



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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AUG 31 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: James B. and Jennifer Darby
First Last

Mailing Address: 3561 Eastwind Drive

Anchorage AK 99516
City State Zip

Phone: 907 229-0629
Home Work Other

Fax: _____ E-Mail Address*: brantdarby@yahoo.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: Stella Jane

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: Jimmy Creek & Runoff Tributary to: Illinois River

C. County in which diversion occurs: Josephine

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App. No. _____	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
39S	8W	17	NW/SE	400

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: 4

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:

USA, BLM, 3040 Biddle Rd., Medford, OR 97504

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R-00005

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? 30+ 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.

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.

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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).

Diversion does not involve a dam in the creek other than moving a few rocks by hand. The reservoir is off-channel. The channel is not obstructed so that any fish present can pass.

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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.

James Brent Corby
Landowner Signature

7/29/16
Date
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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.

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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

Applicant(s): James B. & Jennifer Darby

Mailing Address: 3561 Eastwind Drive

City: Anchorage

State: AK

Zip Code: 99516

Daytime Phone: 907-229-0629

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>39S</u>	<u>8W</u>	<u>17</u>	<u>NE/SW</u>	<u>100</u>	<u>WR</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	<u>diversion</u>
<u>39S</u>	<u>8W</u>	<u>17</u>	<u>NWSE</u>	<u>400</u>	<u>WR</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>irrigation</u>
<u>39S</u>	<u>8W</u>	<u>17</u>	<u>SESW</u>	<u>400</u>	<u>WR</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>irrigation</u>
<u>39S</u>	<u>8/w</u>	<u>17</u>	<u>SWSE</u>	<u>400</u>	<u>WR</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>irrigation</u>

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

Josephine

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B. Description of Proposed Use

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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) Jimmy Creek

Estimated quantity of water needed: 0.25 & 4 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 Storage

Briefly describe:

We are applying for a storage permit for an existing reservoir and applying for a historic additional point of diversion that has existed for at least 25 years.

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

See bottom of Page 3. →

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For Local Government Use Only

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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.

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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): RLDC 65.020.

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.

NEW STRUCTURES ON TAX LOT 400 REQUIRE DEVELOPMENT PERMIT.

Name: NORA SCHWARTZ Title: PLANNER

Signature: [Signature] Phone: 541-474-5417 Date: 7-29-16

Government Entity: JOSEPHINE COUNTY

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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.

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Receipt for Request for Land Use Information

Applicant name: James B. & Jennifer Darby

City or County: Josephine Staff contact: James Black

Signature: [Signature] Phone: 541-474-5418 Date: 7/26/16

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Oregon

Kate Brown, Governor

Department of Fish and Wildlife
Rogue Watershed District Office
1495 East Gregory Road
Central Point, OR 97502
(541) 826-8774
Fax (541) 826-8776

August 25, 2016

James and Jennifer Darby
10250 James Town Drive, Apt 8
Anchorage AK, 99507
Site Address: 2561 Westside Rd, Cave Junction OR
Legal: 39S 8W S17 TL400

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RE: Fish Passage Approval for Alternate Reservoir Application.

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Mr. and Ms. Darby,

The Oregon Department of Fish and Wildlife (ODFW) has reviewed your application to store water in a reservoir through Oregon Water Resources Alternate Reservoir process. Part of the application process requires a determination from ODFW as to whether the pond and associated artificial obstruction¹ (AO) will impede the ability of native migratory fish² (NMF) to migrate freely, upstream and downstream in Jimmy Creek.

The pond you are applying for a permit for is located off channel and does not affect NMF migration. However, the current AO used to divert water into the pond is constructed out of cobble rocks and is located within the channel of Jimmy Creek. ODFW believes the current AO, located at 39S, R8W, Sec 17 NW/SE, does not inhibit the movement of NMF in Jimmy Creek and this letter shall serve as fish passage approval.

If changes are proposed to the current diversion at any time in the future, prior ODFW authorization will be required to ensure fish passage requirements are being met at this site.

Sincerely,

Peter Samarin
Rogue Assistant District Fish Biologist

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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)

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ODFW Alternate Reservoir Application Review Sheet

This portion to be completed by the applicant.

Applicant Name/Address/Phone/Email: _____
 James B. & Jennifer Darby, 10250 James Town Drive, Apt 8, Anchorage, AK 99507; (907) 229-0629;
 brantdarby@yahoo.com

Reservoir Name: Stella Jane Reservoir Source: Jimmy Cr. & runoff Volume (AF): 4

Twp Rng Sec QQ: 39S R8W Sec. 17 NW/SE Basin Name: Rogue/Illinois 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 project pose any other significant detrimental impact to an existing fishery resource locally or downstream?..... YES NO
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- 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 May through November SALEM, OR 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)

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Jimmy Creek provides habitat for either cutthroat trout or winter steelhead. Other fish species may be present but ODFW has not completed a comprehensive fish survey for this creek. Therefore, ODFW believes that if the application is conditioned as recommended below, significant impacts to fisheries resources can be lessened.

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)

fishpass, fishdiv33, b51a: The period of use has been limited to December through April.

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ODFW Signature: _____



Print Name: Peter Samarin

ODFW Title: Assistant District Fish Biologist

Date: 8/26/2016

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Revised 10/4/12

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Use this menu to identify appropriate conditions to be included in the permit, and indicate the abbreviations on the review form:

fishpass: As required by ORS 509.585, a person owning or operating an artificial obstruction (AO) may not construct or maintain any AO across any waters of this state that are inhabited, or historically inhabited, by native migratory fish (NMF) without providing passage for NMF. A person owning or operating an AO shall, prior to construction, fundamental change in permit status or abandonment of the AO in any waters of this state, obtain a determination from ODFW as to whether NMF are or historically have been present in the waters. If ODFW determines that NMF are or historically have been present in the waters, the person owning or operating the AO shall either submit a proposal for fish passage to ODFW or apply for a waiver or exemption. Approval of the proposed fish-passage facility, waiver, or exemption must be obtained from the department prior to construction, permit modification or abandonment of the AO. Approved fish-passage plans, waivers, and exemptions shall maintain adequate passage of NMF at all times (ORS 509.601) as per the approved plan, waiver or exemption.

fishself: The permittee shall install, maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional prior to diversion of any water. Permittee shall obtain written approval from ODFW that the installation of the required screen and by-pass devices meets the state's criteria or the permittee shall submit documentation that ODFW has determined screens and/or by-pass devices are not necessary.

fishapprove: The permittee shall install, maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional, and approved in writing by ODFW prior to diversion of any water. The permittee may submit evidence in writing that ODFW has determined screens and/or by-pass devices are not necessary.

fishdiv33: If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR 635-415, shall be followed.

The use may be restricted if the quality of the source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

The permittee shall install, maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional, and approved in writing by ODFW prior to diversion of any water. The permittee may submit evidence in writing that ODFW has determined screens and/or by-pass devices are not necessary.

fishmay: Notwithstanding that ODFW has made a determination that fish screens and/or by-pass devices are not necessary at the time of permit issuance, the permittee may be required in the future to install, maintain, and operate fish screening and by-pass devices to prevent fish from entering the proposed diversion and to provide adequate upstream and downstream passage for fish.

b52 Water may be diverted only when Department of Environmental Quality sediment standards are being met.

b5 The water user shall install and maintain adequate treatment facilities meeting current DEQ requirements to remove sediment before returning the water to the stream.

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b51a The period of use has been limited to _____ through _____.

b57 Before water use may begin under this permit, a totalizing flow meter must be installed at each diversion point. SEP 30 2016

b58 Before water use may begin under this permit, a staff gage that measures the entire range and stage between full reservoir level and dead-pool storage must be installed in the reservoir. The staff gage shall be United States Geological Survey style porcelain ~~SALEM, OR~~ gage style A, C, E or I.

futile call: The use of water allowed herein may be made only at times when waters from the (NAME OF SURFACE WATER) would not otherwise flow into a tributary of the _____ River or sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

riparian: If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR 635-415, shall be followed.

wq: The use may be restricted if the quality of the source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

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fence: The stream and its adjacent riparian area shall be fenced to exclude livestock.

blv: Water must be diverted to a trough or tank through an enclosed water delivery system. The delivery system must be equipped with an automatic shutoff or limiting flow control mechanism or include a means for returning water to the stream source through an enclosed delivery system. The use of water shall not exceed 0.10 cubic feet per second per 1000 head of livestock. AUG 31 2016

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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:

James B. and Jennifer Darby

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:

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Who:

Agency:

Date:

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Watermaster signature:

Kathy S. F.

Date:

7-26-2016

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

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Appendix A

Developing your water right often entails grading, trenching or other types of construction within waterways, riparian areas, and wetlands. Permits from local, state or federal agencies may be required. A good first step is to check with your local city or county planning office. The following information was provided by the Oregon Division of State Lands.

Activities in Wetlands and Waterways are Regulated by:

- The Division of State Lands (DSL) under the State Removal-Fill Law
- The U.S. Army Corps of Engineers (Corps) under the Federal Clean Water Act and Rivers and Harbors Act
- The State Department of Forestry under the Forest Practices Act
- The U.S. Natural Resource Conservation Service (NRCS) under the Food, Agriculture, Conservation and Trade Act
- Some City and County land use ordinances

What Areas are Regulated?

- Rivers, streams and most creeks
- Estuaries and tidal marshes
- Lakes and some ponds
- Permanent and seasonal wetlands
- Regulations apply to all lands, public or private
- A wetland does not have to be mapped by the state or otherwise 'designated' to fall under the regulations
- If you are uncertain if there are regulated wetlands on your property, contact DSL for assistance.

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What Activities are Regulated?

- Placement of fill material
- Alteration of stream bank or stream course
- Ditching and draining
- Plowing/disking non-farmed wetlands
- Excavation or dredging of material
- In-water construction (may also require a lease from DSL)
- For some activities, joint application forms can be obtained from DSL or the Corps

What Activities are Exempt

- Some routine maintenance activities
- Established, ongoing agricultural activities and grazing
- Some minor projects involving small amounts of fill or removal

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How are Laws Enforced?

The best enforcement is to prevent illegal wetland alterations through information and education. However, when violations do occur, a variety of enforcement tools may be used, including restoration orders, fines of up to \$10,000 per day (DSL), civil and/or criminal charges.

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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

September 7, 2016

James and Jennifer Darby
3561 Eastwind Drive
Anchorage AK 99516

Dear James and Jennifer Darby:

The Water Resources Department has received your application(s) to use or store water. At this time however, we are unable to accept your application(s), because the minimum filing requirements are not met according to the Oregon Revised Statutes (ORS 537.409). and (ORS 537.400).

We are hereby returning the incomplete application(s) and the fees submitted. Please return the application(s), the required information, and this checklist, so the Department may begin processing your application(s) in a timely manner.

This review is based only on the completeness of your application. Any determination of water availability, compliance with basin plan rules, or any other water related issues has not been made.

Should you have any questions, please do not hesitate to contact me at the address above or by telephone at 503-986-0817.

Sincerely,

Scott
Customer Service Representative

Cc: OWRD Fiscal

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See next page

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Alternate Reservoir Application Completeness Checklist

Minimum Requirements (ORS 537.409)

- Provide the **legal description** of all property involved with this application. Please submit a copy of your deed, land sales contract or title insurance to meet this requirement.

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First American Title Company

Property Information Division

September 7, 2016

Prepared For: NORM D.

Attention: EMAIL

Property: 2561 WEST SIDE RD

Map & Tax Lot: 39081700 TL 400

Account No. : 329741

Owner: DARBY REV. LIV. TRUST

Prepared By:

Dena Kelley

118 NE C St, Grants Pass, OR 97526
(541) 476-6884

dkkelley@firstam.com • www.firstam.com/title-or/josephine

Monday through Friday 8AM to 5PM

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First American Title Insurance Company makes no express or implied warranty respecting the information presented and assumes no responsibility for errors or omissions. The attached requested documents are not a complete title search and there may be deeds and/or encumbrances affecting the subject real property that are not included. This information is furnished without charge in conformance with guidelines established by the Insurance Division, State of Oregon. First American, the eagle logo, First American Title, and firstam.com are registered trademarks or trademarks of First American Financial Corporation and/or its affiliates. ©2014 First American Financial Corporation and/or its affiliates. All rights reserved.

NYSE: FAF

R-88295

- - Property Account Summary (R329741) - -

Prop: R329741 39-08-17-00-000400-00 04,05 DARBY REV LIV TRUST, JAMES BRANT
 Spec Use: DFOR - DESIGNATED FORESTLAND %DARBY JAMES BRANT &
 ACRES 6.62, POTENTIAL ADDL TAX LIAB DARBY, JENNIFER ANN TRUSTEES
 10250 JAMESTOWN DR, APT 8
 ANCHORAGE, AK 99507

All	Batch: Inq -	Eff Date Paid: 09/07/2016				
10.	2004.54814 0	424.33	411.60	<12.73>	411.60	11/04/04
11.	2005.55356 0	455.18	441.52	<13.66>	441.52	11/08/05
12.	2006.26189 0	458.43	444.68	<13.75>	444.68	10/25/06
13.	2007.26506 0	458.13	444.39	<13.74>	444.39	10/25/07
14.	2008.27772 0	385.07	373.52	<11.55>	373.52	10/30/08
15.	2009.27795 0	363.17	363.17	14.53	377.70	05/17/10
16.	2010.27866 0	377.20	365.88	<11.32>	365.88	11/04/10
17.	2011.27823 0	352.72	352.72	4.71	357.43	02/13/12
18.	2012.27521 0	433.77	420.76	<13.01>	420.76	10/18/12
19.	2013.31030 0	405.77	403.97	1.80	405.77	06/20/14
		Write Off	1.80			

*** Continued ***

(N)ext Page	(P)revious	(U#) Up	(.) More
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Enter Option From Above, or <RET> or 'X' to Exit: ___

- - Property Account Summary (R329741) - -

Prop: R329741 39-08-17-00-000400-00 04,05 DARBY REV LIV TRUST, JAMES BRANT
 Spec Use: DFOR - DESIGNATED FORESTLAND %DARBY JAMES BRANT &
 ACRES 6.62, POTENTIAL ADDL TAX LIAB DARBY, JENNIFER ANN TRUSTEES
 10250 JAMESTOWN DR, APT 8
 ANCHORAGE, AK 99507

All	Batch: Inq -	Eff Date Paid: 09/07/2016				
20.	2014.31083 0	850.87	825.34	<25.53>	825.34	11/17/14
21.	2015.31280 0	1,044.46	1,027.09	<17.37>	1,027.09	05/11/16

*** No taxes are due on this property ***
 *** End of Display ***

(P)revious	(U#) Up	(T)op	(.) More
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Enter Option From Above, or <RET> or 'X' to Exit: ___

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 SEP 30 2016
 SALEM, OR

R-88295

* - - Property Data Selection Menu - -

Owner: DARBY REV LIV TRUST, JAMES B
 Prop ID : R329741 (Real Estate) (132987) %DARBY JAMES BRANT &
 Map Tax Lot: 39-08-17-00-000400-00 DARBY, JENNIFER ANN TRUSTEES
 Legal : ACRES 6.62, POTENTIAL ADDL TAX LIAB 10250 JAMESTOWN DR, APT 8
 ANCHORAGE, AK 99507

Situs : 2561 WEST SIDE RD Year Built : 1968
 CAVE JUNCTION, OR Living Area: 1200
 Name(s) : 2015 Roll Values
 Area : 04,05 RMV Land Non-LSU \$ 59,600 (+)
 Sale Info : RMV Land LSU \$ 960 (+)
 Deed Type : SWD RMV Improvements \$ 38,130 (+)
 Instrument: 16-006989 RMV Total \$ 98,690 (=)
 2015 Tax Status * No Taxes Due * Land LSU \$ 70
 Current Levied Taxes : 816.25 Total Exemptions \$ 0
 Special Assessments : 228.21 M5 Net Value \$ 97,850
 M50 Assd Value \$ 96,450

(AD) Alt Disp (O)wnership	(Y) primary (H)istory	(L)and/Impr (W) Spec Assmt	(G)en Appr (.) More
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Enter Option from Above or <RET> to Exit: __

* - - Property Data Selection Menu - -

Owner: DARBY REV LIV TRUST, JAMES B
 Prop ID : R329741 (Real Estate) (132987) %DARBY JAMES BRANT &
 Map Tax Lot: 39-08-17-00-000400-00 DARBY, JENNIFER ANN TRUSTEES
 Legal : ACRES 6.62, POTENTIAL ADDL TAX LIAB 10250 JAMESTOWN DR, APT 8
 ANCHORAGE, AK 99507

Last Change : 07/29/16 by KCW Owner Phone : ***-****
 Last Value Chg: 07/29/16 by KCW Neighborhood: 1900
 Last Owner Chg: 06/06/16 by FPL 2016 Uncertified Values
 Last Appr. Chg: 07/29/16 by KCW RMV Land Non-LSU \$ 78,600 (+)
 RMV Land LSU \$ 1,130 (+)
 RMV Improvements \$ 42,880 (+)
 RMV Total \$ 122,610 (=)
 Land LSU \$ 70
 Exemptions : Total Exemptions \$ 0
 Mort Lender: M5 Net Value \$ 121,600
 Mort Acct : M50 Assd Value \$ 107,880
 Prop Class : 641 Cty:

(AD) Alt Disp (O)wnership	(Y) primary (H)istory	(L)and/Impr (W) Spec Assmt	(G)en Appr (.) More
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Enter Option from Above or <RET> to Exit: __

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R-88295

- - Appraisal Land and Improvement Information - -
 Property ID: R329741 (Real Estate) 39-08-17-00-000400-00
 Neighborhood : 1900

- - Land Segments - -

Land #	Description.....PROP CLS	Size	RMV Total	Special Use
L1	401 - TRACT-RES-IMPR 401	1.0000-AC	\$40,180	\$0
L2	641 - FOREST-DESIGNA 641	1.0000-AC	\$1,130	\$70
L3	401 - TRACT-RES-IMPR 401	4.6200-AC	\$5,250	\$0
EXC L4	OSD - ON SITE DEVELO 401		\$32,100	\$0
L5	YARD - YARD IMPROVEM 401		\$1,070	\$0
Land Totals Lgl AC(6.62)		6.6200-AC	\$79,730	\$70

- - Improvements - -

Imp #	Description.....	TYPE	BLDG TYPE	#SEGS	RMV Total
I1	MFD STRUCT; HI# 315974	M	952	2	\$13,110
I2	ENCL PORCH	I	200	1	\$1,130
I3	AWNING	I	200	1	\$260

Enter 'C' To Display Remaining Improvements

Enter 'P' to Print Appraisal Card,
 'L#' o 'I#' of Existing Segment, 'AM'-Amenities, 'AD'-Alt Disp, or <RET> to Exit: _____

- - Appraisal Land and Improvement Information - -
 Property ID: R329741 (Real Estate) 39-08-17-00-000400-00
 Neighborhood : 1900

- - Improvements - -

Imp #	Description.....	TYPE	BLDG TYPE	#SEGS	RMV Total
I4	DET CARPORT	R	200	2	\$10,970
I5	MH PORT AS HAY CVR	I	300	1	\$3,090
I6	BARN	I	300	1	\$9,220
I7	SHED	I	200	1	\$1,180
I8	DOG RUNS	I	200	2	\$1,750
I9	FENCING	I	600	1	\$830
I10	MACHINE SHED	I	200	1	\$1,340
Improvement Totals					\$42,880

Enter 'P' to Print Appraisal Card,
 'L#' o 'I#' of Existing Segment, 'AM'-Amenities, 'AD'-Alt Disp, or <RET> to Exit: _____

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R-88295

- - Improvement Maintenance - -

Property ID: R329741 39-08-17-00-000400-00 Imp 1 Of 10
 Owners Name: DARBY REV LIV TRUST, JAMES BRANT & JENbhd: 1900
 Living Area/Value : 1,200 / \$12,100

- | | | | |
|------------------|------------------------------|-----------------|------------|
| 1. Type Imp | : M | 7. Appr Method | : |
| 2. Description | : MFD STRUCT; HI# 31597 | 8. Cost Value | : \$12,250 |
| 3. Bldg Type | : 952 (MFS CLASS 5 DOUBLE WI | 9. Income Value | : \$0 |
| 4. Cmplx/Bldg | : NOT EXEMPT | 10. Trend Adj% | : 107.00% |
| 5. M/S Zip Code: | | RMV Imprv: | : \$13,110 |
| 6. Comment | : VIN# 9K06080AB; | | |

- - Improvement Segments - -

Seg ID	Type - Description.....	Class	Area	Mthd	RMV Total
S1	MDW - MOBILE DOUBLE WIDE	M5	1200+	M	\$12,100
S2	MDWSKT - MH DBL WIDE SKIR	M5	148	M	\$150
Totals:			1200		\$12,250

T-Trend	CM-Comment	SK-Sketch	N-NextPg	(.) More
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Enter Seg ID or <RET> to Exit: __

- - Improvement Detail Maintenance - -

Property ID : R329741 39-08-17-00-000Imp I1 Segment 1 OF 2
 Type Improvement: M (MFD STRUCT; HI# 315974 Nbhd: Primary:1900
 Mobile Home ID : Serial Number :
 1. Type Segment: MDW (MOBILE DOUBLE W License XNumber :
 2. Appr Method : M Unit Pr=40.32 13. Heat/AC : FA@1200
 3. Class : M5 14. Fireplace : MWS
 4. Area : 1200 Eff: 1200 15. Ceiling :
 Dimensions : 50 X 24 16. Inter Comp : MSGL, MSTD, MHF, M16*
 17. Exter Comp : STM.DBL, SKT
 5. Make : LANCER 18. Electric :
 Model : 19. Bedrooms : 2
 6. Foundation : M.PIER 20. Year Built : 1968 Eff: 1968
 7. Exter Wall : MTL 21. Condition: F Depre: 20
 8. Inter Finish: 22. % Adjust : MQUM 97 Nbh%:
 9. Roof Cover : ALM \$0BD CONF 90
 10. Roof Style : \$0FD
 11. Flooring : STND 23. Rep. Cost: 69,274 (17.46)
 12. Plumbing : M2BA, MHU 24. RMV Total: 12,100

Enter 'N' for Next page, <RET> or 'X'-Exit: __

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- - General Appraisal Information - -

Property ID : R329741 (Real Estate) 39-08-17-00-000400-00
Owners Name : DARBY REV LIV TRUST, JAMES BRANT & JENNIFER ANN
Legal Desc : ACRES 6.62, POTENTIAL ADDL TAX LIAB

1. Last Apprsd: 07/18/16 Number Improvements : 10
2. Appraiser : KCW, TLC Number Land Segments: 5
3. Next Apprsl:
4. Next Reason: Building Permits : 59673
5. Maint Area : B

6. Utilities :
7. Topography :
8. Access :
9. Other : INSP-L
10. Zone : WR

11. Remarks :

Enter 'B' for Building Permits, 'RM' for remarks, or <RET> to Return:

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SALEM, OR

R-88295

- - Property Account Summary (R3297412) - -

Prop: R3297412 39-08-17-00-000400-00 05,04 DARBY REV LIV TRUST, JAMES BRANT
 Spec Use: DFOR - DESIGNATED FORESTLAND %DARBY JAMES BRANT &
 ACRES 85.20, POTENTIAL ADDL TAX LIAB DARBY, JENNIFER ANN TRUSTEES
 10250 JAMESTOWN DR, APT 8
 ANCHORAGE, AK 99507

All	Batch: Inq -	Eff Date Paid: 09/07/2016				
10.	2006.50413 0	122.52	118.84	<3.68>	118.84	10/25/06
11.	2007.50857 0	125.32	121.56	<3.76>	121.56	10/25/07
12.	2008.52103 0	128.33	124.48	<3.85>	124.48	10/30/08
13.	2009.52373 0	131.55	131.55	2.92	134.47	05/17/10
14.	2010.53115 0	135.51	131.44	<4.07>	131.44	11/04/10
15.	2011.52996 0	138.30	138.30	1.84	140.14	02/13/12
16.	2012.51575 0	143.43	139.13	<4.30>	139.13	10/18/12
17.	2013.55042 0	135.76	135.16	0.60	135.76	06/20/14
		Write Off	0.60			
18.	2014.55063 0	145.92	141.54	<4.38>	141.54	11/17/14
19.	2015.54754 0	144.65	140.31	<4.34>	140.31	11/06/15

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(N)ext Page	(P)revious	(U#) Up	(.) More
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Enter Option From Above, or <RET> or 'X' to Exit: __

- - Property Account Summary (R3297412) - -

Prop: R3297412 39-08-17-00-000400-00 05,04 DARBY REV LIV TRUST, JAMES BRANT
 Spec Use: DFOR - DESIGNATED FORESTLAND %DARBY JAMES BRANT &
 ACRES 85.20, POTENTIAL ADDL TAX LIAB DARBY, JENNIFER ANN TRUSTEES
 10250 JAMESTOWN DR, APT 8
 ANCHORAGE, AK 99507

All Batch: Inq - Eff Date Paid: 09/07/2016

*** No taxes are due on this property ***
 *** End of Display ***

(P)revious	(U#) Up	(T)op	(.) More
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Enter Option From Above, or <RET> or 'X' to Exit: __

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* - - Property Data Selection Menu - -

Owner: DARBY REV LIV TRUST, JAMES B
 Prop ID : R3297412 (Real Estate) (132987) %DARBY JAMES BRANT &
 Map Tax Lot: 39-08-17-00-000400-00 DARBY, JENNIFER ANN TRUSTEES
 Legal : ACRES 85.20, POTENTIAL ADDL TAX 10250 JAMESTOWN DR, APT 8
 LIAB ANCHORAGE, AK 99507

Situs : 2561 WEST SIDE RD Year Built :
 CAVE JUNCTION, OR Living Area:
 Name(s) : 2015 Roll Values
 Area : 05,04 RMV Land Non-LSU \$ 19,420 (+)
 Sale Info : RMV Land LSU \$ 62,490 (+)
 Deed Type : SWD RMV Improvements \$ 0 (+)
 Instrument: 16-006989 RMV Total \$ 81,910 (=)
 2015 Tax Status * No Taxes Due * Land LSU \$ 4,720
 Current Levied Taxes : 144.65 Total Exemptions \$ 0
 Special Assessments : M5 Net Value \$ 27,220
 M50 Assd Value \$ 24,140

(AD) Alt Disp (O)wnership	(Y) primary (H)istory	(L)and/Impr (W) Spec Assmt	(G)en Appr (.) More
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Enter Option from Above or <RET> to Exit: __

* - - Property Data Selection Menu - -

Owner: DARBY REV LIV TRUST, JAMES B
 Prop ID : R3297412 (Real Estate) (132987) %DARBY JAMES BRANT &
 Map Tax Lot: 39-08-17-00-000400-00 DARBY, JENNIFER ANN TRUSTEES
 Legal : ACRES 85.20, POTENTIAL ADDL TAX 10250 JAMESTOWN DR, APT 8
 LIAB ANCHORAGE, AK 99507

Last Change : 10/19/15 by CLR Owner Phone : ***-****
 Last Value Chg: 05/23/16 by TRF Neighborhood: 1900
 Last Owner Chg: 06/06/16 by FPL 2016 Uncertified Values
 Last Appr. Chg: 03/29/16 by TRF RMV Land Non-LSU \$ 22,970 (+)
 RMV Land LSU \$ 73,940 (+)
 RMV Improvements \$ 0 (+)
 RMV Total \$ 96,910 (=)
 Land LSU \$ 4,860
 Exemptions : Total Exemptions \$ 0
 Mort Lender: M5 Net Value \$ 30,830
 Mort Acct : M50 Assd Value \$ 25,280
 Prop Class : 641 Cty:

(AD) Alt Disp (O)wnership	(Y) primary (H)istory	(L)and/Impr (W) Spec Assmt	(G)en Appr (.) More
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Enter Option from Above or <RET> to Exit: __

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- - Appraisal Land and Improvement Information - -
 Property ID: R3297412 (Real Estate) 39-08-17-00-000400-00
 Neighborhood : 1900

- - Land Segments - -

Land #	Description.....	PROP CLS	Size	RMV Total	Special Use
L1	401 - TRACT-RES-IMPR	401	20.2000-AC	\$22,970	\$0
L2	641 - FOREST-DESIGNA	641	65.0000-AC	\$73,940	\$4,860
Land Totals		Lgl AC(85.20)	85.2000-AC	\$96,910	\$4,860

- - Improvements - -

Imp #	Description.....	TYPE	BLDG TYPE	#SEGS	RMV Total
No Improvements Are Defined For This Item					

Enter 'P' to Print Appraisal Card,
 'L#' o 'I#' of Existing Segment, 'AM'-Amenities, 'AD'-Alt Disp, or <RET> to Exit:

- - General Appraisal Information - -

Property ID : R3297412 (Real Estate) 39-08-17-00-000400-00
 Owners Name : DARBY REV LIV TRUST, JAMES BRANT & JENNIFER ANN
 Legal Desc : ACRES 85.20, POTENTIAL ADDL TAX LIAB

- | | |
|--------------------------|-------------------------|
| 1. Last Apprpd: 07/18/16 | Number Improvements : 0 |
| 2. Appraiser : KCW | Number Land Segments: 2 |
| 3. Next Apprsl: | |
| 4. Next Reason: | Building Permits : |
| 5. Maint Area : B | |
| 6. Utilities : | |
| 7. Topography : | |
| 8. Access : | |
| 9. Other : INSP-L | |
| 10. Zone : WR | |
| 11. Remarks : | |

Enter 'RM' for remarks or <RET> To Return:

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 SEP 30 2016
 SALEM, OR

R-88295

1

Send tax statements to:
James Brant Darby, Trustee
Jennifer Ann Darby, Trustee
10250 Jamestown Dr. Apt 8
Anchorage, AK 99507

JOSEPHINE COUNTY OFFICIAL RECORDS
TRISHA MYERS, COUNTY CLERK **2016-006989**
DED-WRD
Cnt=1 Pgs=3 Stn=4 RHENKELS 05/31/2016 03:16 PM
\$15.00 \$11.00 \$20.00 \$10.00 \$5.00 Total:\$61.00



I, Trisha Myers, County Clerk, certify that the within document was received and duly recorded in the official records of Josephine County.

After Recording Return to:
Ben Freudenberg, Attorney at Law
Davis, Freudenberg, Day & Galli
600 NW 5th Street
Grants Pass OR 97526

**SPECIAL WARRANTY DEED
TO REVOCABLE LIVING TRUST**

KNOW ALL PERSONS BY THESE PRESENTS, That James Brant Darby and Jennifer Darby, hereinafter called grantors, do hereby convey and warrant unto James Brant Darby and Jennifer Ann Darby, Trustees, James Brant Darby and Jennifer Ann Darby Trust, under agreement dated May 26, 2016, (**a Revocable Living Trust**), hereinafter called grantee, the following described real property in Josephine County, Oregon, free of encumbrances created or suffered by the grantor, except as specifically set forth herein:

See Exhibit A attached hereto and incorporated herein.

The true and actual consideration paid for this transfer, stated in terms of dollars, is NONE. However, the actual consideration consists of a transfer made for estate planning purposes.

The liability and obligations of the Grantor to Grantee and Grantee's heirs and assigns under the warranties and covenants contained herein or provided by law shall be limited to the extent of coverage that would be available to Grantor under a standard policy of title insurance. The limitations contained herein expressly do not relieve Grantor of any liability or obligations under this instrument, but merely define the scope, nature and amount of such liability or obligations.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009 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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009 AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

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SEP 30 2016
SALEM, OR

R-88275

Dated: May 26, 2016.

James Brant Darby
James Brant Darby
Jennifer Darby
Jennifer Darby

STATE OF OREGON)
) ss.
County of Josephine)

This instrument was acknowledged before me on May 26, 2016, by James Brant Darby and Jennifer Darby as grantors.

Kristine Suzanne Daft
Notary Public for Oregon



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SEP 30 2016
SALEM, OR

2- Special Warranty Deed - Darby

R-88295

3

EXHIBIT A

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

PARCEL I:

THE SOUTH HALF OF THE SOUTHWEST QUARTER AND THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 39 SOUTH, RANGE 8 WEST OF THE WILLAMETTE MERIDIAN, JOSEPHINE COUNTY, OREGON. EXCEPT THAT PART LYING EASTERLY OF THE ILLINOIS RIVER.

PARCEL II:

BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 39 SOUTH, RANGE 8 WEST OF THE WILLAMETTE MERIDIAN, JOSEPHINE COUNTY, OREGON; THENCE RUNNING NORTH A DISTANCE OF 614.55 FEET TO THE CENTER LINE OF JIMMY CREEK; THENCE FOLLOWING THE CENTER LINE OF JIMMY CREEK THE FOLLOWING COURSES AND DISTANCES: THENCE SOUTH 79°02' EAST 208.82 FEET; THENCE SOUTH 67°34' EAST 170.50 FEET; THENCE SOUTH 71°31' EAST 188.52 FEET; THENCE NORTH 68°34' EAST 110.45 FEET; THENCE SOUTH 45°05' EAST 188.80 FEET; THENCE SOUTH 49°48' EAST 106.70 FEET TO THE JUNCTION OF JIMMY CREEK AND THE WEST BANK OF THE ILLINOIS RIVER; THENCE SOUTH 56°51' WEST ALONG THE WEST BANK OF THE ILLINOIS RIVER A DISTANCE OF 524.70 FEET TO THE SOUTH LINE OF THE SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 17; THENCE NORTH 89°47' WEST A DISTANCE OF 420 FEET TO THE POINT OF BEGINNING. TOGETHER WITH ALL WATER RIGHTS APPURTENANT THERETO.

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

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SALEM, OR

3-Special Warranty Deed - Darby

R-88275

Alternate Reservoir Application Completeness Checklist

This is the checklist used by WRD staff

Application _____ County _____
Priority Date _____ Township 39S Range 8W Section 17 Taxlot 400
Use Multi purpose Caseworker _____
Amount (AF) 4 AF Watermaster K. SMITH

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AUG 31 2016

Minimum Requirements (ORS 537.409)

SALEM, OR

Completed Watermaster review sheet signed and dated by Watermaster.

Will the reservoir injure an existing water right? YES NO

If YES, can conditions be applied to mitigate the injury? YES NO **If NO, return the application.**

Did the watermaster determine when water is available for the proposed use? YES NO

The Watermaster review sheet must have been completed within the last 6 months.

If the watermaster determined that water is NOT available, return the application.

Completed ODFW review sheet signed and dated by ODFW representative.

Will the reservoir pose a significant detrimental impact to an existing fishery resource? YES NO

If YES, can conditions be applied to mitigate the impact? YES NO **If NO, return the application.**

The ODFW review sheet must have been completed within the last 6 months.

Completed Land-Use Form or receipt signed by the appropriate planning department official enclosed?

Does the use on land-use form match the proposed use on the application? Must be an original "wet" signature within the last 12 months.

Landowner Name, Mailing Address and Telephone Number.

Source and tributary listed. **NO WELLS-MUST HAVE GW APP TO USE A WELL AS A SOURCE !!**

Reservoir Location- Township, Range, Section, Quarter Quarter, Taxlot

Dam height, if applicable

Total Quantity of Storage Requested: 4 AF

Proposed Use of the water.... Cannot accept application for use of this stored water at the same time (E2)

Property ownership indicated? If applicant does not own all the land is the affected landowner's name and mailing address listed? (Including: lands not owned by applicant, upon which the source is locatedor..... that are crossed by the diversion works. This includes any roads or rights-of-way.)

Provide the **legal description** of all the property involved with this application. You may include a copy of your deed land sales contract or title insurance to meet this requirement

Environmental Impact section completed?

Application signed by the landowner(s)? All parties noted as applicants must sign the application.

Must be an original "wet" signature.

Acceptable map ** Indicates requirements of standards set forth by the Commission and causes fatal flaw if not provided by the applicant.

Reservoir Location - noting Township, Range, Section, 1/4 1/4 and Tax Lot number(s)*

Scale of the Map (not less than 1" = 1320') **

Reference corner on map

North Directional Symbol **

1/4's clearly identified

Reservoir clearly identified **

Dam or POD (If off channel) Location coordinates referenced to a government land survey corner* If no dam, use coordinates to center of reservoir.**

Fees enclosed*** Examination: Base Fee\$ 350 Permit Recording Fee\$ 450

4 AF plus\$ 120

plus\$ _____

Total Paid \$ 920

Total Fees \$ 920

Completeness Check by: Scott CSU

Date: 9-1-16

Revised 2011-3-3

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SALEM, OR

R-08295-