



Oregon Water Resources Department
Stored Water Only Applications - Expedited Secondary

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Today's Date: Friday, March 1, 2019

Base Application Fee.		\$520.00
Acre feet of Stored Water to be diverted.	4.5	\$175.00
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		\$1,215.00

OWRD Fee Schedule

Fee Calculator Version: B20170117



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.Oregon.gov/OWRD

October 23, 2018

Diane P. Voss
3497 Old Ferry Rd.
Shady Cove, Or. 97539

Dear Diane,

The Water Resources Department has received your application for a permit to use surface or ground water. At this time, however, we are unable to accept your application because the minimum filing requirements have not been met according to the Oregon Administrative Rules (OAR 690-310-0040 and 0050).

We are therefore returning the incomplete application and fees. You may resubmit the application with the additional required information and fees noted on the enclosed checklist.

Should you have any questions, please contact Water Right Customer Service at 503-986-0801.

Sincerely,

Edward P. Gosse
Water Rights Customer Service

Cc: OWRD Fiscal

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

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5-88751



Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050 & ORS 537.140)

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.

Please submit the original application and signatures to the Water Resources Department. Applicants are encouraged to keep a copy of the completed application.

- SECTION 1: Applicant Information and Signature
- SECTION 2: Property Ownership
- SECTION 3: Source of Water
- SECTION 4: Sensitive, Threatened or Endangered Fish Species Public Interest Information
- SECTION 5: Water Use
- SECTION 6: Water Management
- SECTION 7: Resource Protection
- SECTION 8: Project Schedule
- SECTION 9: Within a District
- SECTION 10: Remarks

Include the following additional items:

- Land Use Information Form with approval and signature of local planning department (*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.
- Fees - Amount enclosed: \$ 1215-
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.
- Map that includes the following items:
 - 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 diversion, by reference to a recognized public land survey corner (distances north/south and east/west)
 - Indicate the area of use by Quarter/Quarter and tax lot identified clearly.
 - Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
 - Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)

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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. 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 \$260. The applicant may put the application on hold for up to 180 days and may request additional time if necessary.

3. Public Notice

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

4. Proposed Final Order Issued

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

5. Public Notice

Within 7 days of issuing the PFO, the Department gives public notice in the weekly notice. Notice includes information about the application and the PFO. Protest must be received by the Department within 45 days after publication of the PFO in the weekly notice. Anyone may file a protest. The protest filing fee is \$410.00 for the applicant and \$810.00 for non-applicants. Protests are filed on approximately 10 percent 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 can issue a Final Order within 60 days of the close of the period for receiving protest. If the application is approved, a permit is issued. The permit specifies the details of the authorized use and any terms, limitations or conditions that the Department deems appropriate

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Resubmittal

~~Oct. 10, 2018~~
Feb 20, 2019

To: OWRD
From: Diane (Dede) Voss

Attached is our Application.
You will note that some of the paperwork is from 2016. My Father (Henri) started the water rights process, then his health failed so he passed it on to my brother (Rene') to complete. Rene' had the help of Scott Fein, but had trouble with the whole process himself, so it sat on his desk for a period of time. I took the packet and started working with Scott again earlier this year, getting signatures and recording done this summer.

I hope that everything is in order; I have tried my best to complete the checklist. If there is anything missing or incorrect let me know- myself or Scott Fein will correct it.

Thank you very much,
Dede Voss *Dede 2/20/19*
3497 Old Ferry Rd.
Shady Cove, OR 9539
dpvoss@gmail.com
541-326-8006

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Application for a Permit to Use Surface Water



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
503-986-0900
www.oregon.gov/OWRD

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant

NAME <i>Henri F. Pellissier Family Trust, Diane P. Voss</i>		PHONE (HM) <i>541-878-3304</i>	
PHONE (WK)	CELL <i>541-326-8006</i>	FAX <i>Trustee</i>	
ADDRESS <i>3497 Old Ferry Rd.</i>			
CITY <i>Shady Cove</i>	STATE <i>OR</i>	ZIP <i>97539</i>	E-MAIL * <i>dpvoss@gmail.com</i>

Organization

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

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

AGENT/BUSINESS NAME <i>Scott Fein, CWRE</i>		PHONE <i>541-842-0795</i>	FAX
ADDRESS <i>600 Tyler Creek Rd.</i>			CELL
CITY <i>Ashland</i>	STATE <i>OR</i>	ZIP <i>97520</i>	E-MAIL * <i>SFEINSURVEYOR@gmail.com</i>

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 proposed and final order documents will also be mailed.)

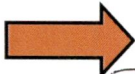
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By my signature below I confirm that I understand:

- 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 legally use water until the Water Resources Department issues a permit.
- The Department encourages all applicants to wait for a permit to be issued before beginning construction of any proposed diversion. Acceptance of this application does not guarantee a permit will be issued.
- If I begin construction prior to the issuance of a permit, I assume all risks associated with my actions.
- If I receive 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 receive water to which they are entitled.



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

<u><i>Diane P. Voss</i></u> Applicant Signature	<u><i>Diane P. Voss - Trustee</i></u> Print Name and Title if applicable	<u><i>2-20-19</i></u> Date
<u><i>Diane P. Voss</i></u> Applicant Signature	<u><i>Diane P. Voss</i></u> Print Name and Title if applicable	<u><i>2-20-19</i></u> Date

SECTION 2: PROPERTY OWNERSHIP

Please indicate if you own all the lands associated with the project from which the water is to be diverted, conveyed, and used.

- YES, there are no encumbrances.
- YES, the land is encumbered by easements, rights of way, roads or other encumbrances.
- NO, I have a recorded easement or written authorization permitting access.
- NO, I do not currently have written authorization or easement permitting access.
- NO, 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).
- NO, because water is to be diverted, conveyed, and/or used only on federal lands.

Affected Landowners: List the names and mailing addresses of all owners of any lands that are not owned by the applicant and that are crossed by the proposed ditch, canal or other work, even if the applicant has obtained written authorization or an easement from the owner. *(Attach additional sheets if necessary).*

Diane & William Voss, 3497 Old Ferry Rd, Shady Cove, OR 97539

Legal Description: 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: SOURCE OF WATER

A. Proposed Source of Water

Provide the commonly used name of the water body from which water will be diverted, and the name of the stream or lake it flows into (if unnamed, say so), and the locations of the point of diversion (POD):

Source 1: <i>Lost Creek Res.</i>	Tributary to: <i>Rogue River</i>
TRSQQ of POD: <i>34S 1W-2 NW-NE</i>	
Source 2:	Tributary to:
TRSQQ of POD:	

If any source listed above is stored water that is authorized under a water right permit, certificate, or decree, attach a copy of the document or list the document number (for decrees, list the volume, page and/or decree name).

B. Applications to Use Stored Water

Do you, or will you, own the reservoir(s) described in Section 3A above?

- Yes.
- No. (Enclose a copy of your written notification to the operator of the reservoir of your intent to file this application, which should have been mailed or delivered to the operator.)

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For Department Use: App. Number: *5-88751*

If *all* sources listed in Section 3A are stored water, the Department will review your application using the expedited process provided in ORS 537.147, unless you check the box below. Please see the instruction booklet for more information.

By checking this box, you are requesting that the Department process your application under the standard process outlined in ORS 537.150 and 537.153, rather than the expedited process provided by ORS 537.147. To file an application under the standard process, you must enclose the following:

- A copy of a signed non-expired contract or other agreement with the owner of the reservoir (if not you) to impound the volume of water you propose to use in this application.
- A copy of your written agreement with the party (if any) delivering the water from the reservoir to you.

SECTION 4: SENSITIVE, THREATENED OR ENDANGERED FISH SPECIES PUBLIC INTEREST INFORMATION

This information must be provided for your application to be accepted as complete. The Water Resources Department will determine whether the proposed use will impair or be detrimental to the public interest with regard to sensitive, threatened or endangered fish species.

To answer the following questions, use the map provided in [Attachment 3](#) or the link below to determine whether the proposed point of diversion (POD) is located in an area where the Upper Columbia, the Lower Columbia, and/or the Statewide public interest rules apply.

For more detailed information, click on the following link and enter the T,R,S,QQ or the Lat/Long of a POD and click on "Submit" to retrieve a report that will show which section, if any, of the rules apply:
https://apps.wrd.state.or.us/apps/misc/lkp_trsqq_features/

If you need help to determine in which area the proposed POD is located, please call the customer service desk at (503) 986-0801.

Upper Columbia - OAR 690-033-0115 thru -0130

Is the POD located in an area where the Upper Columbia Rules apply?

Yes No

If yes, you are notified that the Water Resources Department will consult with numerous federal, state, local and tribal governmental entities so it may determine whether the proposed use is consistent with the "Columbia River Basin Fish and Wildlife Program" adopted by the Northwest Power Planning Council in 1994 for the protection and recovery of listed fish species. The application may be denied, heavily conditioned, or if appropriate, mitigation for impacts may be needed to obtain approval for the proposed use.

If yes,

- I understand that the proposed use does not involve appropriation of direct streamflow during the time period April 15 to September 30, except as provided in OAR 690-033-0140.
- I understand that I will install, operate and maintain a fish screen and fish passage as listed in ORS 498.301 through 498.346, and 509.580 through 509.910, to the specifications and extent required by Oregon Department of Fish and Wildlife, prior to diversion of water under any permit issued pursuant to this application.

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For Department Use: App. Number: 5-88751

- I understand that the Oregon Department of Environmental Quality will review my application to determine if the proposed use complies with existing state and federal water quality standards.
- I understand that I will install and maintain water use measurement and recording devices as required by the Water Resources Department, and comply with recording and reporting permit condition requirements.

Lower Columbia - OAR 690-033-0220 thru -0230

Is the POD located in an area where the Lower Columbia rules apply?

Yes No

If yes, you are notified that that the Water Resources Department will determine, by reviewing recovery plans, the Columbia River Basin Fish and Wildlife Program, and regional restoration programs applicable to threatened or endangered fish species, in coordination with state and federal agencies, as appropriate, whether the proposed use is detrimental to the protection or recovery of a threatened or endangered fish species and whether the use can be conditioned or mitigated to avoid the detriment.

If a permit is issued, it will likely contain conditions to ensure the water use complies with existing state and federal water quality standards; and water use measurement, recording and reporting required by the Water Resources Department. The application may be denied, or if appropriate, mitigation for impacts may be needed to obtain approval of the proposed use.

If yes, provide the following information (the information must be provided with the application to be considered complete).

Yes No The proposed use is for more than **one** cubic foot per second (448.8 gpm) and is not subject to the requirements of OAR 690, Division 86 (Water Management and Conservation Plans).

If yes, provide a description of the measures to be taken to assure reasonably efficient water use:

Statewide - OAR 690-033-0330 thru -0340

Is the POD located in an area where the Statewide rules apply?

Yes No

If yes, the Water Resources Department will determine whether the proposed use will occur in an area where endangered, threatened or sensitive fish species are located. If so, the Water Resources Department, Department of Fish and Wildlife, Department of Environmental Quality, and the Department of Agriculture will recommend conditions required to achieve “no loss of essential habitat of threatened and endangered (T&E) fish species,” or “no net loss of essential habitat of sensitive (S) fish species.” If conditions cannot be identified that meet the standards of no loss of essential T & E fish habitat or no net loss of essential S fish habitat, the agencies will recommend denial of the application unless they conclude that the proposed use would not harm the species.

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SECTION 5: WATER USE

Provide the amount of water you propose to use from each source, for each use, in cubic feet-per-second (cfs) or gallons-per-minute (gpm). If the proposed use is from storage, provide the amount in acre-feet (af):
 (1 cfs equals 448.8 gpm. 1 acre-foot equals 325,851 gallons or 43,560 cubic feet)

SOURCE	USE	PERIOD OF USE	AMOUNT
Cost Creek Res.	Irrigation	APRIL 1 st - Oct. 31 st	4.5 <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input checked="" type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af

Please indicate the number of primary and supplemental acres to be irrigated.

Primary: 3 Acres Supplemental: _____ Acres

If supplemental acres are listed, provide the Permit or Certificate number of the underlying primary water right(s):

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 4.5

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

SECTION 6: WATER MANAGEMENT

A. Diversion and Conveyance

What equipment will you use to pump water from your source?

- Pump (give horsepower and type): Turbine, 2HP
 Other means (describe): _____

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water.

_____ Submersible pump in Rogue River

B. Application Method

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

_____ Sprinklers & drip irrigation

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 public uses of affected surface waters.

_____ Flow meter & pressure gauge

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For Department Use: App. Number: 5-88751

SECTION 7: RESOURCE PROTECTION

In granting permission to use water from a stream or lake, the state encourages, and in some instances requires, careful control of activities that may affect the waterway or streamside area. See instruction guide for a list of possible permit requirements from other agencies. Please indicate any of the practices you plan to undertake to protect water resources:

Diversion will be screened per ODFW specifications in ORS 498.301 through 498.346 to prevent uptake of fish and other aquatic life.
Describe planned actions: utilize ODFW approved fish screen

Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.
Note: If disturbed area is more than one acre, applicant should contact the Department of Environmental Quality to determine if a 1200C permit is required.

Describe planned actions and additional permits required for project implementation: Submerge pump in naturally open area, above ground pipe & electrical

Operating equipment in a water body will be managed and timed to prevent damage to aquatic life. Describe planned actions and additional permits required for project implementation: _____

Water quality will be protected by preventing erosion and run-off of waste or chemical products. Describe planned actions: _____

List other federal and state permits or contracts to be obtained, if a water right permit is granted.

SECTION 8: PROJECT SCHEDULE

- a) Date construction will begin: upon issuance of permit
- b) Date construction will be completed: 2019
- c) Date beneficial water use will begin: 2019

SECTION 9: WITHIN A DISTRICT

Check here if the point of diversion or place of use are located within or are served by an irrigation or other water district.

Irrigation District Name	Address	
City	State	Zip

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SECTION 10: REMARKS

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

USDI BOR contract data sheet is attached and has been sent to Bill Parks in Boise, ID. Point of diversion is common to multiple properties. A copy of beneficial easements are attached

For Department Use: App. Number: 5-88751

APPROVED BY: *[Signature]*

FEB 19 2019

Land Use Information Form

JACKSON COUNTY PLANNING

Renewed
2/19/19
↑

nt
ED
2016
COUNTY
ACD
59
26

Applicant: ~~Re~~ Diane Pellissier
First

Mailing Address: ~~PO Box 747~~ 3497 0
Shady Cove
~~Shady Cove~~ OR 9753
City State Zip

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
34S	1W	2	NE, NW	1209, 1300		<input checked="" type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
34S	1W	2	NW, NE	1400		<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" 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:

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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) _____

Estimated quantity of water needed: 4.5 cubic feet per second gallons per minute acre-feet

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

Briefly describe:

Irrigate lawn, landscape, garden

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.

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.

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 Development Ordinance Section 6.4.1
- 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 Reference	Land Use Approval

Renewed
2/19/19

↓

Local governments are invited to express special land-use concerns or make recommendations regarding this proposed use of water below, or on a separate sheet.

Non-commercial irrigation for lawn, landscape and garden is acceptable. Farm Use may require a Land Use Permit.

Name: ~~Jacob Ripper~~ Summer Williams Title: ~~Planner II~~ Planner I
 Signature: Jacob Ripper Summer Williams Phone: 541-774-6940 Date: 06/16/2016
 Government Entity: Jackson County Development Services 2/19/19

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

Receipt for Request for Land Use Information

Applicant name: _____
 City or County: _____ Staff contact: _____
 Signature: _____ Phone: _____ Date: _____

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After recording return to:

Diane Voss
3497 Old Ferry Rd
Shady Cove OR 97539

RECORDED ELECTRONICALLY

EASEMENT

THIS AGREEMENT made by and entered into this 4th day of June 2018 by and between

~~HENRI F. PELLISSIER AND DIANNE J. PELLISSIER~~ (deceased) hereinafter called the first party,
Trustee of the Henri F. Pellissier Family Trust dated 3/7/1995
and WILLIAM D. VOSS AND DIANE P. VOSS, hereinafter called the second party, WITNESSETH:

WHEREAS: The first party is the record owner of the following described real property in County, State of Oregon, to-wit:

SEE ATTACHED EXHIBIT A, MADE A PART HEREOF
(known as MAP341W2B Tax Lot 1200)

and has the unrestricted right to grant the easement hereinafter described relative to the real estate.

NOW, THEREOF, for good and valuable consideration of \$1 and other value, the first party hereby grants, assigns and sets over to the second party an easement, to-wit:

FOR IRRIGATION PUMP AND UTILITIES, MORE FULLY DESCRIBED ON

ATTACHED EXHIBIT B, MADE A PART HEREOF

TO BENEFIT SECOND PARTIES PROPERTY DESCRIBED IN DOC NO. 96-13432
(known as MAP341W2B Tax Lot 1300)

Except as to the rights herein granted, the first party shall have full use and control of the above described real estate.

The second party agrees to save and hold the first party harmless from any and all claims of third parties arising from the second party's use of the rights herein granted.

The period of this easement shall be PERPETUAL, always subject, however, to the following specific conditions, restrictions and considerations:

During the existence of this easement, maintenance of easement and the costs of repairs if damaged by age or natural disasters, or other events for which holders of an interest in the easement are blameless, then the first party (check here) or second party (check here) will be solely responsible for all costs.

During the existence of this easement, holders of an interest in the easement who are responsible for damage to the easement because of negligence or abnormal use shall repair the damage at their sole expense.

This agreement shall bind and inure to the benefit of, as the circumstances may require, not only the parties hereto but also their respective heirs, executors, administrators, assigns, and successors in interest.

In construing this agreement, where the context so requires, the singular includes plural and all grammatical changes shall be made so that this agreement shall apply equally to individuals and to corporations.

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This instrument filed for record as an accommodation only. It has not been examined as to its effect upon the title.
First American Title Co.

If the undersigned is a corporation, 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 its board of directors.

IN WITNESS WHEREOF, the parties have hereunto set their hands in duplicate on the day and year first written above.

FIRST PARTIES: (Easement granted by)

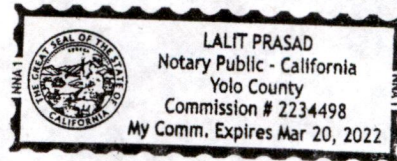
Dianne J. Pellissier Henri F. Pellissier-deceased
Trustee of the Henri Pellissier Family Trust dated 3/7/1995

SECOND PARTY (Easement received by)

STATE OF OREGON, County of Jackson) ss.

This instrument was acknowledged before me on 06-13, 2018
by: DIANNE J PELLISSIER Trustee of the Henri Pellissier
Family Trust dated 3/7/1995

Lalit-Prasad (Notary Public)
NOTARY PUBLIC



STATE OF OREGON, County of Jackson) ss.

This instrument was acknowledged before me on _____, 20____
by _____

(Notary Public)

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OCT 22 2018

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RECEIVED

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If the undersigned is a corporation, 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 its board of directors.

IN WITNESS WHEREOF, the parties have hereunto set their hands in duplicate on the day and year first written above.

FIRST PARTIES: (Easement granted by)

SECOND PARTY (Easement received by)

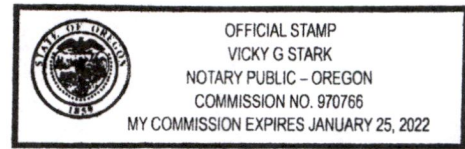
William D. Voss

Diane P. Voss

STATE OF OREGON, County of Jackson) ss.

This instrument was acknowledged before me on 6-4, 2018
by: William D. Voss

Vicky G. Stark (Notary Public)



STATE OF OREGON, County of Jackson) ss.

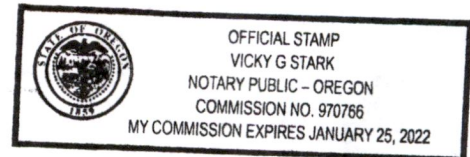
This instrument was acknowledged before me on 6-4, 2018
by: Diane P. Voss

Vicky G. Stark (Notary Public)

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T/L 1200

96-13430
Order No. 718038-JP

Exhibit 'A'

Commencing at the Northeast corner of Section 2, Township 34 South, Range 1 West of the Willamette Meridian in Jackson County, Oregon; thence South 80°41'10" West, 2900.30 feet to a 5/8" rebar with plastic cap set on that boundary established by agreement and recorded in Instrument No. 95-26585 and corrected in Instrument No. 95-31798 of the Official Records of said County; thence North 0°10'00" East, 40.00 feet to the Southern bank of the Rogue River and the Northerly terminus of said agreement boundary and the TRUE POINT OF BEGINNING; thence along said by agreement boundary, South 0°10'00" West, 851.61 feet to a 5/8" rebar with plastic cap set for a witness corner; thence continue South 0°10'00" West, a more or less distance of 20 feet to intersect the Southerly boundary of Government Lot 2 in said Section 2 and the Southerly terminus of said agreement boundary; thence run Westerly along said government lot boundary a more or less distance of 210 feet to the Southwest corner of tract described in Instrument No. 88-18565 of the Official Records of said County; thence run North 0°10'00" East, along the Westerly boundary of said tract, a more or less distance of 896.0 feet to the Southern bank of said Rogue River; thence run along said river bank, North 80°00'00" East, up stream, a more or less distance of 215 feet to the true point of beginning.

Jackson County, Oregon
Recorded
OFFICIAL RECORDS

APR 26 1996
2:30 PM
Andria A. ...
County Clerk

2

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TL / 200

96-13430

WARRANTY DEED

21
AFTER RECORDING RETURN TO:
Address: 718038 JIP
3411028
10-
10-
20-

GRETA GIVLER, TRUSTEE, U.D.T. DATED AUGUST 24, 1988,
Grantor(s) hereby grant, bargain, sell and convey to:
HENRI F. PELLISSIER AND DIANNE J. PELLISSIER, TRUSTEES OF THE HENRI F.
PELLISSIER FAMILY TRUST DATED MARCH 7, 1995,
Grantee(s) and grantee's heirs, successors and assigns the following described
real property, free of encumbrances except as specifically set forth herein in
the County of JACKSON and State of Oregon, to wit:

SUBJECT TO: all those items of record and those apparent upon the land, if
any, as of the date of this deed and those shown below, if any;
and the grantor will warrant and forever defend the said premises and every
part and parcel thereof against the lawful claims and demands of all persons
whomsoever, except those claiming under the above described encumbrances.

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.

The true and actual consideration for this conveyance is \$ 75,000.00.

Until a change is requested, all tax statements shall be sent to Grantee at the
following address: 15278 Elson Rd Dr. Ukiah CA. 90605

Dated this 19th day of April, 1996.

Greta Givler Trustee
GRETA GIVLER, TRUSTEE

NOTARY ACKNOWLEDGEMENT

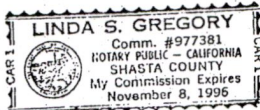
STATE OF California SS. April 19 19 96
COUNTY OF Shasta

Personally appeared the above named GRETA GIVLER, TRUSTEE, U.D.T. DATED
AUGUST 24, 1988

and acknowledged the foregoing instrument to be her voluntary act.

Before me:

Linda S. Gregory
Linda S. Gregory
Notary Public for Shasta County,
California
My commission expires 11/8/96



(seal)

ESCROW NO. AP718038JP

Return to:
HENRI F. PELLISSIER FAMILY TRUST DATED

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5-88751

Irrigation Pump & Related Utilities Easement

Located in the northwest quarter of the northeast quarter of section 2, Township 34 South, Range 1 West, W.M., Jackson County, Oregon

Commencing at the Center-North One Sixteenth corner of section 2 as located by survey 17383 on file with the Jackson County Surveyor, thence N 16°18'20" W a distance of 846.30' to a 5/8 ins. diameter rebar marking a 40' witness corner to the Rogue River on the East line document 95-26586 as located by survey 17383 being the point beginning. Leaving said point of beginning S 89°50'00" E a distance of 20.00'; thence N 00°10'00" E a distance of 48.00' to the Rogue River; thence S 68° W a distance of 21.00' along the Rogue River to the East line document 95-26586 as located by survey 17383 ; thence S 00°10'00" W a distance of 40.00' along the East line document 95-26586 as located by survey 17383 to the point of beginning.

Dominant Estate is those lands described in document 96-13430. (P)
Servient Estate is those lands described in document 96-13432 (v)

REGISTERED
PROFESSIONAL
LAND SURVEYOR



OREGON
NOVEMBER 10, 2010
SCOTT D. FEIN
83181

RENEWAL: 12/31/2017

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RECORDED ELECTRONICALLY

After recording return to:

Diane Voss
3497 Old Ferry Rd
Shady Cove, OR 97539

EASEMENT

THIS AGREEMENT made by and entered into this 21 day of Aug 2018 by and between

William D. Voss and Diane P. Voss hereinafter called the first party,

and Dianne J. Pellissier, Trustee of the hereinafter called the second party, WITNESSETH:

Henri F. Pellissier Family Trust dated 3/7/1995

WHEREAS: The first party is the record owner of the following described real property in County, State of Oregon, to-wit:

SEE ATTACHED EXHIBIT A, MADE A PART HEREOF
(known as MAP341W2BA Tax Lot 1300)

and has the unrestricted right to grant the easement hereinafter described relative to the real estate.
NOW, THEREOF, for good and valuable consideration of \$1 and other value, the first party hereby grants, assigns and sets over to the second party an easement, to-wit:

FOR IRRIGATION PUMP AND UTILITIES, MORE FULLY DESCRIBED ON
ATTACHED EXHIBIT B, MADE A PART HEREOF

TO BENEFIT SECOND PARTIES PROPERTY DESCRIBED IN DOC NO. 96- 13430
(known as MAP341W2BA Tax Lot 1200)

Except as to the rights herein granted, the first party shall have full use and control of the above described real estate.

The second party agrees to save and hold the first party harmless from any and all claims of third parties arising from the second party's use of the rights herein granted.

The period of this easement shall be PERPETUAL, always subject, however, to the following specific conditions, restrictions and considerations:

During the existence of this easement, maintenance of easement and the costs of repairs if damaged by age or natural disasters, or other events for which holders of an interest in the easement are blameless, then the first party (check here) or second party (check here) will be solely responsible for all costs.

During the existence of this easement, holders of an interest in the easement who are responsible for damage to the easement because of negligence or abnormal use shall repair the damage at their sole expense.

This agreement shall bind and inure to the benefit of, as the circumstances may require, not only the parties hereto but also their respective heirs, executors, administrators, assigns, and successors in interest.

In construing this agreement, where the context so requires, the singular includes plural and all grammatical changes shall be made so that this agreement shall apply equally to individuals and to corporations.

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This instrument filed for record as an accommodation only. It has not been examined as to it's effect upon the title.
First American Title Co.

If the undersigned is a corporation, 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 its board of directors.

IN WITNESS WHEREOF, the parties have hereunto set their hands in duplicate on the day and year first written above.

* FIRST PARTIES: (Easement granted by)

William D. Voss

Diane P. Voss

SECOND PARTY (Easement received by)

STATE OF OREGON, County of Jackson) ss.

This instrument was acknowledged before me on 08.21, 2018
by: William Voss Diane Voss

Carol J. Tucker-Davis (Notary Public)



STATE OF OREGON, County of Jackson) ss.

This instrument was acknowledged before me on 08.21, 2018
by William Voss Diane Voss

Carol J. Tucker-Davis (Notary Public)



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RECEIVED
OCT 22 2018
OWRD

If the undersigned is a corporation, 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 its board of directors.

IN WITNESS WHEREOF, the parties have hereunto set their hands in duplicate on the day and year first written above.

FIRST PARTIES: (Easement granted by)

SECOND PARTY (Easement received by)

* Dianne J. Pellissier
: Dianne J. Pellissier

8-24-18

STATE OF OREGON, County of Jackson) ss.

This instrument was acknowledged before me on _____, 20__
by: _____

see attached

(Notary Public)

STATE OF OREGON, County of Jackson) ss.

This instrument was acknowledged before me on _____, 20__
by _____

(Notary Public)

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CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)

County of YOLO)

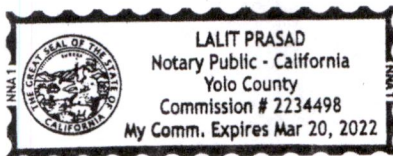
On 08-24-2018 before me, Lalit Prasad, Notary Public,
Date Here Insert Name and Title of the Officer

personally appeared DIANNE J PELLISSIER
Name(s) of Signer(s)

who 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.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Lalit Prasad
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____

Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

Corporate Officer — Title(s): _____

Partner — Limited General

Individual Attorney in Fact

Trustee Guardian or Conservator

Other: _____

Signer Is Representing: _____

Signer's Name: _____

Corporate Officer — Title(s): _____

Partner — Limited General

Individual Attorney in Fact

Trustee Guardian or Conservator

Other: _____

Signer Is Representing: _____

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RECEIVED

OCT 22 2018

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T/L 1300

96-13432

Order No. 715148-JP

Exhibit 'A'

Commencing at the Northeast corner of Section 2, Township 34 South, Range 1 West of the Willamette Meridian in Jackson County, Oregon; thence South 80°41'10" West, 2900.30 feet to a 5/8" rebar with plastic cap set on that boundary established by agreement and recorded in Instrument No. 95-26585 and corrected in Instrument No. 95-31798 of the Official Records of said County; thence North 0°10'00" East, 40 feet to the Southern bank of the Rogue River and the Northerly terminus of said agreement boundary and the TRUE POINT OF BEGINNING; thence along said agreement boundary, South 0°10'00" West, 851.61 feet to a 5/8" rebar with plastic cap set for a witness corner; thence continue South 0°10'00" West, a more or less distance of 20 feet to intersect the Southerly boundary of Government Lot 2 in said Section 2 and the Southerly terminus of said agreement boundary; thence run Easterly along said government lot boundary a more or less distance of 210 feet to the Southeast corner of tract described in Instrument No. 88-18566 of the Official Records of said County; thence run North 0°10'00" East, along the Easterly boundary of said tract, a more or less distance of 962.0 feet to the Southern bank of said Rogue River; thence run along said river bank, South 80°00'00" West, down stream, a more or less distance of 215 feet to the true point of beginning.

Jackson County, Oregon
 Recorded
 OFFICIAL RECORDS

APR 26 1996
 2:30 PM
Richard J. O'Neil
 County Clerk

RECEIVED

FEB 25 2019

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8'

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OCT 22 2018

OWRD

5-88751

TL 1300

33 AFTER RECORDING RETURN TO: 10-20
As Amended 715148JP
341102①

96-13432

WARRANTY DEED

GRETA GIVLER, TRUSTEE, U.D.T. DATED AUGUST 24, 1988,
Grantor(s) hereby grant, bargain, sell and convey to:
WILLIAM D. VOSS and DIANE P. VOSS, husband and wife,
Grantee(s) and grantee's heirs, successors and assigns the following described
real property, free of encumbrances except as specifically set forth herein in
the County of JACKSON and State of Oregon, to wit:

SEE EXHIBIT A WHICH IS MADE A PART HEREOF BY THIS REFERENCE
SUBJECT TO: all those items of record and those apparent upon the land, if
any, as of the date of this deed and those shown below, if any;
and the grantor will warrant and forever defend the said premises and every
part and parcel thereof against the lawful claims and demands of all persons
whomsoever, except those claiming under the above described encumbrances.

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.

The true and actual consideration for this conveyance is \$ 75,000.00.

Until a change is requested, all tax statements shall be sent to Grantee at the
following address: 26190 ROLLINS LAKE ROAD, COLFAX, CA 95713

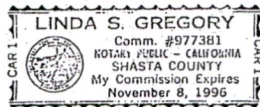
Dated this 19th day of April, 1996.

Greta Givler, Trustee
GRETA GIVLER, TRUSTEE

NOTARY ACKNOWLEDGEMENT

STATE OF California SS. April 19 19 96
COUNTY OF Shasta
Personally appeared the above named Greta Givler

and acknowledged the foregoing instrument to be her voluntary act.



(seal)

Before me:
Linda S. Gregory
Linda S. Gregory
Notary Public for Shasta County,
California
My commission expires 11-8-96

ESCROW NO. AP715148JP

Return to:
WILLIAM D. VOSS
26190 ROLLINS LAKE ROAD
COLFAX, CA 95713

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OCT 22 2018

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EXHIBIT B

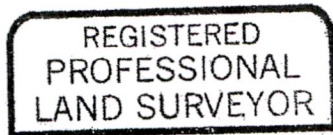
Irrigation Pump & Related Utilities Easement

Located in the northeast quarter of the northwest quarter of section 2, Township 34 South, Range 1 West, W.M., Jackson County, Oregon

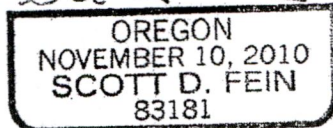
Commencing at the Center-North One Sixteenth corner of section 2 as located by survey 17383 on file with the Jackson County Surveyor, thence N 16°18'20" W a distance of 846.30' to a 5/8 ins. diameter rebar marking a 40' witness corner to the Rogue River on the East line document 95-26586 as located by survey 17383 being the point beginning. Leaving said point of beginning N 89°50'00" W a distance of 20.00'; thence N 00°10'00" E a distance of 31.00' to the Rogue River; thence N 67° E a distance of 22.00' along the Rogue River to the East line document 95-26586 as located by survey 17383 ; thence S 00°10'00" W a distance of 40.00' along the East line document 95-26586 as located by survey 17383 to the point of beginning.

Dominant Estate is those lands described in document 96-13432. (✓)

Servient Estate is those lands described in document 96-13430 (P)



Scott D. Fein



RENEWAL: 12/31/2017

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FOR
TL1300

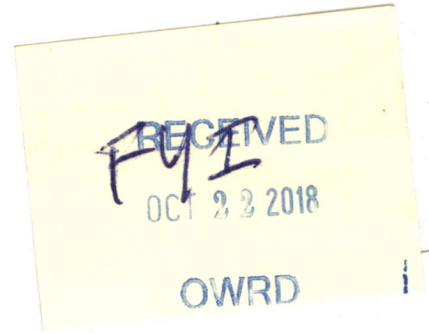


United States Department of the Interior

BUREAU OF RECLAMATION
Pacific Northwest Regional Office
1150 North Curtis Road, Suite 100
Boise, ID 83706-1234

IN REPLY REFER TO:
PN-6324
WTR-4.00

DEC 05 2016



Henri F. Pellissier Family Trust
Attn: Diane P. Voss, Trustee
3497 Old Ferry Road
Shady Cove, OR 97539

Subject: Contract for Rogue River Basin Water Service, Contract No. 179E101923,
Lost Creek Reservoir, Oregon

Dear Ms. Voss:

Enclosed for your records is a fully executed original of Contract No. 179E101923, which provides water use for irrigation beginning with the 2017 irrigation season.

The contract provides irrigation use of up to 4.5 acre-feet of stored water from the Rogue River Basin Project for the 40-year period from the date first written on the subject Contract.

If you have any questions, please contact Mr. Bill Parks, Economist, at the above address or telephone 208-378-5344.

Sincerely,

Ryan M. Patterson
Program Manager
Repayment and Acreage Limitation

Enclosure

cc: Water Rights Division
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271
(w/copy of contract)

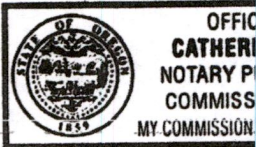
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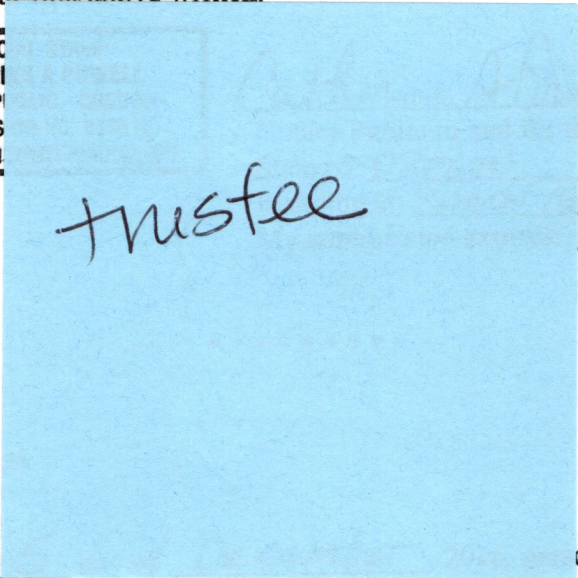
STATE OF OREGON
: ss
County of JACKSON)

On this 21st day of NOVEMBER, 2016, before me, a notary public, personally appeared DIANE P. VOSS known to me to be a Trustee of the **HENRI F. PELLISSIER FAMILY TRUST**, and the person whose name is subscribed to the foregoing instrument, that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of said **HENRI F. PELLISSIER FAMILY TRUST** for the uses and purposes therein mentioned, and on oath stated that he/she is authorized to execute said instrument.

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



(SEAL)



Trustee

elle
ie
VE, OR
03-09-2019

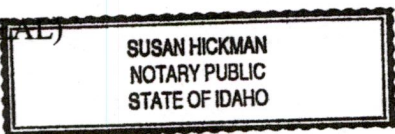
STATE OF IDAHO)
:
County of Ada)

On this _____, _____ personally appeared before me Ryan M. Patterson, known to me to be the official of the UNITED STATES OF AMERICA that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of said United States, for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument.

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

Susan Hickman
Notary Public in and for the
State of IDAHO
Residing at: Meridian
My commission expires: 1-7-2022

(SEAL)



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IN WITNESS WHEREOF, the parties hereto have signed their names the day and year first above written.

HENRI F. PELLISSIER FAMILY TRUST

By: Diane P. Voss
Trustee

UNITED STATES OF AMERICA

By: Ryan M. Patterson
Program Manager
Repayment and Acreage Limitation
PN Region
Bureau of Reclamation
1150 N. Curtis Road
Boise, ID 83706-1234

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Today's Date: Friday, January 11, 2019

Base Application Fee.		\$520.00
Acre feet of Stored Water to be diverted.	04.5	\$175.00
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		\$1,215.00

OWRD Fee Schedule

Fee Calculator Version: B20170117

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5-88751