

# 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](http://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](http://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](http://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

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### 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: \$2200<sup>00</sup>  
See the Department's Fee Schedule at [www.oregon.gov/owrd](http://www.oregon.gov/owrd) or call (503) 986-0900.

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### Provide a map and check that each of the following items is included:

- 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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725 Summer Street NE, Suite A  
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## SECTION 1: APPLICANT INFORMATION AND SIGNATURE

### Applicant Information

NAME Lytle A. Simms and Tamara Ann Simms, and Dustin and Caitlin Simms		PHONE (HM)	
PHONE (WK)	CELL 541-219-0802	FAX	
ADDRESS 27423 Highway 395			
CITY Lakeview	STATE OR	ZIP 97630	E-MAIL* simmstrucking69@yahoo.com

### 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 Hollie Cannon/Water Rights Solutions LLC		PHONE 541-821-5848	FAX
ADDRESS 3246 Hammer Street			CELL 541-821-5848
CITY Klamath Falls	STATE OR	ZIP 97603	E-MAIL* h.k.cannon@gmail.com

Note: Attach multiple copies as needed

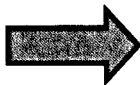
\* By providing an e-mail address, consent is given to receive all correspondence from the department electronically. (paper copies of the final order documents will also be mailed.)

### 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.

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

  
Lytle A. Simms  
Applicant Signature  
Dustin Simms  
Applicant Signature  
Caitlin Simms  
Applicant Signature

Lytle A. Simms and Tamara A. Simms

Print Name and title if applicable

Dustin Simms and Caitlin Simms

Print Name and title if applicable

Date  
9/18/16  
Date  
9/18/16

For Department Use			
Received 201609 App. No. <u>G-18772</u>	Permit No. <u>97630</u>	Date _____	WR

**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*).

\_\_\_\_\_

***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	Crooked Creek	1386'	+15' to the well head

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*).

\_\_\_\_\_

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**SECTION 3: WELL DEVELOPMENT, CONTINUED**

Total maximum rate requested: 2 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)
Well#1	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	14"	600'	na	600'	?	Basalt	700'	1200	480.12
	<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)
IR	April 1 - October 15	480.12

**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: 160.04 Acres                      Supplemental: \_\_\_\_\_ 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: 480.12

- 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**

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**A. Diversion and Conveyance**

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

Pump (give horsepower and type): 75 hp turbine

Other means (describe): \_\_\_\_\_

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. Well pumping into a pipeline to supply a pivot and wheelines.

**B. Application Method**

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

**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.

The amount of water requested is less than the evapotranspiration of pasture grass, but about the amount needed for alfalfa.

**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: \_\_\_\_\_ Acreage inundated by reservoir: \_\_\_\_\_

Use(s): \_\_\_\_\_

Volume of Reservoir (acre-feet): \_\_\_\_\_ Dam height (feet, if excavated, write "zero"): \_\_\_\_\_

*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): \_\_\_\_\_

USE OF STORED GROUND WATER	PERIOD OF USE

**SECTION 8: PROJECT SCHEDULE**

Date construction will begin: Spring 2017  
Date construction will be completed: Spring 2018  
Date beneficial water use will begin: Spring 2018

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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	Address	
City	State	Zip

**SECTION 10: REMARKS**

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

\_\_\_\_\_

Date \_\_\_\_\_

(For staff use only)



Oregon Water Resources Department  
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(503) 986-0900  
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**WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):**

- SECTION 1: \_\_\_\_\_
- SECTION 2: \_\_\_\_\_
- SECTION 3: \_\_\_\_\_
- SECTION 4: \_\_\_\_\_
- SECTION 5: \_\_\_\_\_
- SECTION 6: \_\_\_\_\_
- SECTION 7: \_\_\_\_\_
- SECTION 8: \_\_\_\_\_
- SECTION 9: \_\_\_\_\_
- Land Use Information Form \_\_\_\_\_
- 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.
- Fees \_\_\_\_\_

MAP

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- 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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SALEM, OR

G-18392



# 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(s): Lytle A. and Tamara Ann Simms, and Dustin and Caitlin Simms

Mailing Address: 27423 Highway 395

City: Lakeview

State: OR

Zip Code: 97630

Daytime Phone: 541-219-0802

## 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>36S</u>	<u>21E</u>	<u>7</u>	<u>NE NE</u>	<u>36S-21E-07-200, 300, 400</u>	<u>EFU</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>IR</u>
<u>36S</u>	<u>21E</u>	<u>7</u>	<u>SE NE</u>	<u>36S-21E-07-800</u>	<u>EFU</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>IR</u>
<u>36S</u>	<u>21E</u>	<u>7</u>	<u>NE SE</u> <u>SE SE</u>	<u>36S-21E-07-800</u>	<u>EFU</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>IR</u>
<u>36S</u>	<u>21E</u>	<u>8</u>	<u>NW SW</u> <u>SW SW</u> <u>SW NW</u>	<u>36S-21E-07-800</u>	<u>EFU</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>IR</u>

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

Lake County

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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: 480.12   
 cubic feet per second   
 gallons per minute   
 acre-feet

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

Briefly describe:

A well is proposed to be drilled for sprinkler irrigation of planted pasture/alfalfa crops.

G-18392



# 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): Lake County Zoning Ord. Art. 2
- 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.

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Name: Daniel Johnson Title: Planning Director SALEM, OR  
 Signature: [Signature] Phone: 541-947-6036 Date: 15 Aug 2016  
 Government Entity: Lake 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: \_\_\_\_\_



I, Stacie Geaney, County Clerk for Lake County, Oregon  
certify that the instrument identified herein was  
recorded in the Clerk records.  
Stacie Geaney - County Clerk

**GRANTOR'S NAME AND ADDRESS:**

Lytle A. Simms and Tamara A. Simms  
27423 Highway 395  
Lakeview, OR 97630

**GRANTEE'S NAME AND ADDRESS:**

Lytle A. Simms and Tamara A. Simms, et al  
27423 Highway 395  
Lakeview, OR 97630

**AFTER RECORDING RETURN TO:**

James C. Lynch  
P. O. Box 351  
Lakeview, OR 97630

**SEND TAX STATEMENTS TO:**

Lytle A. Simms and Tamara A. Simms  
27423 Highway 395  
Lakeview, OR 97630

SALEM, OR

SEP 23 2016

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**BARGAIN AND SALE DEED**

KNOW ALL BY THESE PRESENTS that **LYTLE A. SIMMS and TAMARA ANN SIMMS, also known as TAMI A. SIMMS**, hereinafter called grantors, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto **LYTLE A. SIMMS and TAMARA ANN SIMMS, as to an undivided one-half (1/2) interest, as husband and wife, and DUSTIN SIMMS and CAITLIN SIMMS, as to an undivided one-half (1/2) interest, as husband and wife**, hereinafter called grantees, and unto grantees' 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 the County of Lake, State of Oregon, described as follows:

87330

See Exhibit "A" Attached.

SUBJECT TO all easements, reservations, restrictions and rights of way of record or apparent on the ground including but not limited to those listed in Exhibit "B" attached.

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 \$1.00.

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.

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 SECTION 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTION 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

IN WITNESS WHEREOF, grantor has executed this instrument this Feb 29 day of Feb, 2016; any signature on behalf of a business or other entity is made with the authority of that entity.

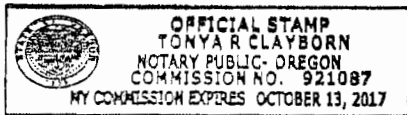
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Lyle A. Simms  
Lyle A. Simms

Tami A. Simms  
Tami A. Simms, also known as Tamara Ann Simms

STATE OF OREGON, County of Lake) ss.

This instrument was acknowledged before me on Feb 29, 2016, by Lyle A. Simms and Tami A. Simms.



Tonya R. Clayborn  
Notary Public for Oregon  
My Commission Expires: 10-13-17

SALEM, OR

EXHIBIT "A"  
LEGAL DESCRIPTION

SEP 23 2016

In the County of Lake, State of Oregon:

Parcel 1:

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A PARCEL OF LAND, BEING A PORTION OF SECTIONS 8, 16, 17, 20 AND 21, TOWNSHIP 36 SOUTH, RANGE 21 EAST, OF THE WILLAMETTE MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

SECTION 8: THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4; THE SOUTH 1/2 OF THE SOUTHEAST 1/4

SECTION 16: GOVERNMENT LOT 4; THE NORTHWEST 1/4; THE SOUTHWEST 1/4; THE NORTH 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4; THE NORTH 1/2 OF THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4; THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4; THE SOUTH 1/2 OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4

SECTION 17: THE NORTHEAST 1/4; THE EAST 1/2 OF THE SOUTHEAST 1/4

SECTION 20: NORTHEAST 1/4 OF THE NORTHEAST 1/4

SECTION 21: THE NORTHWEST 1/4 OF THE NORTHEAST 1/4; THE NORTH 1/2 OF THE NORTHWEST 1/4

EXCEPTING THEREFROM THE RIGHT-OF-WAY OF COUNTY ROAD 2-11.

Code 7-02; Map 3621-1200; Acct. 9744

362100-012

Parcel 2;

A PARCEL OF LAND, BEING A PORTION OF SECTIONS 7, 8, 17, AND 18, TOWNSHIP 36 SOUTH, RANGE 21 EAST, OF THE WILLAMETTE MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

SECTION 7: THE PORTION OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4; THE SOUTH 1/2 OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4; AND THE EAST 1/2 OF THE SOUTHEAST 1/4 LYING EAST OF U.S. HIGHWAY 395

SECTION 8: THE SOUTH 1/2 OF THE NORTHWEST 1/4; THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4; THE SOUTH 1/2 OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4; THE SOUTHWEST 1/4

SECTION 17: THE NORTHWEST 1/4; THE WEST 1/2 OF THE SOUTHWEST 1/4

SECTION 18: THE PORTION OF THE EAST 1/2 OF THE NORTHEAST 1/4 LYING EAST OF U.S. HIGHWAY 395

Code 7-02; map 3621-800; Acct. 9737

362100-008

LAKE COUNTY RECORDING NO.

2016000309

Parcel 3;

Township 36 South, Range 21 East of the Willamette Meridian,  
Section 8: N $\frac{1}{2}$  N $\frac{1}{2}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$ .  
Code 7-02; map 3621-1200; Acct. 9733

Parcel 4;

Township 36 South, Range 21 East of the Willamette Meridian,  
Section 10: S $\frac{1}{2}$  SW $\frac{1}{4}$ ;  
Section 15: W $\frac{1}{2}$ .  
Section 22: NW $\frac{1}{4}$ .  
Code 7-02; map 3621-1300; Acct. 9746

Parcel 5;

Township 36 South, Range 21 East of the Willamette Meridian,  
Section 21: Government Lots 1 and 2; SW $\frac{1}{4}$  NE $\frac{1}{4}$ ; SE $\frac{1}{4}$  NW $\frac{1}{4}$ .  
Code 7-02; map 3621-1399; Acct. 9748

Parcel 6;

Township 36 South, Range 21 East of the Willamette Meridian,  
Section 16: Government Lots 1, 2 and 3; W $\frac{1}{2}$  NE $\frac{1}{4}$ .  
Code 7-02; map 3621-1400; Acct. 9753

Parcel 7;

Township 36 South, Range 21 East of the Willamette Meridian,  
Section 18: E $\frac{1}{2}$  SE $\frac{1}{4}$  lying East of Highway 395 as the same was located on October 16, 1944, EXCEPTING THEREFROM that parcel of land conveyed to the State of Oregon, by and through its State Highway Commission, in deed recorded in Book 78 at Page 245, Lake County Deed Records, Oregon.  
Code 7-02; map 3621-1800; Acct. 9757

Parcel 8;

Township 36 South, Range 21 East of the Willamette Meridian,  
Section 5: N $\frac{1}{2}$  S $\frac{1}{2}$  SW $\frac{1}{4}$  SW $\frac{1}{4}$ .  
Code 7-02; map 36215-900; Acct. 9795

Parcel 9;

Township 36 South, Range 21 East of the Willamette Meridian,  
Section 5: S $\frac{1}{2}$  S $\frac{1}{2}$  SW $\frac{1}{4}$  SW $\frac{1}{4}$ .  
Code 7-02; map 36215-900; Acct. 9797

Parcel 10;

Township 36 South, Range 21 East of the Willamette Meridian,  
Section 6: S $\frac{1}{2}$  S $\frac{1}{2}$  SE $\frac{1}{4}$  SE $\frac{1}{4}$ , EXCEPTING THEREFROM that parcel of land previously conveyed to the State of Oregon, by and through its State Highway Commission, in deed recorded in Book 78 at Page 70, Lake County Deed Records, Oregon.  
Code 7-02; map 36216-1300; Acct. 9920

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36 21 00 013  
36 21 00 030

36 21 00 014

36 21 00 018

36 21 05 008

36 21 05 009

36 21 06 013

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2016000309

Parcel 11;

Township 36 South, Range 21 East of the Willamette Meridian,  
Section 7: S $\frac{1}{2}$  S $\frac{1}{2}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$ .  
Code 7-02; map 36217-200; Acct. 9824

36 21 07 002

Parcel 12;

Township 36 South, Range 21 East of the Willamette Meridian,  
Section 7: S $\frac{1}{2}$  N $\frac{1}{2}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$ ; N $\frac{1}{2}$  S $\frac{1}{2}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$ .  
Code 7-02; map 36217-300; Acct. 9826

36 21 07 003

Parcel 13;

Township 36 South, Range 21 East of the Willamette Meridian,  
Section 7: N $\frac{1}{2}$  N $\frac{1}{2}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$ .  
Code 7-02; map 36217-400; Acct. 9828

36 21 07 004

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2016000309

EXHIBIT "B"

1. The provisions contained in deed from the State of Oregon,  
Book: 22, Page: 264  
As follows: Reservation for ditch and canal rights of way and reservoir sites.  
(Covers property in Section 18, Township 36 South, Range 21 East of the Willamette Meridian, Lake County, Oregon)

Also recorded:  
Book: 42, Page: 182

2. Reservation of one-half of minerals, including the terms and provisions contained therein, in deed from Nolte-Utley Realty Company, a corporation.  
Book: 53, Page 618  
(Covers property in Section 18, Township 36 South, Range 21 East of the Willamette Meridian, Lake County, Oregon)  
The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.

3. Rights of way for roads and highways including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as reserved in instrument:  
Book 71, Page 227  
As reserved by: Lake County, Oregon, a municipal corporation

4. Rights of way for roads and highways, and all coal, oil, gas and minerals, including the terms and provisions contained therein, in deed from Lake County, Oregon, a municipal corporation.  
Book: 93, Page 215  
(Covers parts of the N $\frac{1}{4}$  of Section 8 and the SE $\frac{1}{4}$  of Section 18, Township 36 South, Range 21 East of the Willamette Meridian, Lake County, Oregon)  
The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.

Also recorded:  
Book: 94, Page: 248

5. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:  
Granted To: State of Oregon, by and through its Department of Transportation, Highway Division  
Recorded: March 3, 1976  
Book: 170, Page: 683  
For: Drainage over part of the SE $\frac{1}{4}$  of Section 7; and the NE $\frac{1}{4}$  of Section 18, Township 36 South, Range 21 East of the Willamette Meridian, Lake County, Oregon.
6. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:  
Granted To: Telephone Utilities of Eastern Oregon, Inc., an Oregon corporation  
Recorded: September 4, 1983  
Book: 196, Page: 317  
(Over and across part of the SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 7; and the SW $\frac{1}{4}$  of Section 8, Township 36 South, Range 21 East of the Willamette Meridian, Lake County, Oregon.)

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LAKE COUNTY RECORDING NO.

2016000309

G-10392





Today's Date: Monday, July 11, 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)	2	\$600.00
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		\$2,200.00

[QWRD Fee Schedule](#)

Fee Calculator Version B20130709
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SALEM, OR

G-18792