DeGroot

OREGON
JULY 17, 1991
KRISTIAN O. DeGROOT
1941

RENEWAL 12/31/2015

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EXHIBIT E2

PARCEL 1

The Southeast quarter of Section 16, Township 26 South, Range 4 West, Willamette Meridian, in Douglas County, Oregon, lying North of the North Umpqua Highway, as relocated.

PARCEL 2

Lot 5, KIDDER ACRES, Douglas County, Oregon

EXHIBIT E2

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EXHIBIT E3
18' Utility Easement

A 18 foot wide strip of land located in the Government Lot 7 of Section 16, T.26S., R.4W., W.M., being a portion of Lot 5 and Lot 6, KIDDER ARCES, a subdivision recorded in Volume 13, Page 33 of the Subdivision Records of Douglas County, Oregon and lying 9.00 feet on each side of the following described centerline:

Beginning at a point on the South Line of said Lot 5 from which a 5/8" iron rod at the Southwest Corner of said Lot 5 bears N.85°47'47"W., 113.85 feet; thence N.4°12'13"E., 9.01 feet to a point; thence S.85°47'13"E., 177.17 feet to a point; thence N.0°07'21"W. on a line 9.00 feet westerly of and parallel to the East Line of said Lot 5, 151.48 feet to a point; thence N.30°55'54"E., 17.45 feet to a point on the East Line of said Lot 5 from which a 5/8" iron rod at the Southwest Corner of said Lot 6 bears S.1°07'21"W., 176.13 feet; thence N.30°55'54"E. along the centerline of an existing pipeline, 39.89 feet to a point; thence N.12°36'56"E. continuing along said centerline, 115.58 feet to a point; thence North to the center of the North Umpqua River and there terminating.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Kristian O. DeGroot

OREGON
JULY 17, 1981
KRISTIAN O. DeGROOT
1941

RENEWAL 12/31/2015

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JEFFREY L. PUGH

Attorney at Law

P.O. Box 1231
Roseburg, OR 97470

Street Address
420 S.E. Jackson

Phone (541) 673-3520
Fax (541) 673-8786
Email: jpughlaw@dcwisp.net

October 18, 2013

Wayne and Karen Barrows
310 Trask Court
Roseburg, OR 97470

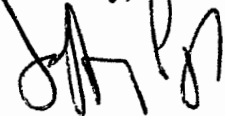
Re: Easement Modification Agreement

Dear Mr. and Mrs. Barrows:

I have finally received two legal descriptions from BTS Engineering. One description is the description of the access road for you for working on the water system on the North Umpqua. The second is a revised legal description of the water line. I have prepared an Easement Modification Agreement and a copy is enclosed for your review. If you have any issues, please feel free to give me a call to discuss them. If it meets with your approval, please sign the Agreement in front of a Notary and return it to me and I will have Nancy sign it. My office has a notary if you wish to sign the document here.

When you do decide to finish your waterline please remember that under the terms of the deed you are required to notify my client when you plan on installing the rest of the system. Also as you can see the new waterline easement was prepared by BTS and if you have any questions concerning the location of the easement when you install the line they are the best resource.

Sincerely,



Jeffrey L. Pugh

JLP/dh
Enclosure

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EASEMENT MODIFICATION AGREEMENT

This Agreement entered into by Nancy West, Successor Trustee of the Kidder Family Trust, hereinafter "West" and Wayne Maurice Barrows and Karen Aileen Barrows, trustees of K. S and W. M. Barrows Revocable Trust the hereinafter "Barrows."

RECITALS

A. On or about March 14, 2012, West deeded to Barrows certain real property. Said deed is recorded as Douglas County Recorders number 2012-004631. As part of said Deed, West granted to Barrows two easements. Easement Four is an 18 foot wide easement for the installation, construction, reconstruction, maintenance and repair and replacement of irrigation lines and was described in the attached Exhibit E3. Easement Five was an easement for ingress and egress over lots 6, 7, and 8 Kidder Acres, Douglas County Oregon for installation, repair, maintenance removal and replacement of a submersible pump associated with irrigation equipment.

B. The parties have installed certain water lines and the water lines as installed were not installed fully within the legal description referred to in Easement Four.

C. Under the terms of Easement Five described in the deed between the parties, Douglas County Recorders Number 2012-004631 West had the right to more specifically describe the blanket easement set forth in Easement Five. A survey has been done locating the center line of the access road over lots 6, 7, and 8 Kidders Acres .

NOW, THEREFORE, IT IS HEREBY AGREED between the parties as follows:

1. Attached hereto, marked Exhibit E3.1 and incorporated herein by reference is a description of an 18 foot wide easement. This easement E3.1 is intended to and does replace the description of E3 set forth in document number 2012-004631. It is the intent of the parties that to the extent that the former Exhibit E3 describes land outside of the description of E3.1, that easement is vacated and abandoned. To the extent E3.1 describes land not in the former E3 Barrows are granted an easement over that land under the same terms as contained in the above referenced deed. It is the intent that the described E3.1 entirely replace the former E3.

2. The attached Exhibit E5 is the specific location and description of the easement granted Barrows as Easement Five in the document recorded as Douglas County Recorders No. 2012-004631. It is intended that the blanket easement covering all such lots is reduced in size to an easement as set forth herein

3. A map showing the easements is attached as Exhibit "A".

4. This agreement is binding on the heirs, successors, and assigns of the parties hereto.

5. Except as modified herein all other terms of the easements created in the Deed recorded as Douglas County Recorders Number 2012-004631 are unchanged.

Nancy West
Successor Trustee of the Kidder Family Trust

Dated

Wayne Barrows

Dated

Karen Barrows

Dated

ACKNOWLEDGEMENTS ARE ON FOLLOWING PAGES

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STATE OF OREGON)
) ss.
County of DOUGLAS)

The foregoing instrument was acknowledged before me on the ___ day of _____ 2013, by Nancy West, Successor Trustee of the Kidder Family Trust.

Notary Public for Oregon

STATE OF OREGON)
) ss.
County of DOUGLAS)

The foregoing instrument was acknowledged before me on the ___ day of _____ 2013, by Wayne Barrows.

Notary Public for Oregon

STATE OF OREGON)
) ss.
County of DOUGLAS)

The foregoing instrument was acknowledged before me on the ___ day of _____ 2013, by Karen Barrows.

Notary Public for Oregon

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18' Waterline Easement

A 18 foot wide strip of land located in the Government Lot 7 of Section 16, T.26S., R.4W., W.M., being a portion of Lot 5 and Lot 6, KIDDER ARCES, a subdivision recorded in Volume 13, Page 33 of the Subdivision Records of Douglas County, Oregon and lying 9.00 feet on each side of the following described centerline:

Beginning at a point from which a 5/8" iron rod at the Southwest Corner of said Lot 5 bears N.89°30'21"W., 106.73 feet; thence S.85°39'24"E., 75.92 feet to a point; thence S.85°38'50"E., 108.75 feet to a point; thence N.0°01'02"E., 130.02 feet to a point; thence N.59°39'44"E., 40.54 feet to a point; thence N.15°36'32"E., 100.00 feet to a point; thence N.12°46'34"E., 63.94 feet to a point; thence N.27°23'56"W., 233.62 feet, more or less, to the center of the North Umpqua River and there terminating.

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LAND SURVEYOR

Kristian O. DeGroot

OREGON
JULY 17, 1991
KRISTIAN O. DeGROOT
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EXHIBIT E3.1

12' Access Easement

A 12 foot wide strip of land located in the Government Lot 7 of Section 16, T.26S., R.4W., W.M., being a portion of Lot 6, Lot 7 and Lot 8, KIDDER ARCES, a subdivision recorded in Volume 13, Page 33 of the Subdivision Records of Douglas County, Oregon and lying 6.00 feet on each side of the following described centerline:

Beginning at a point on the South Line of said Lot 8 from which a 5/8" iron rod at the Southeast Corner of said Lot 8 bears S.86°47'04"E., 29.35 feet; thence the following courses along the centerline of an existing roadway:

N.12°59'06"E., 53.57 feet to a point,

N.5°16'07"E., 93.29 feet to a point,

37.14 feet along the arc of a 40 foot radius curve to the left (the long chord of which bears N.21°19'57"W., 35.82 feet) to a point,

N.47°56'02"W., 30.90 feet to a point,

45.64 feet along the arc of a 70 foot radius curve to the right (the long chord of which bears N.29°15'13"W., 44.84 feet) to a point,

N.10°34'25"W., 23.74 feet to a point,

45.76 feet along the arc of a 40 foot radius curve to the left (the long chord of which bears N.43°20'52"W., 43.31 feet) to a point,

N.76°07'20"W., 17.49 feet to a point,

N.86°49'13"W., 20.34 feet to a point,

N.71°51'43"W., 64.28 feet to a point,

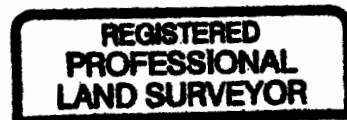
N.85°04'06"W., 61.17 feet to a point,

S.77°21'16"W., 65.10 feet to a point,

42.65 feet along the arc of a 75 foot radius curve to the right (the long chord of which bears N.86°21'21"W., 42.07 feet) to a point,

N.70°03'59"W., 30.43 feet to a point,

S.83°32'22"W., 44.22 feet to a point on the east line of a 15 foot water line easement, previously described, and there terminating.



Kristian O. DeGroot



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EXHIBIT E5