



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

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MAR 28 2016

SALEM, OR

Application for a Permit to
Store Water
in a Reservoir
 (Alternate Review)

Alternate Review Process (ORS 537.409): You may use this form for any reservoir storing less than 9.2 acre-feet or with a dam less than 10 feet high.

Use a separate form for each reservoir

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. If any requested information does not apply, insert "n/a". A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/OWRD/PUBS/forms.shtml.

1. APPLICANT INFORMATION

Applicant: Timothy Foley
First Last
 Mailing Address: 429 Country Hill Dr.
Roseburg OR 97471
City State Zip
 Phone: 541-672-7342 541-580-2709
Home Work Other
 Fax: 541-672-7342 E-Mail Address*: mach1LLC@msn.com

* 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.)

2. AGENT INFORMATION

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

Agent: _____
First Last
 Mailing Address: _____

City State Zip
 Phone: _____
Home Work Other
 Fax: _____ E-Mail Address*: _____

* 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.)

3. LOCATION AND SOURCE

A. Reservoir Name: Foley Hills Pond

B. Source: Provide the name of the water body or other source from which water will be diverted, and the name of the stream or lake it flows into. Indicate if source is run-off, seepage, or an unnamed stream or spring.
 Source: runoff Tributary to: North Umpqua River

C. County in which diversion occurs: Douglas

App. No. <u>R-00590</u>	For Department Use Permit No. _____	Date _____
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D. Reservoir Location

Township (N or S)	Range (E or W)	Section	quarter/quarter	tax lot number
26S	6W	22	NW/SE	100

E. Dam: Maximum height of dam: 9 feet. If excavated, write "zero feet".

F. Quantity: Amount of water to be stored in the reservoir at maximum capacity. List volume in acre-feet: 1.25

Is this project fully or partially funded by the American Recovery and Reinvestment Act? (Federal stimulus dollars) Yes No

4. WATER USE

Indicate the proposed use(s) of the stored water. **NOTE: You may wish to consider filing for "Multipurpose use" for your reservoir. Multipurpose use does not limit the types of future uses for the stored water. Multipurpose covers all uses including: stockwater, fish and wildlife, aesthetics, domestic, irrigation, agriculture, fire protection and pollution abatement.** If any use will be out of reservoir use, regardless of the type of storage listed, a secondary application must be filed to appropriate the stored water.

Multipurpose

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5. PROPERTY OWNERSHIP

Please provide a copy of the recorded deed(s).

Do you own all the land where you propose to divert, transport, and use water?

Yes (please check appropriate box below then skip to section 5)

There are no encumbrances

This land is encumbered by easements, right of way, roads of way, roads or other encumbrances

No (Please check the appropriate box below)

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 irrigated and/or domestic use only (ORS 274.040). (Do not check this box if you described your use as "Multipurpose" in #3 above.)

List the names and mailing addresses of all affected landowners:

6. ENVIRONMENTAL IMPACT

- A. **Channel:** Is the reservoir: in-stream or off channel?
- B. **Wetland:** Is the project in a wetland? Yes No Don't know
- C. **Existing:** Is this an existing reservoir? Yes No
If yes, how long has it been in place? _____ years.
- D. **Fish Habitat:** Is there fish habitat upstream of the proposed structure? Yes No Don't know
If yes, how much? _____ miles.
- E. **Partnerships:** Have you been working with other agencies? Yes No
Indicate agency, staff and phone numbers of those involved. Also indicate any agencies that are cost sharing in this project.

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7. 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

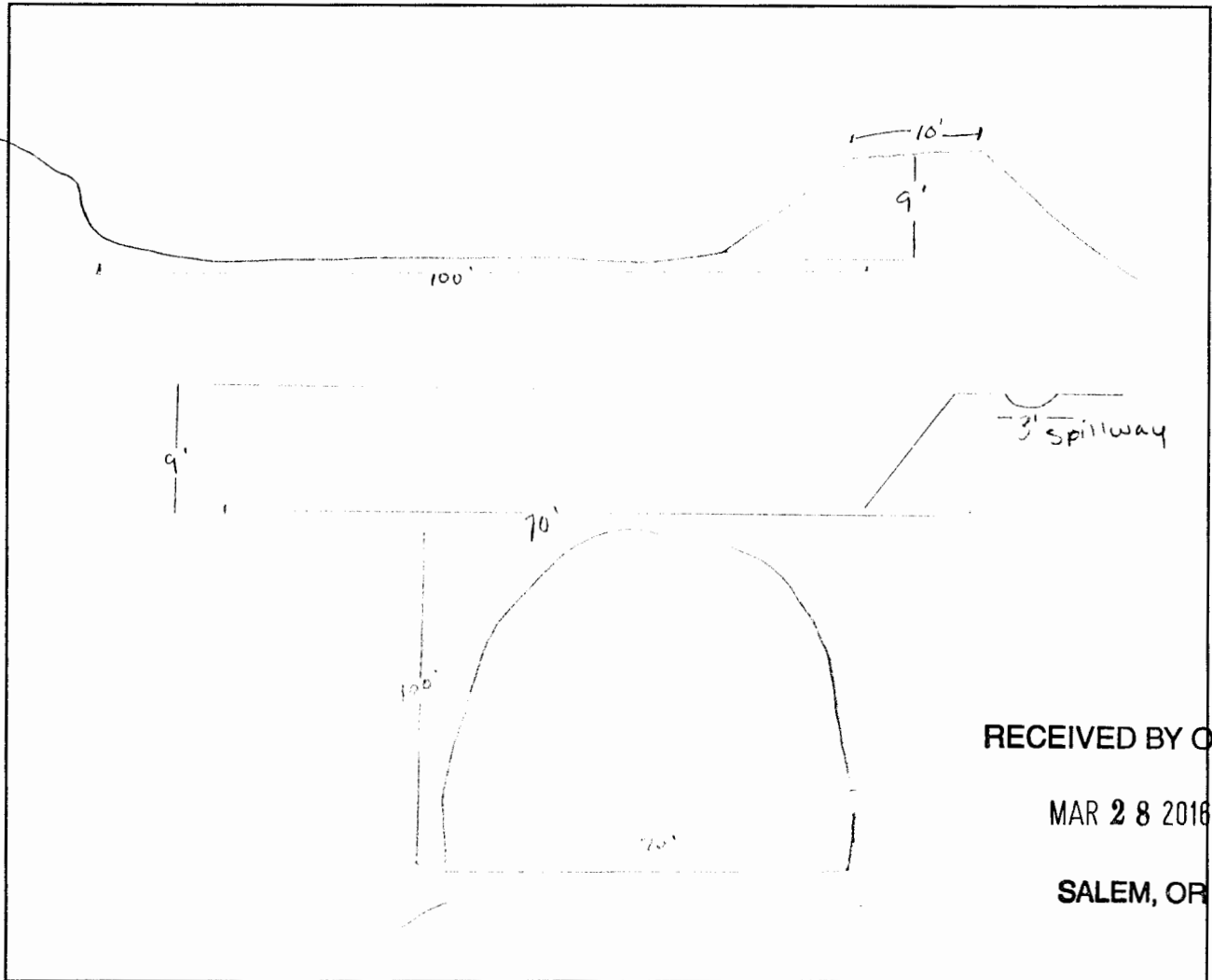
8. DESCRIPTION

Provide a description of the design and operation of the proposed diversion, including a description of how live flow will be passed outside the authorized storage season. Use this space for narrative. You may also provide narrative and sketches on separate pages.

Water will be stored behind an earthen embankment installed across a swale to capture seasonal flow that currently flows to the North Umpqua River. The dimensions of the pond are 70 feet wide, 100 feet long with an average depth of 8 feet. The embankment will be 9 feet tall at its maximum height.

There should be no flow at this site outside of the storage season. The site is at the top of the watershed with a watershed area of 3.5 acres. Any flow above that stored in the reservoir during the storage season will be passed through the earthen spillway.

If the diversion involves a dam, use this space for sketches of the diversion (e.g. cross-section of the dam with its dimensions, dimension and placement of outlet pipe, means of passing live flow outside of the authorized storage season, and means for providing fish passage).



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9. SIGNATURE

I swear that all statements made and information provided in this application are true and correct to the best of my knowledge.

Timothy O. Foley
 Landowner Signature

2-10-16
 Date

Before you submit your application be sure you have:

- Answered each question completely.
- Included a legible map that includes Township, Range, Section, quarter-quarter and tax lot number.
- The map must meet map requirements to be accepted.
- Included a land use form or receipt stub signed by a local planning official.
- Included a check payable to Oregon Water Resources Department for the appropriate amount.

ODFW Alternate Reservoir Application Review Sheet

This portion to be completed by the applicant.

Applicant Name/Address/Phone/Email: Timothy Foley/429 Country Hill Dr., Roseburg, OR 97471/
541-580-2709, mach1LLC@msn.com

Reservoir Name: Foley Hills Pond Source: Run-off Volume (AF): 5.13

Twp Rng Sec QQ: T23S R6W S22 NESE Basin Name: North Umpqua in-channel
 off-channel

Note: It is unlikely that ODFW will be able to complete this form while you wait, nevertheless we recommend making an appointment to submit the form so as to provide any necessary clarifications. See pg. 6 of Instructions for contact information.

This portion to be completed by Oregon Department of Fish and Wildlife (ODFW) District staff.

1) Is the proposed project and AO¹ off channel? YES NO
 (if yes then proceed to #4; if no then proceed to #2)

2) Is the proposed project or AO located where NMF² are or were historically present?..... YES NO
 (if yes then proceed to #3; if no then proceed to #4)

3) If NMF are or were historically present:

- a. Is there an ODFW-approved fish-passage plan?..... YES NO
 b. Is there an ODFW-approved fish-passage waiver or exemption?..... YES NO

If fish passage is required under ORS 509.580 through .910, then either 3(a) or 3(b) must be "Yes" to move forward with the application. If responses to 3(a) and 3(b) are "No", then the proposed reservoir does not meet the requirements of Oregon Fish Passage Law and shall not be constructed as proposed.

4) Would the proposed reservoir pose any other significant detrimental impact to an existing fishery resource?.....

..... YES NO
 Explain below (for example, list STE species or other existing fishery resources that would be impacted negatively.)

Any diversion or appropriation of water for storage during the period _____ through _____ poses a significant detrimental impact to existing fishery resources. (For example, if diversion of water for storage during a certain time period would cause a significant detrimental impact to an existing fishery resource, then ODFW should recommend conditions or limitations.) If NMF fish are present at the project site or point of water diversion then the applicant should be advised that a fish screen consistent with screening criteria will be required.

This proposed pond or reservoir contemplates impounding water in the Columbia Basin above Bonneville Dam. ODFW has determined that additional diversions of water in this area pose a significant detrimental impact to existing fishery resources during the period April 15 through September 30.

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¹ AO = Artificial Obstruction means any dam, diversion, culvert or other human-made device placed in waters of this state that precludes or prevents the migration of native migratory fish. ORS 509.580 (1)


² NMF = Native Migratory Fish Species in Oregon as defined by OAR 635.412.0005 (32)

R-0098

Pond construction and operation may impact downstream water quality (e.g. temperature and contaminants) which may in turn impact downstream fish and wildlife resources in the North Umpqua River. As the pond is off-channel and any overflow will spread across a downstream field, impacts should be limited in the North Umpqua but they are still of concern to the ODFW with the pond being in close proximity to an exceptionally important cold-water stream resource.

If YES, can conditions be applied to mitigate the significant detrimental impact to an existing fishery resource?
 NO (explain) YES (select from Menu of Conditions on next page)

It is recommended the applicant plant some woody vegetation around the pond to help shade the water and filter contaminants which will help limit downstream water quality impacts in the North Umpqua.

ODFW Signature:  Print Name: Jason Brandt

ODFW Title: Assistant District Fish Biologist Date: 2/23/16

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NOTE: This completed form must be returned to the applicant.

Revised 8/2/11

MAR 28 2016

SALEM, OR

R-00000

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

NOTE TO APPLICANTS

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

This form is NOT required if:

- 1) Water is to be diverted, conveyed, and/or used only on federal lands; **OR**
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and **all** of the following apply:
 - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
 - b) The application involves a change in place of use only;
 - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; **and**
 - d) The application involves irrigation water uses only.

NOTE TO LOCAL GOVERNMENTS

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

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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

W1516-0091
 Rept. 22765
 R51435
 R51421

Applicant: Timothy Foley
First Last

Mailing Address: 429 Country Hill Dr.

Roseburg OR 97471 Daytime Phone: 541-580-2709
City State Zip

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
26S	6W	22	NE SE	DLC 43 ¹⁰⁰	AGG	<input checked="" type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
26S	6W	22	NWSE	DLC 43 ¹⁰⁰	AGG	<input type="checkbox"/> Diverted	<input 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

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) SURFACE RUN-COFF

Estimated quantity of water needed: 1.25 cubic feet per second
 gallons per minute
 acre-feet

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

Briefly describe:

MULTIPURPOSE POND

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

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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): Section 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

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
ROSELBURG, OR 97470**

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Name: Jeff Lehrbach Title: Planner

Signature: *Jeff Lehrbach* Phone: 541-440-4289 Date: 2/11/16

Government Entity: Douglas Co.

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: _____

WATERMASTER ALTERNATE RESERVOIR APPLICATION REVIEW SHEET

Recommendations for Water Right Applications under the Alternate Reservoir review process (ORS 537.409)

In lieu of the water right application process set forth in ORS 537.140 to 537.211, an owner of a reservoir may submit an alternate reservoir application for a reservoir that has a storage capacity less than 9.2 acre-feet or a dam or impoundment structure less than 10 feet in height. ORS 537.409 describes the criteria used to evaluate alternate reservoir applications.

The review shall be limited to issues pertaining to: a) water availability, b) potential detrimental impact to existing fishery resources; and c) potential injury to existing water rights. (ORS 537.409 (6))

Within 60 days after the department provides public notice...any person may submit detailed, legally obtained information in writing, requesting the department to deny the application for a permit on the basis that the reservoir: (a) Would result in injury to an existing water right; or (b) Would pose a significant detrimental impact to existing fishery resources. (ORS 537.409 (5))

The review of alternate reservoirs is limited to these criteria only.

Application #: R-

Applicant's Name: *TIM FOLEY*

1) Does the proposed reservoir have the potential to injure existing water rights?

NO YES

Explain:

2) Can conditions be applied to mitigate the potential injury to existing water rights?

NO YES

If YES, which conditions are recommended:

NA

3) Did you meet with staff from another agency to discuss this application?

NO YES

Who:

Agency:

Date:

Who:

Agency:

Date:

Watermaster signature:

David H. Williams

3-11-2016

WRD Contact:

Caseworker:

Water Rights Division, 503-986-0900 / Fax 503-986-0901

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NOTE: This completed form must be returned to the applicant

SALEM, OR

2-20-2016



Oregon Water Resources Department
Water Availability Analysis

- [Main](#)
- [Help](#)
- [Return](#)
- [Contact Us](#)

Water Availability Analysis

N UMPQUA R > UMPQUA R - AT MOUTH
UMPQUA BASIN

Water Availability as of 3/11/2016

Watershed ID #: 71174 ([Map](#))

Date: 3/11/2016

Exceedance Level:

Time: 8:32 AM

[Water Availability](#)

[Limiting Watersheds](#)

[Complete Water Availability Analysis](#)

Water Availability

Select any Watershed for Details

	Nesting Watershed Order	Stream Name ID #	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Sto
Select	1	368 UMPQUA R> PACIFIC OCEAN- AT MOUTH	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Select	2	73350 UMPQUA R> PACIFIC OCEAN- AB LITTLE MILL CR	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes
Select	3	31630301 UMPQUA R> PACIFIC OCEAN- AB WOLF CR	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes
Select	4	71174 N UMPQUA R> UMPQUA R- AT MOUTH	Yes	Yes	Yes	Yes	Yes	Yes	No	No	No	No	Yes	Yes	Yes

Download Data ([Text - Formatted](#), [Text - Tab Delimited](#), [Excel](#))

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SALEM, OR

STATE OF OREGON

COUNTY OF

DOUGLAS

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

WALTER L. CROSIER

of Rt. 2, Box 1385, Roseburg, State of Oregon, 97470, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of North Umpqua River

a tributary of Umpqua River for the purpose of domestic use for four families and irrigation of 5.0 acres

under Permit No. 37976 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 April 13, 1973

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 0.07 cubic foot per second, being 0.01 c.f.s. for domestic and 0.06 c.f.s. for irrigation

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 1/4 SE 1/4, as projected within Evans DLC 43, Section 22, T. 26 S., R. 6 W., W. M., 740 feet South and 220 feet West from the NE Corner, Evans DLC 43

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:

Domestic & 5.0 acres NE 1/4 SE 1/4
As projected within Evans DLC 43
Section 22
T. 26 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, and is subject to the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed

this date. June 22, 1978

James E. Selmon
Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 38, page 45888

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SALEM, OR

R-22170

Home phone

NN

Timothy D. Foley

Grantor's Name and Address
Timothy D. & Mery Luz Foley

Grantee's Name and Address

After recording, return to (Name, Address, Zip):

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

No Change

DOUGLAS COUNTY OFFICIAL RECORDS
BARBARA E. NIELSEN, COUNTY CLERK

2003-025520



\$20.00

09/19/2003 10:15:08 AM

DEED-DCE Cnt=1 Stn=3 MARRIAGECOUNTER
\$10.00 \$11.00 \$5.00

SPACE RESERVED
FOR
RECORDER'S USE

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.

DEED CREATING ESTATE BY THE ENTIRETY

KNOW ALL BY THESE PRESENTS that TIMOTHY D. FOLEY

_____ hereinafter called grantor,
the spouse of the grantee hereinafter named, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto
MERYLUZ FOLEY
_____ herein called the grantee,
an undivided one-half of that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in
any way appertaining, situated in Douglas County, State of Oregon, described as follows, to-wit:

See Exhibit "A" attached

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(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE)

To Have and to Hold an undivided one-half of the above described real property unto the grantee forever.

The above named grantor retains a like undivided one-half of that same real property, and it is the intent and purpose of this instrument to create, and there hereby is created, an estate by the entirety between husband and wife as to this real property.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ ZERO. 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 ^o, if not applicable, should be deleted. See ORS 93.030.)

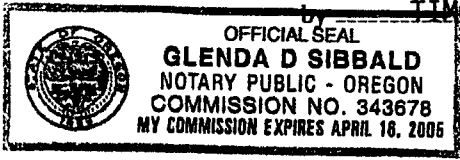
IN WITNESS WHEREOF, the grantor has executed this instrument on September 16, 2003

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.

Timothy D. Foley
TIMOTHY D. FOLEY

STATE OF OREGON, County of Douglas) ss.

This instrument was acknowledged before me on September 16, 2003
by TIMOTHY D. FOLEY



Glenda D. Sibbald
Notary Public for Oregon
My commission expires 4-16-06

R-02170

BOOK 1112 PAGE 253

EXHIBIT "A"

A parcel of land lying in Section 22, Township 26 South, Range 6 West, W.M., Douglas County, Oregon and more particularly described as follows:

Beginning at the section corner common to Sections 14, 15, 22 and 23, Township 26 South, Range 6 West, W.M., Douglas County, Oregon; thence South 48° 57' 16" West 1601.02 feet to a 5/8" iron rod; thence South 0° 16' 12" East 1310.15

feet to a 5/8" iron rod; thence South 18° 32' 20" West 167.48 feet to a 5/8" iron rod; thence South 17° 56' 40" East 136.46 feet to a 5/8" iron rod set in the Westerly line of the Walter and Frances Crosier property as described in Book 1016, Page 688, records of Douglas County, Oregon, Recorder's No. 88-14718; thence along said Westerly line South 34° 53' West 322.12 feet to the Southwest corner of said property; thence along the southerly line of said Crosier property and also the southerly line of the Chester L. and Fora M. Pepple property as described in Book 423, Page 619, records of Douglas County, Oregon, Recorder's No. 69-3173, South 72° 09' 30" East 431.29 feet more or less, to a point in the Westerly line of the property described in instrument recorded in Book 735, Page 527, records of Douglas County, Oregon, Recorder's No. 79-17324; thence along the Westerly line of said property and also along the Westerly line of the Alton B. and Gertrude E. Hebard lands, described in Book 323, Page 616, records of Douglas County, Oregon, Recorder's No. 322789, South 14° 47' 30" West to the Northeast corner of the Donna Crosier property as described in Book 1056, Page 39, records of Douglas County, Oregon, Recorder's No. 89-8292; thence along the Northerly line of said Crosier property North 89° 15' West 700.00 feet to the Northwest corner of said property; thence along the Westerly line of said Crosier property South 0° 45' West 565 feet more or less to a point in a southerly line of the Allyn C. Ford property as described in Book 888, Page 659, records of Douglas County, Oregon, Recorder's No. 84-9657; thence along said southerly line North 86° 26' 18" West (record North 89° 15' West) 1017.91 feet to a 5/8" iron rod set in the Easterly line of the Lyle G. Thompson land as described in Book 1075, Page 175, records of Douglas County, Oregon, Recorder's No. 89-14784; thence leaving said southerly line along the Easterly line of said Thompson lands as follows North 3° 07' 40" East 338.93 feet to a point; thence North 20° 50' East 1260.99 feet to a 5/8" iron rod; thence North 27° 45' 14" East 678.28 feet to a 5/8" iron rod; thence North 34° 31' 20" East 286.27 feet to a 5/8" iron rod; thence North 59° 05' 40" East 304.78 feet to a 5/8" iron rod; thence North 36° 41' 20" East 1720.90 feet to a point in the North line of said Section 22 from which point the quarter corner common to Sections 15 and 22, Township 26 South, Range 6 West, W.M., bears North 86° 51' 50" West 2029.52 feet; thence leaving said Thompson East line South 86° 51' 50" East 596.60 feet along said section line to the point of beginning.

SUBJECT TO and TOGETHER WITH the Easements set forth in EXHIBIT "B" attached.

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EXHIBIT "B"

bcc: 1112 FAX: 254

SUBJECT TO:

- (a) Taxes for the year 1989-90, and possibly prior years have been deferred pursuant to ORS 308.370 to 308.403 (farm land). These plus earned interest are due and payable when said reason for the deferment no longer exists.
- (b) Roads and Highways and the rights of the public therein.
- (c) Right of Way granted to The California Oregon Power Company.
- (d) Right of Way Easement, including the terms and provisions therein contained, wherein Pacific Power and Light Company is grantee, recorded in Book 325, Recorder's No. 324929, Records of Douglas County, Oregon.
- (e) Easement, including the terms and provisions therein contained, wherein Umpqua Basin Water Association is grantee, recorded in Book 550, Recorder's No. 74-9252, Records of Douglas County, Oregon.
- (f) Easement, including the terms and provisions therein contained, wherein Umpqua Basin Water Association is grantee, recorded in Book 1044, Page 727, Recorder's No. 88-18644, Records of Douglas County, Oregon.
- (g) Easements and Reservations, including the terms and provisions therein contained in Deed to Lyle G. Thompson dated September 20, 1989, recorded September 25, 1989 in Book 1075, Page 173, Records of Douglas County, Oregon, Recorder's No. 89-14754.
- (h) Unrecorded Agreement, including the terms and provisions therein contained, as disclosed by Memorandum of Agreement between Lyle G. Thompson and Gloria A. Thompson, husband and wife, and Peter B. Serafin and Ina V. Serafin, husband and wife, and Allyn C. Ford, dated September 22, 1989, recorded September 25, 1989, in Book 1075, Page 179, Records of Douglas County, Oregon, Recorder's No. 89-14755.
- (i) Right of Way Easement, including the terms and provisions therein contained, wherein Pacific Power & Light is grantee, recorded in Book 1086, Page 695, Recorder's No. 90-00337, Records of Douglas County, Oregon.
- (j) 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.

The property described in Exhibit "A" is sold subject to and together with the following easements:

WATERLINE EASEMENT

An easement for construction, location, maintenance and use of an electrical service, pump and irrigation pipeline from the North Umpqua River to the Western boundary of the Michael D. and Louise A. Sullivan property as described in Memorandum of Contract recorded September 19, 1989, in Book 1074, Page 578, Records of Douglas County, Oregon, Recorder's No. 89-14456. This easement is located within the southerly 400 feet of the Sullivan property.

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This easement which was reserved in the Sullivan sales contract was for the benefit of the property herein conveyed and also for property located to the west previously conveyed by grantors (sellers herein) to Lyle G. Thompson by deed dated September 20, 1989, recorded September 25, 1989 in Book 1075, Page 175 of the Records of Douglas County, Oregon, Recorder's No. 89-14754. Use of this easement by the Thompson property requires an easement across the property herein conveyed described in Exhibit "A". Therefore, grantors (sellers) reserve for the benefit of the Thompson parcel and hereby assign to the Thompson parcel an easement for the location, maintenance and use of electric service, pump and irrigation pipeline from the westerly terminus of the above described Sullivan easement across subject property described in Exhibit "A" to the west boundary line of subject property which is also the east boundary line of the Thompson property following a course described as follows:

An easement 20 feet in width, 10' on each side of the following described centerline:

Beginning at a point in the West line of the Michael & Louise Sullivan property as described in Book 1074, Page 578, records of Douglas County, Oregon, Recorder's No. 89-14456 from which point the section corner common to Sections 14, 15, 22 & 23, Township 26 South, Range 6 West, W.M., bears North 18' 12' 20" East 167.48 feet, North 0' 16' 12" West 1,310.15 feet and North 48' 57' 16" East 1,601.02 feet; thence leaving said West line North 17' 28' 46" West 1,229.69 feet to a point in the East line of the Lyle & Gloria Thompson property as described in Book 1075, Page 175, records of Douglas County, Oregon, Recorder's No. 89-14754 and there terminating; from which point the above said Section corner common to Sections 14, 15, 22 & 23 bears North 16' 41' 20" East 1,720.91 feet and South 86' 51' 50" East 696.60 feet.

ACCESS EASEMENT

That easement as set forth in Book 1075, Page 175, records of Douglas County, Oregon, Recorder's No. 89-14754 and described as follows:

A non-exclusive, perpetual easement for ingress and egress described as follows: Beginning at a point in a southerly line of the Peter Serafin, et al property as described in Book 888, Page 659, records of Douglas County, Oregon, Recorder's No. 84-09657 from which point the 1/4 corner common to Sections 15 and 22, Township 26 South, Range 6 West, W.M., bears North 3' 07' 40" East 646.20 feet, North 20' 50' East 1260.99 feet, North 27' 45' 14" East 678.28 feet, North 34' 31' 20" East 286.27 feet, North 59' 05' 40" East 304.78 feet, North 16' 41' 20" East 1,720.91 feet and North 86' 51' 50" West 2029.52 feet; thence North 86' 42' West 97.80 feet to the true point of beginning; thence North 19' 25' 33" East 319.98 feet to a point in the Easterly line of the property conveyed therein to Lyle G. Thompson; thence North 3' 07' 40" East along said Easterly line 70.00 feet to a point; thence North 86' 52' 20" West 46.32 feet to a point; thence South 19' 25' 33" West 192.58 feet to a point in a South line of the property described in said Recorder's No. 84-9657, records of Douglas County, Oregon; thence South 86' 42' East along said South line 68.69 feet to the true point of beginning.

This access easement is subject to maintenance and other responsibilities set forth in unrecorded agreement between Lyle G. Thompson and Gloria A. Thompson and sellers (grantors) herein dated September 27, 1989, a memorandum of said agreement was recorded in Book 1075, Page 179, Records of Douglas County, Oregon, Recorder's No. 89-14755, which obligations buyers (grantees) assume and agree to perform.

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Oregon

Kate Brown, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone (503) 986-0900

Fax (503) 986-0904

www.wrd.state.or.us

August 19, 2015

Tim Foley
429 Country Hill Drive
Roseburg, OR 97471
mach1llc@msn.com

RE: Allocation of Conserved Water CW-88

Attached please find a copy of the Final Order Approving Allocation of Conserved Water CW-88. This Order approves the conservation measures contained in the application.

Please note that the deadline for submission of the Notice of Completion is June 30, 2020. The Notice of Completion informs the Department that you have completed the conservation measures.

If you have any questions concerning the order, please do not hesitate to contact me at 503-986-0881 or teri.k.hranac@wrд.state.or.us.

Sincerely,

Teri Hranac
Allocations of Conserved Water
Transfer and Conservation Section

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Enclosure

cc: CW-88
District #15 Watermaster (*via e-mail*)
Nathan Reed, Agent, 1113 SE Cass Ave., Roseburg, OR 97470 (*email at nreed68@hotmail.com*)

R-00190



**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of Allocation of Conserved) FINAL ORDER APPROVING
Water Application CW-88,) ALLOCATION OF CONSERVED
Douglas County) WATER CW-88

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Applicant

Timothy Foley
429 Country Hill Drive
Roseburg, OR 97471

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Applicable Law

Any person or group of persons holding a water use subject to transfer as defined in ORS 540.505 may submit an application for an Allocation of Conserved Water to the Water Resources Commission for a conservation project that has not yet been implemented or was implemented within five years prior to the submission of the application. ORS 537.465. Under the Allocation of Conserved Water Program, a portion of the water proposed to be conserved by an applicant may be used on additional lands, put to a different use, or be leased or sold to another user. OAR 690-018-0010. A portion of the water conserved is allocated to the state to be converted to an instream water right or to revert to the public for appropriation by other water users. ORS 537.470(3).

An application for an allocation of conserved water shall include: (a) A description of the measure as implemented and the date on which the measure was implemented; (b) A description of the diversion facilities before the conservation measure was implemented and the amount of water that was diverted at the facilities before the conservation measure was implemented; (c) The amount of water needed to supply existing rights after implementation of the conservation measure; (d) The amount of water conserved by implementing the conservation measure; (e) The proposed allocation and use of the conserved water if different from the allocation specified in ORS 537.470; (f) The intended use of any water allocated to the applicant; (g) The applicant's choice of priority date for the conserved water; (h) Evidence that the measure was implemented within five years prior to the

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

NOTICE TO ACTIVE DUTY SERVICEMEMBERS: Active duty service members have a right to stay these proceedings under the federal Servicemembers Relief Act. For more information contact the Oregon State Bar at 800-452-8260, the Oregon Military Department at 800-452-7500, or the nearest United States Armed Forces Legal Assistance Office through <http://legalassistance.law.af.mil>.

date of filing the application; and (i) Any other information the commission considers necessary to evaluate the application. ORS 537.465.

After determining any quantity of water needed to mitigate the effects on other water rights, 25-percent of the conserved water shall be allocated to the state and 75-percent to the applicant unless the applicant proposes a higher allocation to the state or more than 25-percent of the funds used to finance the conservation measures comes from federal or state sources. ORS 537.470(3).

If an application for the allocation of conserved water is approved, the Department shall issue orders covering the changes in the original water rights, and once the conservation project is finalized, the Department shall issue new certificates preserving the previously established priority of rights to cover the unaffected portion of the water rights. ORS 537.470(6).

ORS 537.455 to 537.500 authorize and establish the process in which a water right holder may submit a request for an allocation of conserved water. OAR Chapter 690, Division 18, implements the statutes and provides the Department's procedures and criteria for evaluating allocation of conserved water applications. OAR Chapter 690, Division 077 provides additional criteria for evaluating proposed instream water rights.

Findings of Fact

1. On April 8, 2015, the Applicant filed an allocation of conserved water application under Certificate 45888. The Department assigned the application number CW-88.
2. The conservation project involves converting from a standard pipe and impact sprinkler system for 3.0 acres to a drip irrigation system with each row of the block having a 3/4 inch drip line with 1-gallon-per-hour drip emitters at approximately 726 emitters per acre supplying 100 gallons of water at each emitter per irrigation season. The conversion to a drip irrigation system is a proven technology for conserving water.
3. Allocation of Conserved Water Application CW-88 proposes a rate reduction of approximately 0.034 cubic foot per second (cfs) and proposes to reduce the annual volume by 6.84 acre-feet (AF).

Conserved Water Description											
Certificate	Certificate				Needed				Conserved Water		
	Rate		Duty		Rate		Duty		Rate	Duty	
	Maximum CFS	CFS/AC	Maximum AF	AF/AC	Maximum CFS	CFS/AC	Maximum AF	AF/AC	Maximum CFS	Maximum AF	AF/AC
45888	0.036	0.012	7.5	2.5	0.0014	0.0005	0.66	0.22	0.034	6.84	2.28

4. The portion of the right to be modified by CW-84 is as follows:
 - Certificate:** 45888 in the name of WALTER L. CROSIER (perfected under Permit S-37976)
 - Use:** IRRIGATION of 3.0 ACRES
 - Priority Date:** April 13, 1973
 - Rate:** 0.036 CUBIC FOOT PER SECOND
 - Limit/Duty:** 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 (1/80) 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.

Source: North Umpqua River, tributary to the UMPQUA RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
26 S	6 W	WM	22	NE SE	43	740 FEET SOUTH AND 220 FEET WEST FROM THE NE CORNER OF EVANS DLC 43

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Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
26 S	6 W	WM	22	NE SE	43	3.0

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5. Certificate 45888 does not list a period of use; therefore, pursuant to OAR 690-250-0070, the irrigation season of use is March 1 through October 31.
6. Water has been used within the five-year period prior to submission of the allocation of conserved water application, and no evidence is available that would demonstrate that the right is subject to forfeiture under ORS 540.610.
7. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of the application.
8. The Applicant requests that the conserved water be allocated as follows:

Certificate	State's Portion			Applicant's Portion			Conserved Water		
	Percentage	Maximum Rate (CFS)	Maximum Duty (Volume) AF	Percentage	Maximum Rate (CFS)	Maximum Duty (Volume) AF	Percentage	Maximum Rate (CFS)	Maximum Duty (Volume) AF
45888	25%	0.009	1.71	75%	0.025	5.13	100%	0.034	6.84

9. The Applicant proposes that its portion of the conserved water be allocated for an out-of-stream use within the NWSE and NESE, DLC 43, of Section 22, Township 26 South, Range 6 West, W.M.
10. The Applicant requests that the priority date for any conserved water be the same as the originating right.
11. The Applicant funded 100% of the conservation project.
12. The Applicant submitted a completed Land Use Form from Douglas County which indicated the proposed use was allowed outright or is not regulated by Douglas County's comprehensive plan.

R-82978

13. The Applicant proposes that any instream water right created be for the purposes of conservation, maintenance, and enhancement of aquatic and fish life, wildlife, fish and wildlife habitat, and other ecological values.
14. The Applicant requested the Department protect the new instream water right created from the conserved water under Certificate 45888 from the authorized point of diversion at approximately River Mile 4.0 of the North Umpqua River to the confluence with the South Umpqua River.
15. The Applicant requested the deadline for submitting the Notice of Completion of June 30, 2020. The Applicant will submit a Request for Finalization of the allocation on or before June 30, 2025.
16. The application meets the requirements of OAR 690-018-0040.
17. The Department has consulted with the Oregon Department of Fish and Wildlife (ODFW) to ascertain whether the proposed instream flows are necessary to support instream flow uses.
18. Notice of the proposed conservation project was published in the Department's weekly notice on May 5, 2015, and in the News Review newspaper on May 5 and 12, 2015, as required under OAR 690-018-0050(1)(a) and (2). No comments were filed in response to the notices. A Preliminary Determination was issued on June 18, 2015. No protests were filed to the Preliminary Determination.

Allocation of Conserved Water Review Criteria [OAR 690-018-0050]

19. The proposed allocation of conserved water will result in a reduced diversion of the use allowed under the existing right pursuant to OAR 690-0018-0050(4)(a). (Finding of Fact #3).
20. On May 27, 2015, the District #15 Watermaster performed a review of the proposed Allocation of Conserved Water Project. The Watermaster determined that the conservation project would not harm other water rights; therefore, no quantity of conserved water is needed to mitigate for harm to other water rights. OAR 690-018-0050(4)(b) and (d).
21. The conservation project is consistent with the local comprehensive land use plan requirements established in OAR 690-005-0045. (Finding of Fact #12). OAR 690-018-0050(4)(c).
22. Pursuant to OAR 690-018-0050(4)(e), the new reduced rate and duty for the existing uses involved in Allocation of Conserved Water Application CW-88 under Certificate 45888 are as follows:

Certificate	Acres	Rate		Duty	
		Maximum CFS	CFS/AC	Maximum AF	AF/AC
45888	3.0	0.0014	0.0005	0.66	0.22

(Finding of Fact #3).

23. Pursuant to OAR 690-018-0050(4)(e), the rate and volume allocated to the State for instream use is as follows:

Maximum Rate	Maximum Duty (Volume)
0.009 cfs	1.71

Finding of Fact #8.

24. As required by OAR 690-018-0050(4)(f), the Department has determined that the instream right created will support public benefits. (Finding of Fact #17).
25. Pursuant to ORS 537.470(3) and OAR 690-018-0050(4)(g), the amount of water allocated to the Applicant does not need to be adjusted because the Applicant funded 100% of the project. (Finding of Fact #11). The rate and volume allocated to the Applicant is as follows:

Priority Date	Maximum Rate	Maximum Duty (Volume)
4/13/1973	0.025 cfs	5.13 AF

Finding of Fact #8.

26. The new instream water right created will be protected in the North Umpqua River from the authorized point of diversion as described in Finding of Fact #4, at approximately River Mile 4.0, to the confluence with the South Umpqua River. OAR 690-018-0050(4)(h); OAR 690-077-0015(8). (Finding of Fact #23.)
27. To prevent enlargement, the period of use for water to be protected instream must be adjusted so the annual volume limitation is not exceeded. By reducing the rate, the conserved water may be protected throughout the entire irrigation season without enlarging the right.

28. The instream right shall allow the use and protection of flows as follows:

Priority Date	Period of Use	Rate (cfs)	Volume (acre-feet)
4/13/1973	3/1 through 10/31	0.004	1.71

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29. The amount and timing of the proposed instream flows are allowable within the limits and use of the original water right. OAR 690-077-0015(10).
30. The protection of flows within the proposed reach is appropriate, considering:
- The instream water use begins at the recorded point of diversion;
 - The location of confluences with other streams downstream of the point of diversion.
 - There are no known areas of natural loss of streamflow to the river bed downstream from the point of diversion; and
 - Any return flows resulting from the exercise of the existing water right would re-enter the river downstream of the reach of the instream water right.
- OAR 690-077-0015(8).
31. The combination of instream rights for the proposed reach on the North Umpqua River does not exceed the amount needed to provide increased public benefits, and do not exceed the estimated average natural flow or level occurring from the drainage system. OAR 690-077-0015(4) and (11).

32. Existing Instream water right Certificates 59800, 59939, and 81500, established under ORS 537.341 (minimum flow conversion) and ORS 537.336 (state agency process) within the proposed reach on the North Umpqua River are sufficient to protect the monthly quantities of water necessary for supporting aquatic life and anadromous and resident fish habitat, but are not always met. By replacing a portion of Certificates 59939 and 81500, any instream water right created as a result of this allocation of conserved water will provide protection under earlier priority dates of stream flows identified as necessary for supporting aquatic life and anadromous and resident fish habitat.
33. By adding to other instream water rights established pursuant to ORS 537.348 (instream transfer process) and ORS 537.470 (allocation of conserved water process) located within the proposed reach, any new instream water rights established by this conserved water project would provide protection for additional flows identified as necessary for conservation, maintenance, and enhancement of aquatic and fish life, wildlife, fish and wildlife habitat, and other ecological values. OAR 690-077-0015(11).
34. The proposed areas within which the conserved water is proposed to be used for out-of-stream uses are within NWSE and NESE, DLC 43 of Section 22, Township 26 South, Range 6 West, W.M. (Finding of Fact #9). OAR 690-018-0050(4)(h).
35. The deadline for submitting a Notice of Completion is June 30, 2020. The deadline for submitting a Request for Finalization is June 30, 2025. (Finding of Fact #15). OAR 690-018-0050(4)(i).
36. No other conditions or limitations are needed to prevent or mitigate for harm to existing water rights. (Finding of Fact #20). OAR 690-018-0050(4)(j).

Conclusions of Law

The project described in Allocation of Conserved Water Application CW-88, is consistent with the criteria in ORS 537.455 to 537.500, and OAR Chapter 690, Divisions 018 and 077.

1. The proposed change will result in a reduced diversion for the uses allowed under the original water right. (Findings of Fact #3 and 22).
2. The proposed allocation of conserved water will not harm existing water rights. (Finding of Fact #20).
3. The application is consistent with the requirements established in OAR 690-005-0045. (Finding of Fact #21).
4. The changes proposed in CW-88 are approved.
5. The quantities of water conserved and allocated are as follows:

Certificate	State's Portion			Applicant's Portion			Conserved Water		
	Percentage	Maximum Rate (CFS)	Maximum Duty (Volume) AF	Percentage	Maximum Rate (CFS)	Maximum Duty (Volume) AF	Percentage	Maximum Rate (CFS)	Maximum Duty (Volume) AF
45888	25%	0.009	1.71	75%	0.025	5.13	100%	0.034	6.84

6. The deadline for submitting the Notice of Completion is June 30, 2020.

Upon filing the Notice of Completion, the Completion Order will include the following:

- 7. *The right to the use of the water is restricted to beneficial use at the places of use described, and is subject to all other conditions and limitations contained in Certificate 45888 and any related decree.*
- 8. *Water Right Certificate 45888 is cancelled. A new certificate will be issued for that portion of the water right not affected by this Allocation of Conserved Water application. In addition, a superseding Certificate will be issued for the existing use and place of use (described in Finding of Fact #4) at the reduced rate and duty as follows:*

Use: IRRIGATION of 3.0 ACRES
Priority Date: APRIL 13, 1973
Rate: 0.0014 CUBIC FEET PER SECOND
Limit/Duty: 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 TWO-THOUSANDTH (1/2000) of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 0.22 acre-foot per acre for each acre irrigated during the irrigation season of each year, and is further limited to an annual volume limitation of 0.66 acre-foot per year.
Source: NORTH UMPQUA RIVER, tributary to the UMPQUA RIVER


- 9. *Water use measurement conditions:*
 - a. *Before the use of the Applicant's portion of conserved water, the water user shall install a totalizing flow meter or, with prior approval of the Director, another suitable measuring device, at each point of diversion. In addition, the Applicant shall install a 12 gpm flow restrictor at the point of diversion on the North Umpqua River.*
 - b. *The water user shall maintain the meters or measuring devices in good working order.*
 - c. *The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.*
- 10. *The proposed areas within which the Applicant's portion of conserved water is proposed to be used for out-of-stream uses are within NWSE and NESE, DLC 43, of Section 22, Township 26 South, Range 6 West, W.M.*

11. The deadline for submitting the Request for Finalization is June 30, 2025.

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Dated at Salem, Oregon this 18 day of August, 2015.

MAR 28 2016



 Dwight French, Water Rights Services Administrator for
 THOMAS M. BYLER, DIRECTOR

SALEM, OR

Mailing Date: AUG 19 2015