

Application for a Permit to Use Ground Water



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

Water-Use Permit Application Processing

1. Completeness Determination

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

2. Initial Review

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

3. Public Notice

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

4. Proposed Final Order Issued

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

5. Public Notice

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

6. Final Order Issued

If no protests are filed, the Department issues a Final Order consistent with the PFO. If the application is approved, a permit is issued that specifies the details of the authorized use and any terms, limitations or conditions that the Department deems appropriate.

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Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050 & ORS 537.615)

Include this checklist with the application

Check that each of the following items is included. The application will be returned if all required items are not included. If you have questions, please call the Water Rights Customer Service Group at (503) 986-0900.

- SECTION 1: applicant information and signature
- SECTION 2: property ownership
- SECTION 3: well development
- SECTION 4: water use
- SECTION 5: water management
- SECTION 6: storage of groundwater in a reservoir
- SECTION 7: use of stored groundwater from the reservoir
- SECTION 8: project schedule
- SECTION 9: within a district
- SECTION 10: remarks

Attachments:

- Land Use Information Form with approval and signature (*must be an original*) or signed receipt
- 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. Example: A copy of the deed, land sales contract or title insurance policy.
- Fees - Amount enclosed: \$1900
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.

Provide a map and check that each of the following items is included: RECEIVED BY OWRD

- Permanent quality and drawn in ink
- Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
- North Directional Symbol
- Township, Range, Section, Quarter/Quarter, Tax Lots
- Reference corner on map
- Location of each well, and/or dam if applicable, by reference to a recognized public land survey corner (distances north/south and east/west). Each well must be identified by a unique name and/or number.
- Indicate the area of use by Quarter/Quarter and tax lot clearly identified
- Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
- Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)
- Other _____

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SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant Information

NAME Mark Degner, Trustee of the Mark Degner Trust			PHONE (HM) 541-944-8395
PHONE (WK) none	CELL 541-944-8395		FAX none
ADDRESS 950 Town Center Drive			
CITY Medford	STATE OR	ZIP 97504	E-MAIL* degnerm@yahoo.com

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Organization Information

NAME None		PHONE	FAX SALEM, OR
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 Evan Malepsy / Rogue Civil LLC		PHONE 541-621-2868	FAX none
ADDRESS 52 Pineridge Lane			CELL 541-621-2868
CITY Eagle Point	STATE OR	ZIP 97524	E-MAIL* emalepsy@roguecivil.com

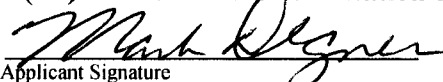
Note: Attach multiple copies as needed

* 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.
- I cannot use water legally until the Water Resources Department issues a permit.
- Oregon law requires that a permit be issued before beginning construction of any proposed well, unless the use is exempt. Acceptance of this application does not guarantee a permit will be issued.
- 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.

 MARK DEGNER TRUSTEE 7/28/16
Applicant Signature Print Name and title if applicable Date

Applicant Signature

Print Name and title if applicable

Date

For Department Use		
App. No. <u>G-18354</u>	Permit No. _____	Date _____

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)*.

N/A

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: WELL DEVELOPMENT

WELL NO.	NAME OF NEAREST SURFACE WATER	IF LESS THAN 1 MILE:	
		DISTANCE TO NEAREST SURFACE WATER	ELEVATION CHANGE BETWEEN NEAREST SURFACE WATER AND WELL HEAD
1	South Fork Reese Creek	2,270 ft	246 ft

Please provide any information for your existing or proposed well(s) that you believe may be helpful in evaluating your application. For existing wells, describe any previous alteration(s) or repair(s) not documented in the attached well log or other materials *(attach additional sheets if necessary)*.

New well, no alterations or repairs to date.

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SECTION 3: WELL DEVELOPMENT, CONTINUED

Total maximum rate requested: 0.0116 cfs (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below).

The table below must be completed for each source to be evaluated or the application will be returned. If this is an existing well, the information may be found on the applicable well log. (*If a well log is available, please submit it in addition to completing the table.*) If this is a proposed well, or well-modification, consider consulting with a licensed well driller, geologist, or certified water right examiner to obtain the necessary information.

OWNER'S WELL NAME OR NO.	PROPOSED	EXISTING	WELL ID (WELL TAG) NO.* OR WELL LOG ID**	FLOWING ARTESIAN	CASING DIAMETER	CASING INTERVALS (IN FEET)	PERFORATED OR SCREENED INTERVALS (IN FEET)	SEAL INTERVALS (IN FEET)	MOST RECENT STATIC WATER LEVEL & DATE (IN FEET)	PROPOSED USE			
										SOURCE AQUIFER***	TOTAL WELL DEPTH	WELL-SPECIFIC RATE (GPM)	ANNUAL VOLUME (ACRE-FEET)
1	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Jack 62600	<input type="checkbox"/>	6"	1' to 24'	220' to 280'	0' to 19'	25 ft	Bedrock	280		
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									

* Licensed drillers are required to attach a Department-supplied Well Tag, with a unique Well ID or Well Tag Number to all new or newly altered wells. Landowners can request a Well ID for existing wells that do not have one. The Well ID is intended to serve as a unique identification number for each well.
 ** A well log ID (e.g. MARI 1234) is assigned by the Department to each log in the agency's well log database. A separate well log is required for each subsequent alteration of the well.
 *** Source aquifer examples: Troutdale Formation, gravel and sand, alluvium, basalt, bedrock, etc.

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SECTION 4: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Nursery	Year-round	79.45

Exempt Uses: Please note that 15,000 gallons per day for single or group **domestic** purposes and 5,000 gallons per day for a single **industrial or commercial** purpose are exempt from permitting requirements.

For irrigation use only:
 Please indicate the number of primary and supplemental acres to be irrigated (*must match map*).
 Primary: N/A Acres Supplemental: N/A Acres
 List the Permit or Certificate number of the underlying primary water right(s): N/A
 Indicate the maximum total number of acre-feet you expect to use in an irrigation season: N/A

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

SECTION 5: WATER MANAGEMENT

A. Diversion and Conveyance

What equipment will you use to pump water from your well(s)?

Pump (give horsepower and type): 5HP Submersible

Other means (describe): _____

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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 well to distribution pipes that will apply water to plants via drip irrigation.

B. Application Method

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

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 aquatic life and riparian habitat; prevent the discharge of contaminated water to a surface stream; prevent adverse impact to public uses of affected surface waters.

Waste will be prevented by utilizing drip irrigation, a very efficient method, at a rate and volume that is limited to the needs of the plants and no more. A totalizing flow meter will measure the amount of water diverted. The nursery place of use will not be located within an area that includes aquatic life or riparian habitat. There will be no runoff from the nursery, preventing discharge of any kind to surface waters. The nursery use is not located adjacent to surface waters and will not produce any runoff and therefor will not adversely affect public uses of surface waters.

SECTION 6: STORAGE OF GROUND WATER IN A RESERVOIR

If you would like to store ground water in a reservoir, complete this section (if more than one reservoir, reproduce this section for each reservoir).

Reservoir name: N/A Acreage inundated by reservoir: N/A

Use(s): N/A

Volume of Reservoir (acre-feet): N/A Dam height (feet, if excavated, write "zero"): N/A

Note: If the dam height is greater than or equal to 10.0' above land surface AND the reservoir will store 9.2 acre feet or more, engineered plans and specifications must be approved prior to storage of water.

SECTION 7: USE OF STORED GROUND WATER FROM THE RESERVOIR

If you would like to use stored ground water from the reservoir, complete this section (if more than one reservoir, reproduce this section for each reservoir).

Annual volume (acre-feet): N/A

USE OF STORED GROUND WATER	PERIOD OF USE
N/A	N/A

SECTION 8: PROJECT SCHEDULE

Date construction will begin: Upon permit issuance, anticipated date: 4/2017

Date construction will be completed: 6/2017

Date beneficial water use will begin: 6/2017

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SECTION 9: 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 Eagle Point Irrigation District	Address 2429 Brophy Road	
City Eagle Point	State OR	Zip 97524

SECTION 10: REMARKS

Use this space to clarify any information you have provided in the application (attach additional sheets if necessary).

Requested volume is based on 5.0 acre-feet per acre for containerized plants. 5.0AF*15.89 acres = 79.45AF.

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

Applicant: Mark
 First

Degner
 Last

Mailing Address: 950 Town Center Drive

Medford
 City

OR
 State

97504 Daytime Phone: 541-944-8395
 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:
35S	1W	12	NW/SW	300	EFU	<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Nursery
35S	1W	12	NE/SW	300	EFU	<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Nursery
35S	1W	12	SW/SW	300	EFU	<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Nursery
35S	1W	12	SE/SW	300	EFU	<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Nursery

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

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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) _____

Estimated quantity of water needed: 5.2
 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 Nursery

Briefly describe:

This Land Use Information Form is being submitted as required for a new water rights application to use groundwater for nursery use on the subject property *(marijuana production)*

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. →**

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 ^{permitted by-right} ~~outright~~ or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): **LDO Table 4.2-1 & Section 3.13.**
- 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
	RECEIVED BY OWRD	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	AUG 01 2016	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	SALEM, OR	<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.

A Type 1 Land Use Authorization is required prior to issuance of permits and prior to marijuana production.

Name: Jacob Ripper Title: Planner II
 Signature: *Jacob Ripper* Phone: 541-774-6940 Date: 06/09/2016
 Government Entity: Jackson County Development Services

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: _____

6-18354

(1) LAND OWNER Owner Well I.D. _____
 First Name MARK Last Name DEGGNER
 Company _____
 Address 950 TOWN CENTER DR
 City MEDFORD State OR Zip 97501

(2) TYPE OF WORK New Well Deepening Conversion
 Alteration (complete 2a & 10) Abandonment (complete 5a)

(2a) PRE-ALTERATION
 Casing:

Dia	From	To	Gauge	Stl	Plstc	Wld	Thrd
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

 Seal: _____

(3) DRILL METHOD
 Rotary Air Rotary Mud Cable Auger Cable Mud
 Reverse Rotary Other _____

(4) PROPOSED USE Domestic Irrigation Community
 Industrial/ Commercial Livestock Dewatering
 Thermal Injection Other _____

(5) BORE HOLE CONSTRUCTION Special Standard (Attach copy)
 Depth of Completed Well 280.00 ft.
BORE HOLE

Dia	From	To	Material	SEAL	To	Amt	sacks/ lbs
10	0	20	Bentonite Chips	0	19	750	P
6	20	280		Calculated		700	
				Calculated			

How was seal placed: Method A B C D E
 Other POURED DRY
 Backfill placed from _____ ft. to _____ ft. Material _____
 Filter pack from _____ ft. to _____ ft. Material _____ Size _____
 Explosives used: Yes Type _____ Amount _____

(5a) ABANDONMENT USING UNHYDRATED BENTONITE
 Proposed Amount _____ Actual Amount _____

(6) CASING/LINER

Casing	Liner	Dia	+	From	To	Gauge	Stl	Plstc	Wld	Thrd
<input checked="" type="checkbox"/>	<input type="checkbox"/>	6	<input checked="" type="checkbox"/>	1	24	.250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

 Shoe Inside Outside Other Location of shoe(s) _____
 Temp casing Yes Dia 10 From 0 To 3

(7) PERFORATIONS/SCREENS
 Perforations Method saw cut
 Screens Type _____ Material _____

Perf/ Screen	Casing/ Liner	Screen Dia	From	To	Scrn/slot width	Slot length	# of slots	Tele/ pipe size
		4	220	280	.188	5	90	

(8) WELL TESTS: Minimum testing time is 1 hour
 Pump Bailor Air Flowing Artesian

Yield gal/min	Drawdown	Drill stem/Pump depth	Duration (hr)
30		280	1

 Temperature 55 °F Lab analysis Yes By _____
 Water quality concerns? Yes (describe below) TDS amount 158 ppm

From	To	Description	Amount	Units

(9) LOCATION OF WELL (legal description)
 County JACKSON Twp 35.00 S N/S Range 1.00 W E/W WM
 Sec 12 1/4 of the _____ 1/4 Tax Lot 300
 Tax Map Number _____ Lot _____
 Lat _____ " or 42.53655000 DMS or DD
 Long _____ " or -122.77138000 DMS or DD
 Street address of well Nearest address
2000 BUTTE FALLS HWY, EAGLE POINT OR 97524

(10) STATIC WATER LEVEL

Existing Well / Pre-Alteration	Date	SWL(psi)	+ SWL(ft)
Completed Well	5/6/2016		25

Flowing Artesian? Dry Hole?

WATER BEARING ZONES Depth water was first found 80.00

SWL Date	From	To	Est Flow	SWL(psi)	+ SWL(ft)
5/6/2016	80	85	5		25
5/6/2016	265	270	40		25

(11) WELL LOG Ground Elevation 1700.00

Material	From	To
clay	0	16
claystone	16	280

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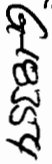
SALEM, OR

Date Started 5/6/2016 Completed 5/7/2016

(unbonded) Water Well Constructor Certification
 I certify that the work I performed on the construction, deepening, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.
 License Number _____ Date _____
 Signed _____

(bonded) Water Well Constructor Certification
 I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.
 License Number 1661 Date 6/2/2016
 Signed BRAD MILKOWSKI (E-filed)
 Contact Info (optional) GRIBBLE WELL DRILLING 541-855-1328

G-10354



Oregon Water Resources Department

Apply for a Permit to Appropriate Ground Water and/or Store Ground Water

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Contact Us

Today's Date: Tuesday, July 26, 2016

Base Application Fee for use of Ground, Surface and optionally Stored Water.		\$1,150.00
Number of proposed cubic feet per second (cfs) to be appropriated. (1 cfs = 448.83 gallons per minute)	0.01	\$300.00
Number of proposed Use's for the appropriated water. (i.e. Irrigation, Supplemental Irrigation, Pond Maintenance, Industrial, Commercial, etc) *	1	
Number of proposed Ground Water points of appropriation. (i.e. number of wells) (include all injection wells, if applicable) **	1	
Number of Acre Feet to be stored in a reservoir/pond from Ground Water.	0	
Number of Acre Feet to be appropriated from reservoir/pond (Only Applies to reservoir/pond constructed under Ground Water Application)	0	
Number of reservoirs.	0	
Permit Recording Fee. ***		\$450.00
* the 1st Water Use is included in the base cost. ** the 1st Ground Water point of appropriation is included in the base cost. *** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.	Recalculate	
Estimated cost of Permit Application		\$1,900.00

OWRD Fee Schedule

Fee Calculator Version B20130709

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After recording return to:
Mark Degner

OR

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

Mark Degner

no change

File No.: 7161-2629270 (EV)

Date: April 15, 2016

THIS SPACE RESERVED

Jackson County Official Records **2016-012527**
R-BSD
Stn=16 HELMANCD **04/26/2016 02:27:14 PM**
\$20.00 \$11.00 \$10.00 \$8.00 \$20.00 **\$69.00**

I, Christine Walker, County Clerk for Jackson County, Oregon, certify
that the instrument identified herein was recorded in the Clerk
records.

Christine Walker - County Clerk

STATUTORY BARGAIN AND SALE DEED

Mark Degner, Grantor, conveys to **Mark Degner as Trustee of the Mark Degner Trust**,
Dated: 1/24/2007, Grantee, the following described real property:

See Legal Description attached hereto as Exhibit A and by this reference incorporated herein.

The true consideration for this conveyance is **\$0.00**. (Here comply with requirements of ORS 93.030)

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 21 day of April, 2016.

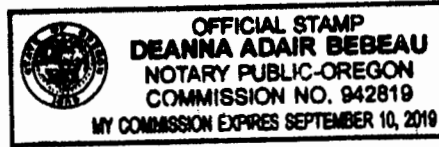
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AUG 01 2016

SALEM, OR

G-18354

Mark Degner
Mark Degner



STATE OF Oregon)
)ss.
County of Jackson)

This instrument was acknowledged before me on this 21 day of April, 2016
by as Mark Degner ~~of, on behalf of the~~.

Deanna A Bebeau

Notary Public for Oregon
My commission expires:

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SALEM, OR

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G-10354

APN: 1-022893-6

Bargain and Sale Deed
- continued

File No.: 7161-2629270 (EV)
Date: 04/15/2016

EXHIBIT A

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

As reflected on the attached Exhibit "A" made a part hereof

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SALEM, OR

G-10354

EXHIBIT A

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

Commencing at the West sixteenth corner common to Sections 12 and 13 in Township 35 South, Range 1 West of the Willamette Meridian, Jackson County, Oregon; thence South 89° 58' 49" East 293.41 feet to a 5/8 inch iron pin; thence North 10° 18' 38" East 1332.45 feet to a 5/8 inch iron pin; thence North 08° 21' 10" West 430.45 feet to a 5/8 inch iron pin witness corner; thence continue North 08° 21' 10" West 0.31 feet to the Southerly right of way line of Butte Falls Highway (County Road); thence South 69° 07' 40" West along said Southerly line, 102.44 feet to the true point of beginning; thence South 08° 21' 10" East 392.12 feet; thence South 10° 18' 38" West to intersect the centerline of the abandoned Pacific and Eastern Railway right of way; thence Westerly along said centerline to a point North 00° 25' 39" West of said West sixteenth corner common to Sections 12 and 13; thence Westerly to a 5/8 inch iron pin at the South Southeast corner of tract described in Document No. 78-27359, Official Records, Jackson County, Oregon; thence North 14° 57' 04" East, along the Easterly line of said tract, 286.84 feet to a 5/8 inch iron pin; thence North 63° 28' 40" East 219.84 feet to a 5/8 inch iron pin; thence North 00° 24' 26" West 402.30 feet to a 5/8 inch iron pin on the Southerly right of way line of Butte Falls Highway; thence Northeasterly along said Southerly line, to the true point of beginning. EXCEPTING THEREFROM a strip of land being 25.00 feet in width lying Easterly of the following described line: Commencing at a 2-1/2 inch iron pipe at the Southwest corner of Section 12 in Township 35 South, Range 1 West of the Willamette Meridian, Jackson County, Oregon; thence North 00° 24' 26" West, along the West line of Section 12, a distance of 1405.56 feet; thence North 89° 35' 34" East, 140.00 feet to intersect the Southerly right of way line of Butte Falls Highway (County Road) at a 5/8 inch iron pin; thence South 00° 24' 26" East 742.94 feet to a 5/8 inch iron pin; thence North 89° 35' 34" East 610.20 feet to a 5/8 inch iron pin for the true point of beginning; thence North 14° 57' 04" East 286.84 feet to a 5/8 inch iron pin; thence North 63° 28' 40" East 219.84 feet to a 5/8 inch iron pin; thence North 00° 24' 26" West 402.30 feet to a 5/8 inch iron pin on the Southerly right of way line of said Butte Falls Highway, for the point of terminus.

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

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6-18354

52 Pineridge Lane
Eagle Point, OR 97524
541-621-2868
emalepsy@roquecivil.com



Transmittal

To: Mark Degner **From:** Evan Malepsy

Re: Application to Use Groundwater **Date:** July 26, 2016

For Review Please Comment Please Reply For Signature

Comments:

Mark,

Enclosed are the completed application forms and supporting documents for the groundwater permit application. Please sign, include a check for \$1,900 made out to the Oregon Water Resources Department, and mail the originals in the provided envelope. I kept a copy for my files, I recommend you make a copy for your files as well.

You will notice that I made some changes to the map and application including showing the nursery use over the entire property and asking for a greater amount of water. These changes are based on recent meetings with the Watermaster on other projects. He suggested these changes to ensure we don't limit the amount of water or place of use should it change in the future.

Let me know if any questions come up.

Thanks,

A handwritten signature in black ink that reads "Evan Malepsy".

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