

# 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: \$2,860.00  
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
- NA – inside POU      Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)
- Other \_\_\_\_\_

# Application for a Permit to Use Ground Water



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725 Summer Street NE, Suite A  
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(503) 986-0900  
www.wrd.state.or.us

## SECTION 1: APPLICANT INFORMATION AND SIGNATURE

### Applicant Information

NAME ROBERT HODGE		PHONE (HM) (541) 846-6272	
PHONE (WK)	CELL		FAX
ADDRESS 1130 MISSOURI FLAT ROAD			
CITY GRANTS PASS	STATE OR	ZIP 97527	E-MAIL*

### Organization Information

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

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

AGENT / BUSINESS NAME JENNIE BRICKER/JENNIE BRICKER LAND & WATER LAW		PHONE (503) 928-0976	FAX
ADDRESS 818 SW THIRD AVENUE, PMB 1517			CELL
CITY PORTLAND	STATE OR	ZIP 97204	E-MAIL* JENNIE@JBRICKERLAW.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.

  
Applicant Signature

Robert Hodge, Landowner  
Print Name and title if applicable

5-5-17  
Date

Applicant Signature

Print Name and title if applicable

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For Department Use		Date
App. No. <u>G-18506</u>	Permit No. _____	<u>MAY 10 2017</u>

**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. There is a mortgage with the Bank of the Cascades, Grants Pass, OR, for one of the parcels.

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	Miller Creek	1,340 ft (approx)	30 ft (approx)
2	Miller Creek	1,540 ft (approx)	60 ft (approx)
3	Rocky Creek	1,220 ft (approx)	10 ft (approx)

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*).

See Water Well Reports JOSE 1799, 16480 and 17768.

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**SECTION 3: WELL DEVELOPMENT, CONTINUED**

Total maximum rate requested: 30.9 gpm for irrigation and 1.7 gpm for reservoir maintenance from any combination of wells (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"/>	JOSE 16480	<input type="checkbox"/>	6 inch	+2 to 88	Open hole 88 to 140	0 to 20	80 ft blsd on 6/15/1993	Bedrock	160 ft		
2	<input type="checkbox"/>	<input checked="" type="checkbox"/>	JOSE 17768	<input type="checkbox"/>	6 inch	+2 to 98	Open hole 98 to 120	0 to 30	60 ft on 7/17/1995	Bedrock	120 ft		
3	<input type="checkbox"/>	<input checked="" type="checkbox"/>	JOSE 1799	<input type="checkbox"/>	6 inch	0 to 70	Open hole 70 to 136	0 to 23	12 ft blsd on 12/5/1972	Bedrock	136 ft		

\* 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)
Irrigation	April 1 to November 1	16.5
Reservoir Maintenance	March 1 to November 1	0.9

**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: 5.5 Acres                      Supplemental: 0 Acres

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

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 16.5

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

**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): a 1-hp submersible in each well

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

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water. Water will be conveyed from the wells using buried mainlines and laterals. The conveyance and distribution system will be designed to be efficient. Automated controls will be used to control the irrigation water use.

**B. Application Method**

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler) The main area to be irrigated will consist of a vineyard watered by drip lines. Low-pressure sprinklers and hand lines will be used to irrigate the lawns and landscaping.

**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.

Meters will be installed to measure the water diverted at each well. The drip system is designed to be efficient and irrigation of the vineyard will be limited. There are no streams or riparian habitat near the property.

**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*).

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Reservoir name: Pond Acreage inundated by reservoir: 0.3

Use(s): Multipurpose

Volume of Reservoir (acre-feet): 0.9 (approx.)

Dam height (feet, if excavated, write "zero"): 9

*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): 0.9 acre feet for reservoir maintenance.

USE OF STORED GROUND WATER	PERIOD OF USE
Reservoir Maintenance	March 1 to November 1

**SECTION 8: PROJECT SCHEDULE**

Date construction will begin: As soon as a permit is issued

Date construction will be completed: March 31, 2023

Date beneficial water use will begin: May 1, 2018

**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 NA	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*).

The proposed rate for irrigation is based on 1/80<sup>th</sup> of a cfs and the proposed rate for reservoir maintenance is 1.7 gpm.

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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

## NOTE TO APPLICANTS

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

**This form is NOT required if:**

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

## NOTE TO LOCAL GOVERNMENTS

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

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# Land Use Information Form



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

Applicant: Robert  
First

Hodge  
Last

Mailing Address: 1130 Missouri Flat Road

Grants Pass  
City

OR  
State

97527  
Zip

Daytime Phone: (541) 846-6272

## 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:
37 S	5 W	25	NWNE	503 & 505		<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	No Change
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

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

Josephine

## 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: 32.6     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 Reservoir Maintenance

Briefly describe:

Water will be diverted from up to three wells for pond maintenance and the irrigation of a vineyard, lawns and landscaping.

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**Note to applicant:** If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department. See bottom of Page 3. →

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## For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

**Please check the appropriate box below and provide the requested information**

- Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): R.L.D.C., Sec. 64.020, A
- 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
		<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: \_\_\_\_\_ Title: GRACE M. ZILVERBERG, PLANNER III  
 Signature: Grace M. Zilverberg Phone: 341-474-5427 Date: 5/5/17  
 Government Entity: JOSEPHINE COUNTY

**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: ROBERT HODGE  
 City or County: JOSEPHINE COUNTY Staff contact: GRACE M. ZILVERBERG  
 Signature: Grace M. Zilverberg Phone: 341-474-5427 Date: 5/5/17

(1)

After Recording, Return to:  
Gregory E. Harris, Esq  
10300 SW Greenburg Rd., Ste. 495  
Portland, OR 97223-5464

INSTRUMENT 00 - 12774  
Date: 7/19/00 # Pages: 2

Send Tax Statements to:  
Robert B. Hodge & Beverly M. Hodge  
369 Kubli Rd.  
Grants Pass, OR 97527

STATUTORY WARRANTY DEED

Hodge Enterprises, Ltd., an Oregon limited partnership, Grantor, conveys and warrants to Robert B. Hodge and Beverly M. Hodge, Grantees, the real property located in the city of Grants Pass, county of Josephine, State of Oregon, described on Exhibit A, attached hereto and incorporated herein by this reference.

The true consideration for this conveyance is \$190,000.00

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

DATED EFFECTIVE this 1<sup>st</sup> day of April, 2000.

Hodge Enterprises, Ltd., an Oregon limited partnership,

By:   
Robert B. Hodge, General Partner

STATE OF OREGON            )  
  ) ss.  
County of Multnomah        )

On April 1, 2000, Robert B. Hodge personally appeared before me and did say that he is a General Partner of Hodge Enterprises, Ltd., an Oregon limited partnership and that the foregoing instrument was signed on behalf of said limited partnership by authority granted to him as general partner; and acknowledged said instrument to be his voluntary act and deed in such capacity.



  
Notary Public for Oregon  
My Commission Expires: 8/25/00

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EXHIBIT A

(2)

The Northwest Quarter of the Northeast quarter of Section 25, Township 37 South, Range 5 West of the Willamette Meridian, Josephine County, Oregon.

LESS AND EXCEPT the following two (2) parcels:

PARCEL I: Beginning at the Northeast corner of the Northwest Quarter of the Northeast Quarter of said Section 25; thence South along the East line of the Northwest Quarter of the Northeast Quarter 550 feet; thence West parallel with the South line of the Northwest Quarter of the Northeast Quarter 608.33 feet; thence North parallel with the East line of the Northwest Quarter of the Northeast Quarter 550 feet to the North line of the Northwest Quarter of the Northeast Quarter; thence East along said North line to the point of beginning.

PARCEL II: Beginning at the Southeast corner of the Northwest Quarter of the Northeast Quarter of said Section 25; thence Westerly along the South line of said Northwest Quarter of the Northeast Quarter 378.78 feet; thence North parallel to the East line of the Northwest Quarter of the Northeast Quarter of said Section 25 115 feet; thence East 88.78 feet parallel to the first course given above; thence North and parallel to the second course given 300 feet, thence East and parallel to the first course given above 290 feet to the East line of said Northwest Quarter of the Northeast Quarter; thence South along the East line of said Northwest Quarter of the Northeast Quarter to the point of beginning.

RESERVING and non-exclusive easement 15 feet in width for driveway over and across the existing road now constructed and apparent on the ground leading from Missouri Flat Road to the parcel #1 excepted from the description above, and said easement shall be appurtenant to said parcel #1 and also to lands lying to the North thereof.

RESERVING ALSO an easement for the use of an existing spring and the water therefrom on the land conveyed which water is piped to the residence of Raymond M. Clark and Celia J. Clark on parcel #2 excepted above. This easement is personal to Raymond M. Clark and Celia J. Clark and shall terminate when they no longer occupy the land.

SUBJECT TO:

1. Reservations in that deed from Oregon and California Railroad Company to John S. Jensen which is recorded in Deed Book 10, Page 514, said deed recites: "reserving strip 100 feet wide for right of way and other purposes when railroad of Oregon and California Railroad Company is located on premises and right to take water needed for operating said railroad and all mineral lands other than coal or iron and grantee to make substantial fence along right of way."
2. Easement for transmission and distribution of electricity granted The California Oregon Power Company as set forth in Volume 180, Page 37, and Volume 184, Page 48, Josephine County Deed Records.
3. Rights of the public over any portion lying within the limits of public roadways.

INSTRUMENT 00 - 12774  
 STATE OF OREGON  
 COUNTY OF JOSEPHINE

I, County Clerk and ex-officio Recorder of Conveyances, in and for said County, do hereby certify that the within instrument was received for record and recorded at

Date: 7/19/00 Time: 11:53 AM  
 in the Josephine County Book of Records,  
 GEORGETTE BROWN, COUNTY CLERK  
 By Deputy: *Debbie Brown*  
 # Pages: 2 Fee: \$21.00

Hand Returned  Mailed  Held

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G-18506

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UNTIL A CHANGE IS REQUESTED ALL TAX STATEMENTS SHALL BE SENT TO R.B. Hodge

1130 MISSOURI FLAT RD GRANTS PASS OR 97527

JOSEPHINE COUNTY OFFICIAL RECORDS GEORGETTE BROWN, COUNTY CLERK

2006-014717



\$35.00

00150712200600147170040040

07/24/2006 09:41:01 AM

AFTER RECORDING RETURN TO:

Ben Freudenberg, Attorney at Law Davis, Adams, Freudenberg, Day & Galli 600 N.W. Fifth Street Grants Pass OR 97526

DED-BSD Cnt=1 Str=4 RECEIPTS \$20.00 \$11.00 \$4.00

FA-832523-RC

BARGAIN AND SALE DEED OF PERSONAL REPRESENTATIVE

35

KNOW ALL PERSONS BY THESE PRESENTS, that Debbie Lou Brunson, the duly appointed, qualified and acting personal representative of the Estate of Ronald L. Nussen, deceased, Josephine County Circuit Court case number 05 P 0215, hereinafter called Grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell, and convey unto R. B. Hodge, Grantee herein, all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of Josephine, State of Oregon, described as follows, to-wit:

As described on Exhibit A hereto and subject to the exceptions set forth thereon.

TO HAVE AND TO HOLD the same unto the said Grantees and Grantees' heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars is \$372,000.00.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37(2004), NOW ORS 197.352). 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 APPROVED USES, 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 CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004), NOW ORS 197.352).

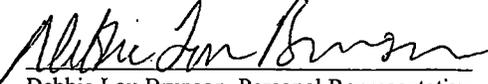
1 - Bargain and Sale Deed of Personal Representative

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IN WITNESS WHEREOF, the Grantor has executed this instrument this 17<sup>th</sup> day of July, 2006. 2

  
Debbie Lou Brunson, Personal Representative  
of the Estate of Ronald L. Nussen, deceased

STATE OF CALIFORNIA )  
                                  ) ss.  
County of \_\_\_\_\_ )

*See Attached*

THIS INSTRUMENT was acknowledged before me on \_\_\_\_\_, 2006  
by Debbie Lou Brunson, Personal Representative of the Estate of Ronald L. Nussen, deceased,  
Grantor herein.

\_\_\_\_\_  
NOTARY PUBLIC FOR CALIFORNIA  
My Commission Expires: \_\_\_\_\_

2 - Bargain and Sale Deed of Personal Representative

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G-18506

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of California

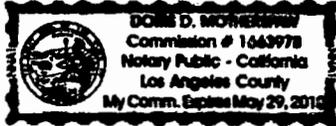
County of Los Angeles

On July 17, 2006 before me, DORIS D. MOTHERSALL, NOTARY PUBLIC  
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared DEBBIE LOU BRUNSON  
Name(s) of Signer(s)

personally known to me

(or proved to me on the basis of satisfactory evidence)



to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Place Notary Seal Above

Doris D. Mothersall  
Signature of Notary Public

**OPTIONAL**

*Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.*

**Description of Attached Document**

Title or Type of Document: Warrant & Sale deed of Personal Representative

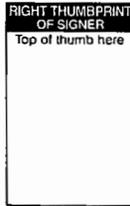
Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: \_\_\_\_\_

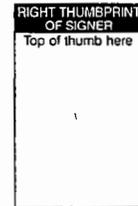
- Individual
- Corporate Officer — Title(s): \_\_\_\_\_
- Partner —  Limited  General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_



Signer Is Representing: \_\_\_\_\_

Signer's Name: \_\_\_\_\_

- Individual
- Corporate Officer — Title(s): \_\_\_\_\_
- Partner —  Limited  General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_



Signer Is Representing: \_\_\_\_\_

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**EXHIBIT A**

**LEGAL DESCRIPTION:**

A PARCEL OF LAND IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 37 SOUTH, RANGE 5 WEST, OF THE WILLAMETTE MERIDIAN, JOSEPHINE COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER; THENCE ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER, SOUTH 89° 37' 14" EAST 729.11 FEET TO AN IRON ROD; THENCE SOUTH 0° 19' 43" WEST, 550.00 FEET TO AN IRON ROD; THENCE SOUTH 89° 37' 14" EAST, 608.00 FEET TO AN IRON ROD ON THE EAST LINE OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER; THENCE ALONG SAID EAST LINE, SOUTH 0° 19' 43" WEST 25.00 FEET; THENCE NORTH 89° 37' 14" WEST 1337.00 FEET TO THE WEST LINE OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER; THENCE ALONG SAID WEST LINE, NORTH 0° 19' EAST, 575.00 FEET TO THE POINT OF BEGINNING.

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MAY 10 2017

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**Oregon Water Resources Department**  
**Apply for a Permit to Appropriate Ground Water and/or Store Ground Water**

- Main
- Help
- Return
- Contact Us

Today's Date: Wednesday, May 10, 2017

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)	1	\$300.00
Number of proposed Use's for the appropriated water. (i.e. Irrigation, Supplemental Irrigation, Pond Maintenance, Industrial, Commercial, etc) *	2	\$300.00
Number of proposed Ground Water points of appropriation. (i.e. number of wells) (include all injection wells, if applicable) **	3	\$600.00
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.	<input type="button" value="Recalculate"/>	
Estimated cost of Permit Application		\$2,800.00

OWRD Fee Schedule

Fee Calculator Version B20130709

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