

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

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AUG 28 2019

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

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Applicant

NAME Brian Thompson			PHONE (HM)
PHONE (WK) 541.471.6226	CELL 541.291.2222		FAX
ADDRESS 4025 Williams Hwy			
CITY Grants Pass	STATE OR	ZIP 97527	E-MAIL * brian@clearwaterrecycling.net

Organization

NAME self		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 Rick Parsons, ParsonsWater Consulting		PHONE 541.499.0257	FAX
ADDRESS 1619 Minear Road			CELL 303.667.5067
CITY Medford	STATE OR	ZIP 97501	E-MAIL * rick.parsons@parsonswater.com

Note: Attach multiple copies as needed

* By providing an e-mail address, consent is given to receive all correspondence from the Department electronically. (Paper copies of the 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

Brian Thompson
Applicant Signature

Brian Thompson / Property owner
Print Name and Title if applicable

8-23-19
Date

Applicant Signature

Print Name and Title if applicable

Date

For Department Use: App. Number: 5-88741

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. The SW 1/4 SW 1/4 Section 26, all that portion of the SE 1/4 Section 27 lying SE of tract conveyed to State of Oregon by deed recorded in Vol 26 pg 113 of Jackson Co. OR Deed Records; and the NE 1/4 NE 1/4 Section 34; all in T35S R2W of Willamette Meridian in Jackson County, OR.

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: Skou Reservoir	Tributary to: Snider Creek
TRSQQ of POD: T35S R2W Section 27 SE SE	
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).

Reservoir Certificate 28332 used on lands under Certificates 28331 and 33346

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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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 **OWRD** 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.

- 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

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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
Skou Reservoir	Irrigation	4/1 - 10/31	114 ☐ 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: 54.1 Acres Supplemental: 50.9 Acres 105 acres total

If supplemental acres are listed, provide the Permit or Certificate number of the underlying primary water right(s):
28331 - 17.9 ac; 33346 - 7 ac; 43838 - 26 ac

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 114

- 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): new 30 hp centrifugal pump planned for installation
☐ Other means (describe): _____

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

Water will be pumped from reservoir and carried over Snider Creek via pipeline followed by distribution to other pipelines, sprinklers and drip lines

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler)
Dependent on crop ; including use of high-pressure sprinkler and/or drip lines

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.

Water amounts requested are necessary to support irrigation throughout property subject to crop rotation. Water pumped from reservoir will be measured via totalizing flow meter. Delivery via pipe will minimize waste and prevent uncontrolled discharge. Delivery via pipe over surface stream will prevent impact to Snider Creek.

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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: _____
- ☒ 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: _____
As noted in Section 8, reservoir and conveyance infrastructure already in place; install of new pump in reservoir will not impact Snider Creek or streamside areas
- ☐ 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: _____
As noted in Section 8, reservoir and conveyance infrastructure already in place; install of new pump in reservoir will not impact Snider Creek or streamside areas
- ☐ 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: _____ Reservoir and outlet pipes previously constructed under Certificate
b) Date construction will be completed: 28332 and used for beneficial purposes since mid-1950s. Use of water
c) Date beneficial water use will begin: as primary supply for lands not currently under permit and secondary supply to lands under Certificates 28331, 33346 and 43838 will be put to beneficial use in spring 2020.

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

SECTION 10: REMARKS

Use this space to clarify any information you have provided in the application. (*Attach additional sheets if necessary*). This application is for a new secondary permit for use of storage water on 105 acres of irrigable land between Snider Creek and Hwy 234. Certificate issued pursuant this application should supersede that issued under Certificate 28332. A limit on duty of water used from Skou Reservoir should be limited to 3 acre-feet per acre to address water requirements of current and future crops to be irrigated on property. Surface Water — Page 6

For Department Use: App. Number: 5-88741

LOCAL GOVERNMENT
Will BE MAILED IN
Land Use *SEPARATELY!*
Information Form *BR*

8-23-19

Attachment 2: Land Use Information Form



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

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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.

Land Use Information Form



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
503-986-0900
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Applicant

NAME Brian Thompson			PHONE (HM)		
PHONE (WK) 541.471.6226		CELL 541.291.2222		FAX	
ADDRESS 4025 Williams Hwy					
CITY Grants Pass	STATE OR	ZIP 97527	E-MAIL* brian@clearwaterrecycling.net		

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
35S	2W	27 SE	1400	EFU		☒ Diverted	☒ Conveyed	☒ Used	Irrigation
35S	2W	26 SW SW	800	EFU		☒ Diverted	☐ Conveyed	☐ Used	Irrigation
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	

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

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) _____

Estimated quantity of water needed: 114
☐ 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: Irrigation for lands on property located north of Snider Creek toward Hwy 234

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

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

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Please check the appropriate box below and provide the requested information

- ☐ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): _____
- ☐ 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		TITLE:
SIGNATURE	PHONE:	DATE:
GOVERNMENT ENTITY		

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: Brian Thompson - Surface Water Right

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

COPY!
MAILED 8-27-19

Receipt for Request for Land Use Information

Applicant name: Brian Thompson - Surface Water Right

City or County: Jackson County

Staff contact: Mathew Langley (not assigned planner)

Signature: Mathew Langley

Phone: 541-774-6907 Date: 08/23/19

Land Use Information Form
Page 1 of 3

Receipt for Request for Land Use Information

Applicant name: Brian Thompson - Limited Water Use License

City or County: Jackson County

Staff contact: Mathew Langley (not assigned planner)

Signature: Mathew Langley

Phone: 541-774-6907 Date: 08/23/19

Revised 2/8/2010

Land Use Information Form - Page 3 of 3

WR/FS

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TICOR TITLE

470319061499AC
RECORDING REQUESTED BY:
TICOR TITLE
Company of Oregon

1555 E. McAndrews Road, Ste 100
Medford, OR 97504

GRANTOR'S NAME:
Dennis J. Chan and Alison B. Chan

GRANTEE'S NAME:
Brian L. Thompson

AFTER RECORDING RETURN TO:
Order No.: 470319061499-AC
Brian L. Thompson, an estate in fee simple
4025 Williams Hwy
Grants Pass, OR 97527

SEND TAX STATEMENTS TO:
Brian L. Thompson
4025 Williams Hwy
Grants Pass, OR 97527

APN: 10156686
10156902
10159334
Map: 352W26 800
352W27 1400
352W34 100
5943 Highway 234, Central Point, OR 97502

Jackson County Official Records **2019-007645**
R-WD
Str=10 SHINGLJS 03/22/2019 02:40:36 PM
\$10.00 \$10.00 \$8.00 \$11.00 \$60.00 **\$99.00**

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

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SEP 06 2019
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SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Dennis J. Chan and Alison B. Chan, Grantor, conveys and warrants to Brian L. Thompson, an estate in fee simple, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Jackson, State of Oregon:

The Southwest Quarter of the Southwest Quarter of Section 26; all that portion of the Southeast Quarter of Section 27 lying Southeasterly of tract conveyed to State of Oregon (by and through its State Highway Commission), by deed recorded in Volume 296 page 113 of the Deed Records of Jackson County, Oregon; and the Northeast Quarter of the Northeast Quarter of Section 34; all in Township 35 South, Range 2 West of the Willamette Meridian in Jackson County, Oregon.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS ONE MILLION EIGHT HUNDRED FIFTY THOUSAND AND NO/100 DOLLARS (\$1,850,000.00). (See ORS 93.030).

Subject to:

Covenants, Conditions, Restrictions, Reservations, set back lines, Power of Special Districts, and easements of Record, if any.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

5-88741

STATUTORY WARRANTY DEED

(continued)

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Dated: 3-22-19

[Signature]
Dennis J. Chan

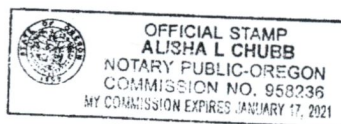
[Signature]
Alison B. Chan

State of OREGON
County of JACKSON

This instrument was acknowledged before me on 3/22/19 by Dennis J. Chan and Alison B. Chan.

[Signature]
Alisha L. Chubb, Notary Public - State of Oregon

My Commission Expires: 1-17-21



5-88741

STATE OF OREGON
COUNTY OF JACKSON
CERTIFICATE OF WATER RIGHT

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This Is to Certify, That VIGGO SEDV

of 872 Head Rd., Central Point, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to store the waters of unnamed gulch and runoff, tributary of Snider Creek (Rogue River), appropriated under Application No. 30111, Permit No. 23568

for the purposes of
irrigation

under Reservoir Permit No. R-1744 of the State Engineer, and that said right to store said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from July 5, 1955.

that the amount of water entitled to be stored each year under such right, for the purposes afore-said, shall not exceed 114 acre feet

The reservoir is located in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 26, and SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 27; all in T. 35 S., R. 2 W., W.M.

WITNESS the signature of the State Engineer, affixed

this date. MARCH 10 1961

LEWIS A. STANLEY

State Engineer

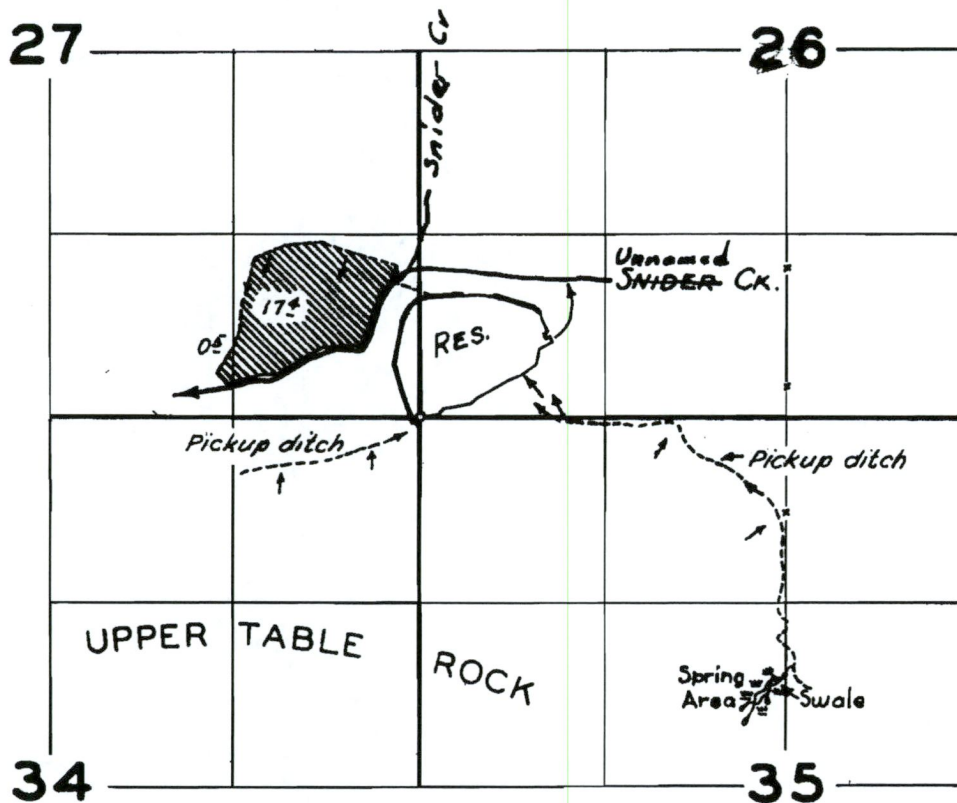
Recorded in State Record of Water Right Certificates, Volume 20, page 28332

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T.35S. R.2 W.W.M.



FINAL PROOF SURVEY
UNDER

Application No. R-30110 30111 Permit No. R-1774 23268
IN NAME OF

VIGGO SKOU

Surveyed 8 April 1960, by R. H. Jackson

STATE OF OREGON
COUNTY OF JACKSON
CERTIFICATE OF WATER RIGHT

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This Is to Certify, That VIGGO SKOU

of 872 Head Rd., Central Point, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of unnamed gulch, Swale, Runoff and reservoir constructed under Application No. R-30110, Permit No. R-1744, a tributary of Snider Creek (Rogue River) for the purpose of irrigation of 17.9 acres

under Permit No. 23568 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from July 5, 1955

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.45 cubic foot per second, being 0.23 c.f.s. from unnamed gulch and 0.22 c.f.s. from Swale and Runoff

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the Gulch SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 27 and SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 26; Swale SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 35; Pickup Ditch NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 34 and NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 35; all in T. 35 S., R. 2 W., W.M.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-fourtieth of one cubic foot per second per acre, or its equivalent for each acre irrigated from direct flow and shall be further limited to a diversion of not to exceed $\frac{1}{4}$ acre feet per acre for each acre irrigated during the irrigation season of each year from direct flow and storage from reservoir constructed under Permit No. R-1744,

and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

0.5 acre SW $\frac{1}{4}$ SE $\frac{1}{4}$
17.4 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 27
T. 35 S., R. 2 W., W.M.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed

this date. MARCH 10 1961

LEWIS A. STANLEY

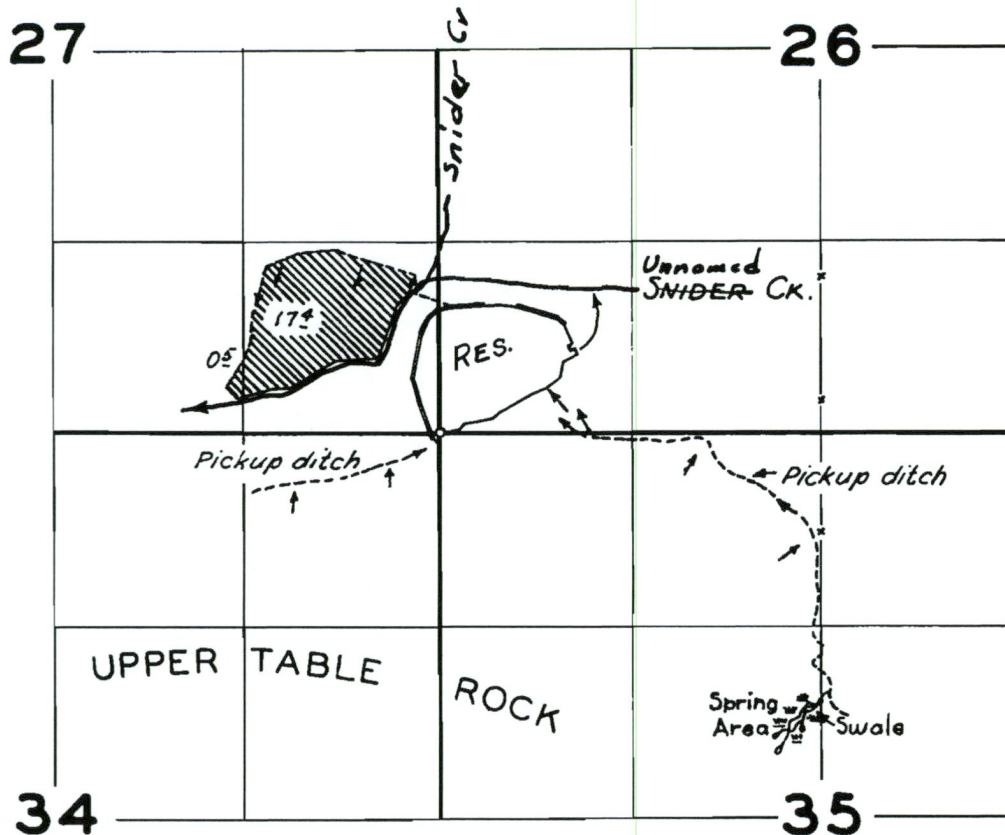
State Engineer

T.35S. R.2W.W.M.

RECEIVED

AUG 28 2019

OWRD



FINAL PROOF SURVEY
UNDER

Application No. R-30110 30111 Permit No. R-1774 23268
IN NAME OF

VIGGO SKOU

Surveyed 8 April, 1960, by *R. Jackson*

1960-K

5-88741

STATE OF OREGON
COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

RECEIVED

AUG 28 2019

OWRD

This Is to Certify, That WERNER J. & PATRICIA A. DONAT

of P. O. Box 5293, Carmel, State of California, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of an unnamed gulch and Skou Reservoir constructed under permit No. R-1744

a tributary of Snider Creek, (Rogue River)
irrigation of 7.0 acres

for the purpose of

under Permit No. 27208 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from February 16, 1961

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.18 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 26, T. 35 S., R. 2 W., W. M. Diversion point located 890 feet North and 70 feet East from the SW corner of Section 26.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-fortieth of one cubic foot per second per acre, or its equivalent for each acre irrigated from direct flow and shall be further limited to a diversion of not to exceed $\frac{1}{2}$ acre feet per acre for each acre irrigated during the irrigation season of each year from direct flow and storage from reservoir constructed under permit No. R-1744, provided further that the right to the use of direct flow is limited to the period when the flow of the Rogue River is more than 1000 c.f.s. at Raygold, more than 1000 c.f.s. immediately above Savage Rapids Dam and more than 735 c.f.s. at its mouth, and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

4.8 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
2.2 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 27
T. 35 S., R. 2 W., W. M.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed

this date. November 1, 1966

CHRIS L. WHEELER

State Engineer

Recorded in State Record of Water Right Certificates, Volume 25, page 33346

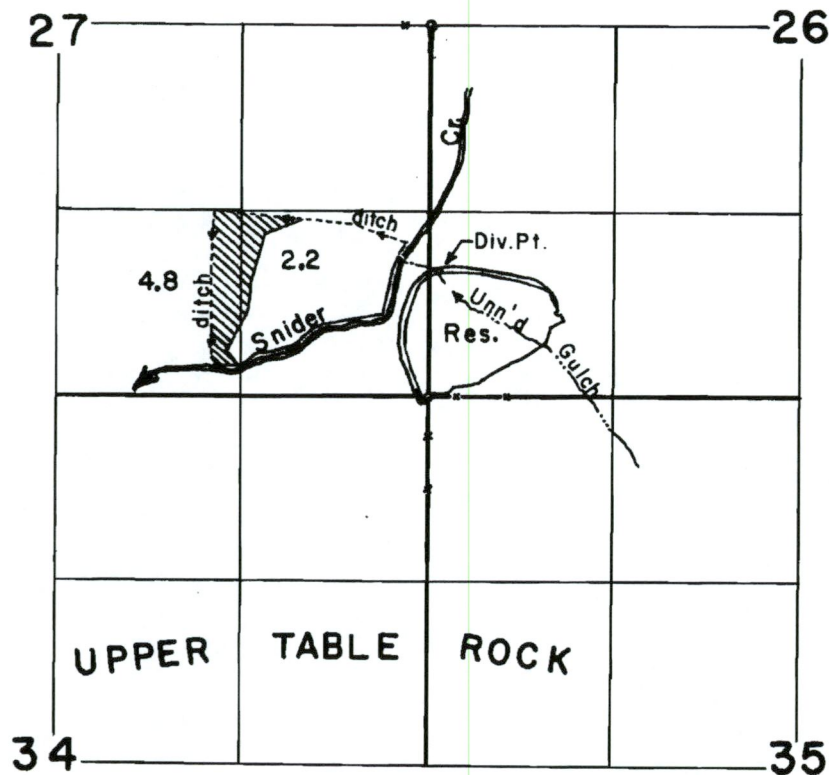
5-88741

RECEIVED

AUG 28 2019

OWRD

T.35S.R.2 W.W.M.



FINAL PROOF SURVEY
UNDER

Application No. 34638... Permit No. 27208...
IN NAME OF

..... Werner J. & Patricia A. Donat

Surveyed June 14, 1966, by D.C. Hendrix

5-88741

STATE OF OREGON

COUNTY OF

JACKSON

CERTIFICATE OF WATER RIGHT

RECEIVED

AUG 28 2019

OWRD

This Is to Certify, That

WERNER J. DONAT

of 8926 Hardy Way, Gold Hill, State of Oregon, 97525, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Snider Creek

a tributary of Rogue River
irrigation of 26.0 acres

for the purpose of

under Permit No. 31558 and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from May 3, 1966

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.33 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 27, T. 35 S., R. 2 W., W. M., 1670 feet South and 200 feet West from the E $\frac{1}{4}$ Corner of Section 27.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed $4\frac{1}{2}$ acre feet per acre for each acre irrigated during the irrigation season of each year;

and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

23.6 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
2.4 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 27
T. 35 S., R. 2 W., W. M.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described, and is subject to the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed

this date. October 18, 1976

James E. Saxson
Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 35, page 43838

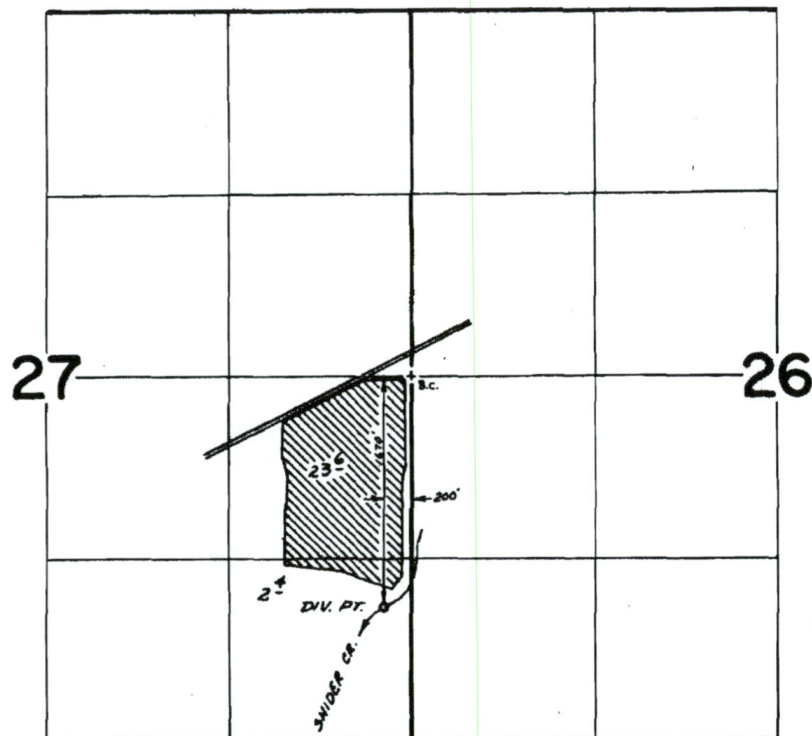
5-88741

RECEIVED

AUG 28 2019

OWRD

T.35S., R.2W., W.M.



FINAL PROOF SURVEY
UNDER

Application No. 42170 Permit No. 31558

IN NAME OF

WERNER J. DONAT

Surveyed May 1 1975, by D. Norby

PT-5-1975-A

5-88741