



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem Oregon 97301-1271
 (503) 986-0900
 www.wrd.state.or.us

Application for a Permit to Store Water in a Reservoir

(Standard Review)

Standard Review Process (ORS 537): You must use this form for any reservoir storing more than 9.2 acre-feet and with a dam more than 10 feet high.

Use a separate form for each reservoir. However, to obtain authorization for multiple reservoirs, multiple forms may be combined into one application if filed at the same time.

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. 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 SUNRISE PARKWAY LLC.

Applicant: Yo Gary AND ROBIN Weathers
First Last

Mailing Address: P.O. Box 1269
Shady Cove OR 97539
City State Zip

Phone: (541) 291-2559 — 541 601-0105
Home Work Other

Fax: — E-Mail Address*: rob@wrcc.gov.com
guyham@gol.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.)

I(We) make application for a permit to construct a reservoir and store the following described waters of the State of Oregon. The name of the reservoir is Sunrise Pond RECEIVED BY OWRD

2. SOURCE OF WATER for the proposed use: run-off/rain water NOV 30 2017
 a tributary of Little Butte Creek SALEM, OR

Is the proposed use an enlargement of an existing dam/reservoir? Yes No RECEIVED BY OWRD

If the reservoir is not in channel of a stream, state how it is to be filled:
gravity fill NOV 30 2017
 SALEM, OR

For Department Use		
App. No. <u>R-88479</u>	Permit No. _____	Date _____

3. DAM HEIGHT AND COMPOSITION

The maximum height of the structure will be 0 feet above streambed or ground surface at the centerline of the crest of the dam.

Attach preliminary plans, specifications and supporting information for the dam and impoundment area including dam height, width, crest width and surface area.

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

The dam will be (check one): Earthfill Concrete Flash board Other

If "other" give description:

4. PRIMARY OUTLET WORKS

Describe the location and the dimensions of the outlet conduit through the dam:

THE POND HAS ~~HAD~~ AN OVERFLOW THAT IS ACTIVE WHEN AN EXCESSIVE AMOUNT OF RAIN OVERFLOWS POND AND IS RELEASED AT LOW END OF POND

NOTE: Most dams across a natural stream channel will need an outlet conduit having a minimum diameter of 8 inches or greater.

5. EMERGENCY SPILLWAY

Describe the location and the dimensions of the spillway channel:

ONCE WATER OVERFLOWS IT GOES TO A SETTLEING POND FOR CONTAINMENT (SEE MAP) ~~AND~~

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6. THE USE(s) of the impounded water will be:

MULTIPURPOSE
ROCK REMOVAL - DUST CONTROL - WASHING AGG.
FARM USE - AGRICULTURAL

7. THE AMOUNT OF WATER to be stored is: 300 acre-feet.

The area submerged by the reservoir, when filled, will be 12.5 acres.

8. PROJECT SCHEDULE: (List Month and Year)

Proposed date construction work will begin: when permit is issued

Proposed date construction work will be completed: within 5 years of receiving permit

Proposed date water use will be completed: 5 years

Is this project fully or partially funded by the American Recovery and Reinvestment Act? (Federal stimulus dollars)

9. PROPERTY OWNERSHIP

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 10)

There are no encumbrances

X

This land is encumbered by easements, rights of way, roads or other encumbrances (please provide a copy of the recorded deed(s))

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 an 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).

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.

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List the names and mailing addresses of all affected landowners:

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10. WITHIN A DISTRICT

SALEM, OR

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 <u>EAGLE</u> <u>EAGLE POINT</u>		Address <u>2429 BROPHY RD</u>	
City <u>EAGLE PT.</u>	State <u>OR</u>	Zip <u>97524</u>	

EAGLE

Storage Water/3

R-00179

11. MAP REQUIREMENTS The Department cannot process your application without accurate information showing the source of water and location of water use. You must include a map with this application form that clearly indicates the township, range, section and quarter/quarter section of the proposed reservoir location and place of use. The map must provide tax lot numbers. See the map guidelines sheet for detailed map specifications.

12. SIGNATURE

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 packet.
- I cannot legally use water until the Water Resources Department issues a permit to me.
- 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 canceled.
- 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 certify that the information I have provided in this application is an accurate representation of the proposed water use and is true and correct to the best of my knowledge:

Applicant: SUNRISE PARKWAY LLC 10-13-17
[Signature] Signature (If more than one applicant, all must sign.) Date

Before you submit your application be sure to:

- Answer each question completely.
- Attach a legible map that includes township, range, section, quarter/quarter and tax lot.
- Include a Land Use Information Form or receipt stub signed by a local official.
- Include 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 policy to meet this requirement.
- Include a check payable to the Oregon Water Resources Department for the appropriate amount. The Department's fee schedule can be found at www.wrd.state.or.us or call (503) 986-0900.

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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: SUNRISE PARKWAY LLC
E. GARY & ROBIN
First Last

WEATHERS
Last

Mailing Address: PO Box 1269

SHADY COVE
City

OR
State

97539
Zip

Daytime Phone: 541 291 2559

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
35S	1W	28	SESE	700	EFU	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Storage
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

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

Jackson County
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B. Description of Proposed Use

SALEM, OR

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: 300 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:

Storage application is part of reclamation project from old mine gravel pit

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

See bottom of Page 3. →

For Local Government Use Only

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

Please check the appropriate box below and provide the requested information

Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): _____

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:	
CUPA & SPRA	4.2.8(e) 448. JCLDO	<input checked="" 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.

Conditions associated with ⁴³⁹2000-3-SPRA & 439-2000-5-CUPA remain in effect. See 439-17-02377-2 on

Name: Charles Bennett Title: Planner III
 Signature: Charles Bennett Phone: 541 774-6115 Date: 10/17/17
 Government Entity: Jackson 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: _____
 City or County: _____ Staff contact: _____
 Signature: _____ Phone: _____ Date: _____

R-080479



JACKSON COUNTY DEVELOPMENT SERVICES
 10 S Oakdale Ave, Room 100
 Medford, OR 97501
 Phone: 541-774-6927

Transaction Receipt

Record Number: 439-17-02377-ZON

Receipt Number: 249149

<http://www.co.jackson.or.us/>

JCBuilding@jacksoncounty.org

Address: 12643 HWY 62, County, OR
 Parcel Number: 35-1W-28-700

Receipt Date: 11/13/17

Fee Items Paid

DESCRIPTION	ACCOUNT CODE	AMOUNT PAID
Type I Counter Permit	3701040000.45105.1300	\$116.00
		\$116.00

Payment Summary

PAYMENT METHOD	PAYER	COMMENTS	AMOUNT PAID
Credit Card Authorization - 22	Sunrise parkway LLC C/O E Gary & Robin	LUCS OWRD Water Storage. ML	\$116.00
			\$116.00

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R-00479



JACKSON COUNTY ZONING INFORMATION SHEET

DEVELOPMENT SERVICES
Planning Division
10 South Oakdale Ave., Room 100
Medford, OR 97501-2902
Phone: 541-774-6907
Fax: 541-774-6791

ZONING: Exclusive Farm Use

RECORD #: 439-17-02377-ZON

ADDRESS: 12643 HWY 62

PRINT DATE: 11/17/2017

PRIMARY PARCEL #: 35-1W-28-700

LAST UPDATED: 11/17/2017

ASSOCIATED LOTS:

<u>Owners</u>	<u>Record Detail Description</u>
NORTH VALLEY SHALE LLC 1065 SHASTA AVE S EAGLE POINT, OR 97524	LUC Water Right Application

<u>Primary Contact</u>	<u>Contact Type</u>
Sunrise Parkway PO Box 1269 Shady Cove, OR 97539	Applicant

GENERAL ZIS INFORMATION:

<u>STAFF</u>	<u>DATE</u>	<u>COMMENTS</u>
BENNETCH	11/17/2017	11/17/17: LUC for water storage application as part of reclamation project for aggregate mine. Conditions associated with 439-2000-3-SPRA & 439-2000-5-CUPA remain in effect. LUC signed and mailed, scanned to applicant. chb

OVERLAY DETAILS:

<u>Applicable Overlay</u>	<u>Comments</u>

STRUCTURE / SIZE DETAILS:

<u>Item</u>	<u>Units</u>	<u>Proposed Size</u>	<u>Approved Size</u>	<u>Comments</u>

HEIGHT / LOCATION DETAILS:

<u>Items</u>	<u>Distance</u>	<u>Direction</u>	<u>Approved Height</u>	<u>Comments</u>	RECEIVED BY OWRD
					NOV 30 2017
					SALEM, OR

<u>Condition</u>	<u>Hold Level</u>	<u>Status</u>

THIS DOCUMENT IS FOR INFORMATION PURPOSES ONLY!
THIS IS NOT A LAND USE PERMIT

R-98079

Assigned Staff: BENNETCH

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THIS DOCUMENT IS FOR INFORMATION PURPOSES ONLY!
THIS IS NOT A LAND USE PERMIT

R-88479



Jackson County Official Records **2017-033561**
 R-BSD **09/29/2017 03:40:28 PM**
 Str=0 BARROWKL \$15.00 \$10.00 \$8.00 \$11.00 \$20.00 **\$64.00**

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

North Valley Shale, L.L.C., an Oregon limited liability company
1065 S Shasta Avenue
Eagle Point OR 97524
 Grantor's Name and Address

Sunrise Parkway LLC, an Oregon limited liability company
P O Box 1269
Shady Cove, OR 97539
 Grantee's Name and Address

After recording return to:
Sunrise Parkway LLC, an Oregon limited liability company
P O Box 1269
Shady Cove, OR 97539

Until a change is requested all tax statements shall be sent to the following address:
 Sunrise Parkway LLC, an Oregon limited liability company
 P O Box 1269
 Shady Cove, OR 97539

File No. 194070AM

RECEIVED BY OWBD

BARGAIN AND SALE DEED

NOV 30 2017

KNOW ALL MEN BY THESE PRESENTS, That

SALEM, OR

North Valley Shale, L.L.C.,

hereinafter called Grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto

Sunrise Parkway LLC, an Oregon limited liability company,

hereinafter called Grantee, and unto Grantee's 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 Jackson, State of Oregon, described as follows, to wit:

As set forth in exhibit "A" attached hereto and made a part here

FOR INFORMATION PURPOSES ONLY, THE MAP/TAX ACCT #(S) ARE REFERENCED HERE:

The true and actual consideration paid for this transfer, stated in terms of dollars, is **\$225,000.00**. However, the actual consideration consists of or includes other property or value given or promised which is the whole / part of the consideration.

R-88479



THIS SPACE RESERVED FOR RECORDER'S USE

RECORDED ELECTRONICALLY	
ID	<u>2017-033561</u>
County	<u>JACKSON</u>
Date	<u>01-29-17</u> Time <u>3:40</u>
simplifile.com 800.460.5657	

North Valley Shale, L.L.C., an Oregon limited liability company
1065 S Shasta Avenue
Eagle Point OR 97524

Grantor's Name and Address

Sunrise Parkway LLC, an Oregon limited liability company
P O Box 1269
Shady Cove, OR 97539

Grantee's Name and Address

After recording return to:
Sunrise Parkway LLC, an Oregon limited liability company
P O Box 1269
Shady Cove, OR 97539

Until a change is requested all tax statements shall be sent to the following address:
 Sunrise Parkway LLC, an Oregon limited liability company
 P O Box 1269
 Shady Cove, OR 97539

File No. 194070AM

BARGAIN AND SALE DEED

KNOW ALL MEN BY THESE PRESENTS, That

North Valley Shale, L.L.C.,

hereinafter called Grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto

Sunrise Parkway LLC, an Oregon limited liability company,

hereinafter called Grantee, and unto Grantee's 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 Jackson, State of Oregon, described as follows, to wit:

As set forth in exhibit "A" attached hereto and made a part here

RECEIVED BY OWRD

FOR INFORMATION PURPOSES ONLY, THE MAP/TAX ACCT #(S) ARE REFERENCED HERE:

NOV 30 2017

SALEM, OR

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$225,000.00.
 However, the actual consideration consists of or includes other property or value given or promised which is the whole / part of the consideration.

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To Have and to Hold the same unto grantee and grantee's heirs, successors and assigns forever.
In construing this deed, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this deed shall apply equally to corporations and to individuals.

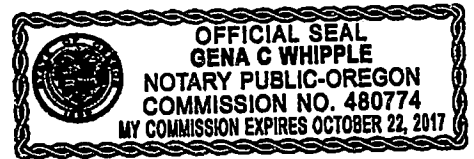
BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2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

In Witness Whereof, the grantor has executed this instrument this 27 day of September, 2017, if a corporate grantor, it has caused its name to be signed and its seal if any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

North Valley Shale, L.L.C., an Oregon limited liability company

Bob G. Kimmel
Bob G. Kimmel, Member

Janet A. Kimmel
Janet A. Kimmel, Member



State of Oregon OR} ss
County of Jackson Jackson}

On this 27 day of September, in the year 2017, before me, Gena C Whipple, a Notary Public in and for said state, personally appeared Bob G. Kimmel and Janet A. Kimmel, known or identified to me to be the Members in the Limited Liability Company known as North Valley Shale LLC who executed the foregoing instrument, and acknowledged to me that he/she executed the same in said LLC name.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Gena C Whipple
Notary Public for the State of Oregon
Residing at: Wentworth
Commission Expires: 10-22-2017

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EXHIBIT "A"

194070AM

PARCEL I:

The Southeast Quarter of the Southeast Quarter of Section 28, in Township 35 South, Range 1 West of the Willamette Meridian in Jackson County, Oregon.

PARCEL II:

Beginning at the southwest corner of Section 27 in Township 35 South, Range 1 West of the Willamette Meridian in Jackson County, Oregon; thence Easterly, along the southerly line of said Section, 88.0 feet, more or less, to the southwest corner of tract described in deed recorded as No. 69-06266 of the Official Records of Jackson County, Oregon; thence North $0^{\circ}14'30''$ East 464.40 feet to the northwest corner thereof; thence South $89^{\circ}57'35''$ East 630.07 feet to an el corner of last described tract; thence North $0^{\circ}14'30''$ East 186.05 feet to a point on the south line of a 60.00 foot easement as described in deed recorded as No. 67-09994, of said Official Records; thence South $89^{\circ}57'35''$ East, along said line, 569.78 feet to a point on the west line of the Crater Lake Highway right-of-way; thence North $0^{\circ}14'30''$ East, along said right-of-way line, 60.00 feet to the north line of said easement; thence North $89^{\circ}57'35''$ West, along the north line of said easement, 629.78 feet to an iron pin on the easterly line of the first described tract in deed recorded as No. 67-09994, of said Official Records; thence South $0^{\circ}14'30''$ West 186.05 feet, along said easterly line, to an iron pin located for the Southeast corner of said tract; thence, along the southerly line of said tract, North $89^{\circ}57'35''$ West 570.07 feet to the southwest corner thereof; thence, along the westerly line of said tract, North $0^{\circ}14'30''$ East 385.00 feet to the southwest corner of the tract described in deed recorded as No. 74-04567, of said Official Records; thence, along the westerly line of said tract, North $0^{\circ}14'30''$ East 385.00 feet to the northwest corner thereof; thence, along the northerly line of said tract, North $89^{\circ}59'00''$ East 630.07 feet, more or less, to the northwest corner of the tract described in deed recorded as No. 68-01297, of said Official Records; thence, along the northerly line of said tract, North $89^{\circ}59'00''$ East 570.00 feet to a point on the west line of the Crater Lake Highway right-of-way; thence northerly, along said right-of-way line, 30.0 feet, more or less, to the north line of the Southwest Quarter of the Southwest Quarter of said Section; thence Westerly, along said north line, to the northwest corner of said Quarter-Quarter; thence Southerly, along the west line of said Quarter-Quarter, to the point of beginning. EXCEPTING THEREFROM all that portion lying within the right-of-way of Oregon State Highway No. 62, as described in Volume 276 page 176 of the Deed Records of Jackson County, Oregon.

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SALEM, OR

R-88479

Order No.: 194070AM
Policy No.: O-7430-56789

SCHEDULE B

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage, and the Company will not pay costs, attorneys' fees or expenses that arise by reason of:

GENERAL EXCEPTIONS:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Facts, rights, interests or claims which are not shown by the Public Records but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the Public Records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Any encroachment (of existing improvements located on the subject Land onto adjoining Land or of existing improvements located on adjoining Land onto the subject Land) encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the subject Land.
5. Any lien, or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the Public Records.
6. The 2017-2018 Taxes: A lien not yet due or payable.
7. Regulations, including levies, assessments, water and irrigation rights and easements for ditches and canals of Eagle Point Irrigation District.
(No delinquent assessments as of the date of this policy)
8. An easement including the terms and provisions thereof for the purpose shown below and rights incidental thereto as set forth in instrument:
Granted To: Eagle Point Irrigation District
Purpose: Ditch right of way
Recorded: October 11, 1923
Book 146, Page 278
Affects: Parcel II
9. An easement including the terms and provisions thereof for the purpose shown below and rights incidental thereto as reserved in instrument:
Granted To: Eagle Point Irrigation District
Purpose: Ditches, canals, and reservoir sites for irrigation purposes, constructed or which may be constructed by authority of the United States of America, or otherwise
Recorded: January 22, 1929
Book 175, Page 528
Affects: Parcels I and II

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Order No.: 194070AM
Policy No.: O-7430-56789

10. 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: California Oregon Power Company
Recorded: January 4, 1945
Book: 256, Page: 39
Affects: Parcel II
11. An easement including the terms and provisions thereof for the purpose shown below and rights incidental thereto as set forth in instrument:
Granted To: State of Oregon
Purpose: Relocation of all irrigation ditches and structures and drainage ditches and structures for proper highway construction and maintenance
Recorded: December 27, 1946
Book 276, Page 176
Affects: Parcel II
12. 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: California Oregon Power Company
Recorded: October 4, 1960
Book: 496, Page: 316
Affects: Parcels I and II
13. An easement including the terms and provisions thereof for the purpose shown below and rights incidental thereto as set forth in instrument:
Purpose: Ingress and egress
Recorded: October 11, 1967
Instrument No.: 67-09994
Affects: Parcel II
14. 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: Pacific Power & Light Company
Recorded: December 15, 1970
Instrument No.: 70-12286
Recorded: May 7, 1971
Instrument No.: 71-05409
Affects: Parcel II
15. An easement including the terms and provisions thereof for the purpose shown below and rights incidental thereto as set forth in instrument:
Purpose: Reciprocal roadway
Recorded: December 15, 1994
Instrument No.: 94-43942
Affects: Parcels I and II

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SALEM, OR

Order No.: 194070AM
Policy No.: O-7430-56789

16. An easement including the terms and provisions thereof for the purpose shown below and rights incidental thereto as set forth in instrument:
Granted To: Jackson County School District No. 9, a political subdivision of the State of Oregon
Purpose: Construction, maintenance, use and repair of an individual water-carried on-site sewage disposal system
Recorded: September 14, 1999
Instrument No.: 99-47531
Affects: Parcels I and II
17. Extraction Setback Agreement, including the terms and provisions thereof,
Recorded: December 21, 2000
Instrument No.: 2000-051534
Affects: Parcel I
18. Restrictive Covenant, including the terms and provisions thereof,
Recorded: May 16, 2001
Instrument No.: 2001-022282
Affects: Parcels I and II
19. An unrecorded lease with certain terms, covenants, conditions and provisions set forth therein and such other exceptions as may appear necessary upon recording thereof,
Lessor: North Valley Shale, LLC
Lessee: Western Rock Reduction, Co.
Disclosed by: Memorandum of Lease
Date: November 11, 2003
Recorded: December 30, 2003
Instrument No.: 03-87021
Affects: Parcels I and II
20. The Land, as defined in the policy to be issued, does not include any improvement(s) located on the Land which is described or defined as a mobile home (manufactured housing unit) under the provisions of State Law and is subject to registration.
(X155096).
21. A Deed of Trust, Assignment of Rents and Security Agreement, including the terms and provisions thereof, to secure the amount noted below and other amounts secured thereunder, if any:
Amount: \$185,000.00
Dated: September 28, 2017
Trustor/Grantor: Sunrise Parkway LLC, an Oregon limited liability company
Trustee: Joseph E. Kellerman
Beneficiary: North Valley Shale, L.L.C., an Oregon limited liability company
Recorded: September 29, 2017
Instrument No.: 2017-033562

END OF EXCEPTIONS

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Oregon Water Resources Department
 Permit to Appropriate Surface Water for Storage -Standard Reservoir Application

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Today's Date: Friday, October 13, 2017

Base Application Fee.		\$930.00
Number of acre feet to be diverted for Storage.	300	\$1,036.00
Number of reservoirs.	0	
Permit Recording Fee. ***		\$520.00
*** 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		\$2,486.00

OWRD Fee Schedule

Fee Calculator Version:	B20170117
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