



Oregon Water Resources Department Surface Water Application

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Today's Date: Tuesday, March 19, 2019

Base Application Fee.		\$930.00
Number of proposed cubic feet per second (cfs) to be diverted. (1 cfs = 448.83 gallons per minute)	0.005	\$350.00
Number of proposed Use's for the appropriated water. (i.e. Irrigation, Supplemental Irrigation, Pond Maintenance, Industrial, Commercial, etc) *	1	
Number of proposed Surface Water points of diversions. **	1	
Number of Acre Feet to be diverted from Stored Water. (if the application is appropriating water from a pond/reservoir)	0	
Permit Recording Fee. ***		\$520.00
* the 1st Water Use is included in the base cost. ** the 1st Surface Water point of diversion is included in the base cost. *** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.	Recalculate	
Estimated cost of Permit Application		\$1,800.00

OWRD Fee Schedule

Fee Calculator Version: B20170117

Application for a Permit to Use
Surface Water

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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 Daniel E Schafer / Deborah S Schafer		PHONE (HM) 541-664-1005
PHONE (WK)	CELL 541-218-7710	FAX -0743 541-664-0753
ADDRESS 910 South Front Street		
CITY Central Point	STATE OR	ZIP 97502
E-MAIL * schafer1977@gmail.com		

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		PHONE	FAX
ADDRESS		CELL	
CITY	STATE	ZIP	E-MAIL *

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.)

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

Daniel E Schafer

Applicant Signature

Deborah Schafer

Applicant Signature

Daniel Schafer/ owner

Print Name and Title if applicable

02/25/2019

Date

Deborah Schafer/ owner

Print Name and Title if applicable

02/25/2019

Date

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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.

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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).*

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. (1) TL 1300 / T23-R12-S17DB (2) NONE (3) SAME AS 1

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: TEN MILE LAKE	Tributary to:
TRSQQ of POD: T23S, R12W, S17, NW1/4, SE1/4, TAX LOT 1300	
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 NA

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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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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- 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.

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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
TEN MILE LAKE	DOMESTIC USE	YEAR ROUND	.005 ☒ cfs ☐ gpm ☐ af
			☐ cfs ☐ gpm ☐ af
			☐ cfs ☐ gpm ☐ af
			☐ cfs ☐ gpm ☐ af

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

Primary: _____ Acres

Supplemental: _____ Acres

NA

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: _____

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households: 1
- If the use is **mining**, describe what is being mined and the method(s) of extraction: NA

SECTION 6: WATER MANAGEMENT**A. Diversion and Conveyance**

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

- ☒ Pump (give horsepower and type): GOULD, 1/2 HP JET PUMP
☐ Other means (describe): _____

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

PUMP, 5/8" HOSE TO 200 GALLON HOLDING TANK, 1" PIPE GRAVITY FED TO CABIN.

B. Application Method

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

NA

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.

SHOWERS AND WASHING DISHES, RECREATIONAL CABIN HAS A RV TOILET, 10 GALLON RV HOT WATER HEATER TO CONSERVE WATER.

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SECTION 7: RESOURCE PROTECTION

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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: _____

1" SCREENED FOOT VALVE, 2' BELOW LAKE SURFACE.

- ☐ 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: _____

NO EXCAVATION

- ☐ 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: _____

NO OPERATING EQUIPMENT IN OR AROUND THE WATER

- ☐ Water quality will be protected by preventing erosion and run-off of waste or chemical products.

Describe planned actions: _____

NO RUN-OFF OF WASTE OR CHEMICAL PRODUCTS

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

NONE

SECTION 8: PROJECT SCHEDULE

a) Date construction will begin: EXISTING

b) Date construction will be completed: EXISTING

30 PLUS YEARS

c) Date beneficial water use will begin: EXISTING

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.

NA

Irrigation District Name	Address	
City	State	Zip

SECTION 10: REMARKS

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

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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: \$ 1800.00
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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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 groundwater 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
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Land Use Information Form



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Applicant

NAME <i>Daniel Schaffer</i>		PHONE (HM) <i>541-664-1005</i>	
PHONE (WK)		FAX <i>541-664-0743</i>	
ADDRESS <i>910 South Front St</i>			
CITY <i>Central Point</i>	STATE <i>OR</i>	ZIP <i>97502</i>	E-MAIL* <i>Schafer1977@gmail.com</i>

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:
<i>23</i>	<i>12</i>	<i>17</i>	<i>DB</i>	<i>1300</i>	<i>RR-2</i>	☒ Diverted	☐ Conveyed	☒ Used	<i>Residential/recreational</i>
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	

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

Coos County

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 Groundwater Registration Modification
☐ Limited Water Use License
 ☐ Allocation of Conserved Water
 ☐ Exchange of Water

Source of water: ☐ Reservoir/Pond ☐ Groundwater ☒ Surface Water (name) *Ten Mile Lake*

Estimated quantity of water needed: *.005* ☒ cubic feet per second ☐ gallons per minute ☐ acre-feet

Intended use of water: ☐ Irrigation ☐ Commercial ☐ Industrial ☐ Domestic for *1* household(s)
☐ Municipal ☐ Quasi-Municipal ☐ Instream ☐ Other _____

Briefly describe:

Recreational cabin on tenmile lake built in 1980.

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.

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Land Use Information Form

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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): water rights are not listed in our ordinance
- ☐ 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:	
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ 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.

--

NAME <u>Crystal Orr</u>		TITLE: <u>Planning Specialist</u>	
SIGNATURE <u>Crystal Orr</u>	PHONE: <u>541-396-7770</u>	DATE: <u>2/19/19</u>	
GOVERNMENT ENTITY <u>Coos County Planning</u>			

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 InformationApplicant name: Daniel SchaferCity or County: Coos CountyStaff contact: Crystal OrrSignature: Crystal OrrPhone: 541-396-7770Date: 2/19/19

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ALTA Owners Policy
(4/6/90)

160570/ 274517

POLICY OF TITLE INSURANCE



ISSUED BY

First American Title Insurance Company of Oregon

200 S.W. Market St. • Portland, Oregon 97201 • (503) 222-3651

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B AND THE CONDITIONS AND STIPULATIONS, FIRST AMERICAN TITLE INSURANCE COMPANY OF OREGON, a Oregon corporation, herein called the Company, insures, as of Date of Policy shown in Schedule A, against loss or damage, not exceeding the Amount of Insurance stated in Schedule A, sustained or incurred by the insured by reason of:

1. Title to the estate or interest described in Schedule A being vested other than as stated therein;
2. Any defect in or lien or encumbrance on the title;
3. Unmarketability of the title;
4. Lack of a right of access to and from the land.

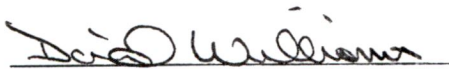
The Company will also pay the costs, attorneys' fees and expenses incurred in defense of the title, as insured, but only to the extent provided in the Conditions and Stipulations.

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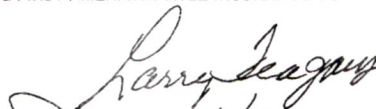
Countersigned
WILLAMETTE VALLEY TITLE COMPANY


Authorized Officer

Title Insurance Company of Oregon

dba FIRST AMERICAN TITLE INSURANCE COMPANY OF OREGON

BY




PRESIDENT

ATTEST

SECRETARY

5-88757



ALTA Owner's Policy
(6-1-87)
Schedule A

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SCHEDULE A

Policy No.160570/274517

Amount of Insurance \$ 20,500.00

Premium \$185.00

Date of Policy:

August 3, 1992 at 3:03 p.m.

1. Name of Insured:

DANIEL E. SCHAFER AND DEBORAH S. SCHAFER,
Husband and Wife

2. The estate or interest in the land which is covered by this policy is:

Fee Simple

3. Title to the estate or interest in the land is vested in:

DANIEL E. SCHAFER AND DEBORAH S. SCHAFER,
Husband and Wife

4. The land referred to in this policy is described as follows:

Lot 5, Sunny Cove Subdivision,
Coos County, Oregon. Account No. 75252.00

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ALTA POLICY FORMS
STANDARD COVERAGE

SCHEDULE B

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

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 no shown by the records of such agency or by the public records.
2. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
3. Easements, encumbrances, or claims thereof, not shown by the public records, unpatented mining claims, reservations or exceptions in patents or in acts authorizing the issuance thereof, water rights, claims or title to water.
4. Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
5. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose.
6. 1992-93 taxes, a lien not yet payable.
7. We find no apparent recorded means of ingress or egress to or from the herein described property to any legally dedicated public road or highway. The above exception will be removed upon satisfactory evidence that there actually is a recorded means of ingress and egress to and from said property.
8. Any adverse claim based upon the assertion that: A) Said land or any part thereof is now or at any time has been below the ordinary high water mark of the Ten Mile Lake. (B) Some portion of said land has been created in artificial means or has accreted to such portion so created. (C) Some portion of said land has been brought within the boundaries there by an avulsive movement of the Ten Mile Lake, or has been formed by accretion to any such portion.

CONTINUED

Schedule B
continued

9. Covenants, conditions and restrictions, but omitting restrictions, if any, based on race, color, religion or national origin, imposed by instrument including the terms and provisions thereof, recorded March 12, 1970 in Plat Book 9, page 3, records of Coos County, Oregon.

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S.E. C.S. 2A35



This print is made solely for the purpose of assisting in locating said premises and the company assumes no liability for variations, if any, in dimensions and location ascertained by actual survey.

ORDER NO. 160570

WILLAMETTE VALLEY TITLE CO.

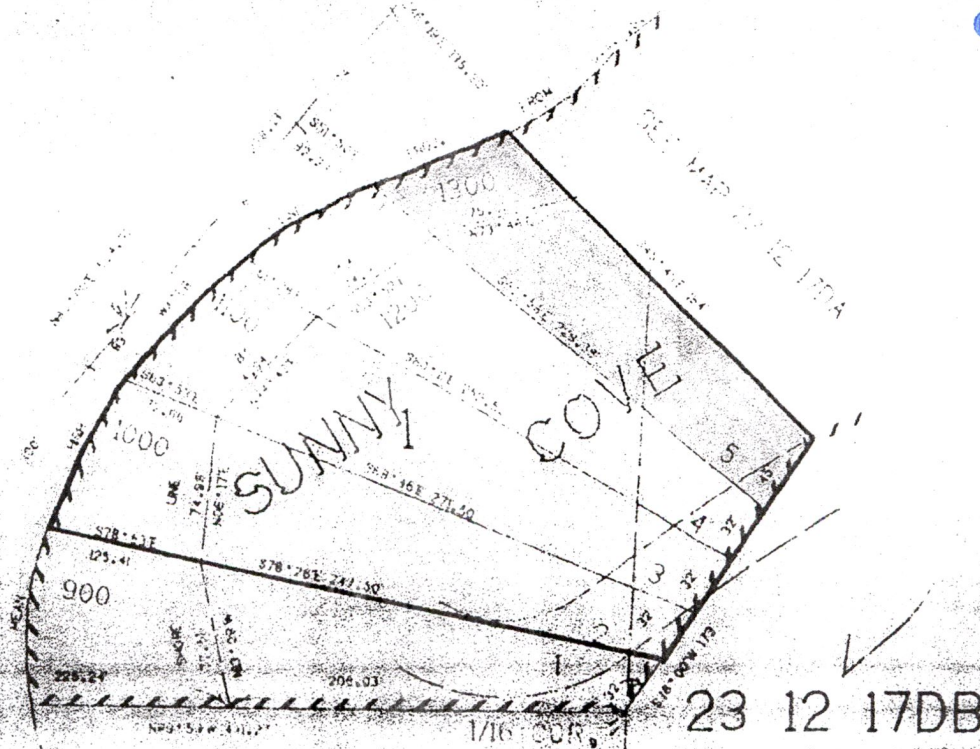
COOS BAY, OREGON

PHONE 269-0119

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WARRANTY DEED

92 08 0059

KNOW ALL MEN BY THESE PRESENTS, That JAMES C. McNAMEE and MARY F. McNAMEE, AKA
JIM McNAMEE AND MARY McNAMEE

_____, Grantor s
 in consideration of TWENTY THOUSAND FIVE HUNDRED AND NO/100----- Dollars,
 to them paid by the Grantee s herein, do _____ hereby grant, bargain, sell and convey unto
DANIEL E. SCHAFER and DEBORAH S. SCHAFER, Husband and Wife

Grantee s the following described real property, situate in the County of COOS and
 State of Oregon, to wit:

Lot 5, Sunny Cove Subdivision, Coos County, Oregon. Account No. 75252.00

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Parcel #

To Have and to Hold the granted premises unto the said Grantee s, their Heirs and Assigns forever.
 And the Grantor s do _____ covenant that they are lawfully seized in fee simple of the above granted
 premises free from all encumbrances, EXCEPTING: SEE ATTACHED EXHIBIT "A"

and that they will and their heirs, executors and administrators, shall warrant and forever defend the granted
 premises, against the lawful claims and demands of all persons, except as above stated.

Witness our hand s and seal this 29 day of JULY, 19 92.

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.

JAMES C. McNAMEE (SEAL)

MARY F. McNAMEE (SEAL)

(SEAL)

(SEAL)

(SEAL)

(SEAL)

STATE OF OREGON

County of COOS } ss.

BE IT REMEMBERED, That on this 29 day of JULY, 19 92, before me, the
 undersigned, a Notary Public in and for said County and State, personally appeared the within named
JAMES C. McNAMEE AND MARY F. McNAMEE

known to me to be the identical individual s described in and who executed the within instrument and acknowledged to
 me that THEY executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above
 written.

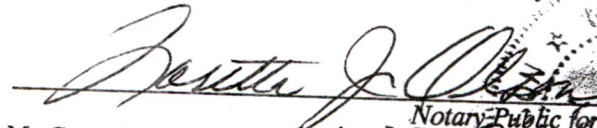
My Commission expires 1-22-93

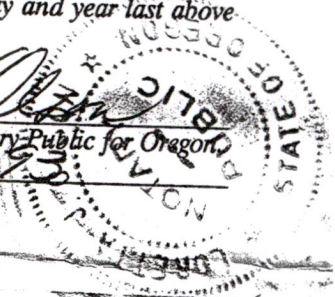
Notary Public for Oregon

5-88757

known to me to be the identical individual s described in and who executed the within instrument and acknowledged to me that THEY executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.


Notary Public for Oregon
My Commission expires 1-22-93



UNTIL A CHANGE IS REQUESTED, ALL TAX STATEMENTS SHALL BE SENT TO THE FOLLOWING ADDRESS:

DANIEL E. SCHAFER
910 S. Front Street
Central Point, OR 97502

Return to:

WILLAMETTE VALLEY TITLE

454 Commercial 16057060
Coos Bay, Oregon 97420-2293

RECORDING # 92080059

I, Mary Ann Wilson,
Coos County Clerk, certify
the within instrument
was filed for record at



3:03 ON 08/03/1992

By H. BRIGHT

Deputy

pages 2

Fee \$ 30.00

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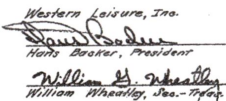
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1. 1992-93 taxes, a lien not yet payable.
2. We find no apparent recorded means of ingress or egress to or from the herein described property to any legally dedicated public road or highway. The above exception will be removed upon satisfactory evidence that there actually is a recorded means of ingress and egress to and from said property.
3. Any adverse claim based upon the assertion that: A) Said land or any part thereof is now or at any time has been below the ordinary high water mark of the Ten Mile Lake. (B) Some portion of said land has been created in artificial means or has accreted to such portion so created. (C) Some portion of said land has been brought within the boundaries there by an avulsive movement of the Ten Mile Lake, or has been formed by accretion to any such portion.
4. Covenants, conditions and restrictions, but omitting restrictions, if any, based on race, color, religion or national origin, imposed by instrument including the terms and provisions thereof, recorded March 12, 1970 in Plat Book 9, page 3, records of Coos County, Oregon.

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SUNNY COVE
A PORTION OF THE SE 1/4 SECTION 17, T. 23S., R 12W., W.M.
COOS COUNTY, OREGON
JUNE 1969

A parcel of land in the Southwest Quarter (S.E. 1/4) of Section 17, Township 23 North, Range 12 West of the Willamette Meridian more particularly described as follows: Beginning at the Initial Point of SUNDY OVE which is located in the East and NEVLES East East of the Corner of said Section 17, and running South 89° 48' 00" West 302.62 feet, thence South 62° 00' West 270.00 feet, thence South 25° 00' West 178.00 feet to the said 'the Corner', thence North 89° 48' 00" West 481.75 feet, thence North 40° 00' East 504.96 feet, thence North 60° 45' East 415.75 feet, thence South 81° 49' East 202.92 feet to the Initial Point.



Each sewage disposal system shall be designed, located and constructed in accordance with the requirements, standards and recommendations of the Coos County Health Department before any construction begins.

William L. Miller Commissioner
Quinnell F. Lockhart Surveyor
F. R. Flanagan Assessor

TEN MILE LAKE

BLOCK

Legend

Initial Point

Monuments found

Monuments not found

Bearings based on the Sec. Line of NW 1/4 SE 1/4 Section

Scale: 1" = 100'

State of Oregon
County of Coos

I, Way R. Crabtree, County Clerk in and for the said
County and State do hereby certify that the within plat
SUNNY GAY was duly recorded by me in Volume 8,
Page 2 of the Coos County Records of Town Plats,
this 12th day of March, 1981, at Medford,
Oregon. I certify that the within copy of the plat
has been by me compared to the original thereof and is an
exact copy of the whole thereof as the same appears on file
in my office and in my custody.

Way R. Crabtree
County Clerk

Examined and approved by the Coos County Planning
Commission this 9th day of MARCH, 1976.

Attest: James A. Ruppert
President

Ellen Daley Jones
Secretary

upon, Forrest Hales of Coquille, Oregon, being duly sworn, do say that I have correctly surveyed the above described parcel of land designated SUNNY COVE and divided same into lots, that the Initial Point is marked by a 2" galvanized iron pipe with lead plug and brass screw; center point placed 6' underground; that lot corners are marked by rods of the proper dimensions; that this map is drawn to scale and the figures thereon are the actual dimensions intended.



Subscribed and sworn to before me 70
this 9th day of March, 1968.
Margaret A. Mulken
Notary Public for Oregon
My Commission expires April 8, 1973

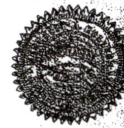
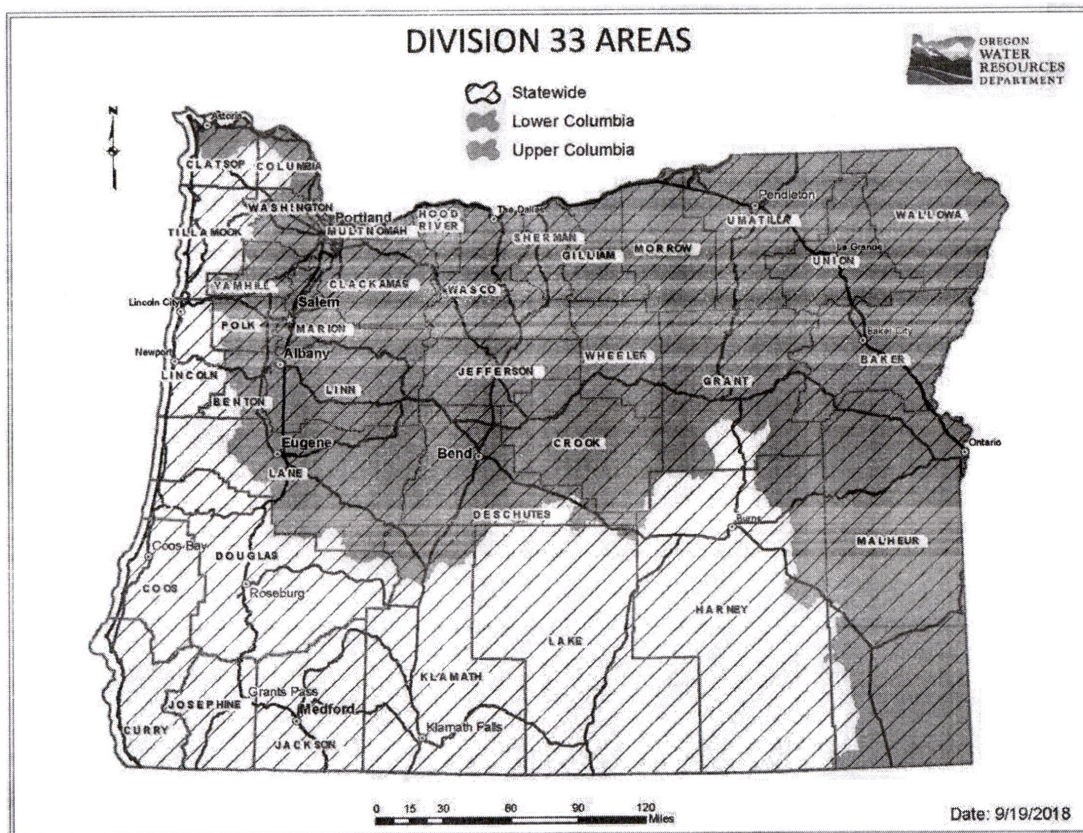


Figure 1: Map of Division 33 Areas



For more detailed information, click on the following link and enter the TRSQ or the Lat/Long of a POD and click on "Submit" to retrieve a report that will show which section, if any, of the Division 33 rules apply: https://apps.wrd.state.or.us/apps/misc/lkp_trsq_features/

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SALEM, OREGON

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Oregon

Kate Brown, Governor

Water Resources Department

North Mall Office Building
725 Summer St NE, Suite A
Salem, OR 97301
Phone (503) 986-0900
Fax (503) 986-0904
www.wrd.state.or.us

March 1, 2019

Daniel E Schafer/Deborah S Schafer
910 S Front Street
Central Point OR 97502

Dear Daniel/Deborah:

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 or 503-986-0810.

Sincerely,

Judy Ferrell
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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Oregon

Kate Brown, Governor

Water Resources Department

North Mall Office Building
725 Summer St NE, Suite A
Salem, OR 97301
Phone (503) 986-0900
Fax (503) 986-0904
www.wrd.state.or.us

Application Completeness Checklist

Minimum Requirements (OAR 690-310-0040)(ORS 537.400)



- ☐ A **Legal Description** of all the properties involved where water is diverted, crossed, and used. The Legal description includes a metes and bounds or other government survey description. A copy of the deed, land sales contract or title insurance policy can provide this information, or applicant may submit a lot book report prepared by a title company. Copies of tax bills are not acceptable.

As Per Phone & Email conversations
here are copies of deed, title Insurance,
map.

Thank you.
Debbie Schafer

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Oregon Water Resources Department Surface Water Application

[Main](#)
[Help](#)
[Return](#)
[Contact Us](#)

Today's Date: Thursday, February 28, 2019

Base Application Fee.		\$930.00
Number of proposed cubic feet per second (cfs) to be diverted. (1 cfs = 448.83 gallons per minute)	1	\$350.00
Number of proposed Use's for the appropriated water. (i.e. Irrigation, Supplemental Irrigation, Pond Maintenance, Industrial, Commercial, etc) *	1	
Number of proposed Surface Water points of diversions. **	1	
Number of Acre Feet to be diverted from Stored Water. (if the application is appropriating water from a pond/reservoir)	0	
Permit Recording Fee. ***		\$520.00
* the 1st Water Use is included in the base cost. ** the 1st Surface Water point of diversion is included in the base cost. *** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.	Recalculate	
Estimated cost of Permit Application		\$1,800.00

OWRD Fee Schedule

Fee Calculator Version: B20170117

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