

# Jordan Engineering

Structural-Civil-Geotech

460 Jordan Lane  
Roseburg, OR 97471  
541-673-1931

Water Resources Department  
Mr. Gerry Clark  
725 Summer St. NE, Suite A  
Salem, OR 97301

April 10, 2020

1: Claim Of Beneficial Use:

Application: R-88298

Permit: R-15262

2: Surface Water Application

From said COBU above.

Mr. Clark:

Inclosed are the 1: Claim of Beneficial Use (COBU) form, Mylar map and the \$200 fee.

2: Surface Water Application, application map, Land Use Information Form, copy of the deed with property description, permit fee estimator and the \$1,145 fee. Also inclosed is a check #1292 in the sum of (\$200+\$1,145) at \$1,345 made out to the Department.

Gerry, please forward the Surface Water Application to the appropriate case worker.

If there are any questions please officially contact the applicant with a copy to me.

Respectfully,



Clay Jordan, P.E., S.E., Geotech, CWRE

cc: Mr. Pall Bonsky, Calapooya Covey, LLC  
file: Paul Bonsky COBU and Surface Water Use.wpd

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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 CALAPOOYA COVEY, LLC		PHONE (HM)	
PHONE (WK)	CELL 541-670-9017	FAX	
ADDRESS 8877 NONPAREIL ROAD			
CITY SUTHERLIN	STATE OR	ZIP 97479	E-MAIL * PAUL@MERVEILLEVINES.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.)

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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

Applicant Signature

*Mbr Mgr*

Print Name and Title if applicable

*Paul J. Bousky*

Date

*4/2/2020*

Applicant Signature

Print Name and Title if applicable

*Member Manager*

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).*

none

**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.

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**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: Bowens Pond Reservoir	Tributary to: Calapooya Creek
TRSQQ of POD: 25S 4W-10 SE-NW	
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 Section3A 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.)

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\\_trsq\\_features/](https://apps.wrd.state.or.us/apps/misc/lkp_trsq_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.

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#### **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.

**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 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
Bowens Pond Res.	supplemental irrigation	irrigation season 3.0	<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: \_\_\_\_\_ Acres Supplemental: 28.9 Acres

If supplemental acres are listed, provide the Permit or Certificate number of the underlying primary water right(s):  
39434

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 3

- 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): 5 submersible
- Other means (describe): \_\_\_\_\_

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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 to holding tanks then gravity fed by pipe to irrigated area.

Water will at times be pumped directly to crops

**B. Application Method**

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

**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 used when regulated off from primary source. The amount of water is limited to capacity of reservoir. There is a berm around the reservoir to prevent an surface waters from entering it. This application is for use of previously legally stored water

**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: there are no fish in the reservoir. it is completely off channel
- 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 construction in riparian 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: no equipment in any stream
- Water quality will be protected by preventing erosion and run-off of waste or chemical products.  
Describe planned actions: application methods – drip and sprinkler are controlled. System is completely enclosed
- 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: has begun
- b) Date construction will be completed: March 2025
- c) Date beneficial water use will begin: August 2020

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**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*).  
Source is legally impounded water under permit R-15262 and will be used when primary source regulated off

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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: \$ 1,145.00  
See the Department's Fee Schedule at [www.oregon.gov/owrd](http://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 taxlot 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](http://www.oregon.gov/owrd). The public comment period is 30 days from publication in the weekly notice.

## 4. Proposed Final Order Issued

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

## 5. Public Notice

Within 7 days of issuing the PFO, the Department gives public notice in the weekly notice. Notice includes information about the application and the PFO. Protest must be received by the Department within 45 days after publication of the PFO in the weekly notice. Anyone may file a protest. The protest filing fee is \$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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For Department Use: App. Number: \_\_\_\_\_

# 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

**Applicant**

NAME CALAPOOYA COVEY, LLC			PHONE (HM)		
PHONE (WK)		CELL 541 670-9017		FAX	
ADDRESS 8877 NONPAREIL ROAD					
CITY SUTHERLIN		STATE OR	ZIP 97479	E-MAIL* PAUL@MERVEILLEVINES.COM	

**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
25S	4W	10	NW-NE	100		<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	farm
			SW-NE	100		<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	farm
			NE-NW	100		<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	farm
			SW-NW	100		<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	farm
			SE-NW	100		<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	farm
			NE-SW	100		<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	farm
			NW-SW	100		<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	farm

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed: **RECEIVED**  
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**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: 3.0  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:

Water will be used from reservoir under permit R-15262 to supplement existing water right from Calapooya Cr.

**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 landuse 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 notregulated by your comprehensive plan. Cite applicable ordinance section(s): 3.3.075.(16) DC LUDO

Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land useapprovals as listed in the table below. (Please attach documentation of applicable land use approvals which havealready been obtained. Record of Action/land use decision and accompanying findings are sufficient.)If approvals have been obtained but all appeal periods have not ended, check "Being pursued."

Type of Land Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	<b>RECEIVED</b>	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	<b>APR 16 2020</b>	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	<b>OWRD</b>	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

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

R17488, R143390      WS20-0199      ZONED: FG

NAME <u>Robin Lamberts</u>	TITLE: <u>Duty Planner</u>
SIGNATURE <u>[Signature]</u>	DATE: <u>3-10-2020</u>
PHONE: <u>341-446-4289</u>	
GOVERNMENT ENTITY <u>Douglas County Planning Department</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.

**DOUGLAS COUNTY PLANNING DEPARTMENT  
ROOM 106, JUSTICE BUILDING  
DOUGLAS COUNTY COURTHOUSE**

**Receipt for Request for Land Use Information**

Applicant name: \_\_\_\_\_

City or County: \_\_\_\_\_ Staff contact: \_\_\_\_\_

Signature: \_\_\_\_\_ Phone: \_\_\_\_\_ Date: \_\_\_\_\_

Until Further Notice, Send  
Tax Statements To:  
Calapooya Covey, LLC  
7730 S. Kingston  
Tulsa, OK 74136

After Recording, Return To:  
Jeffrey A. Momarich  
Attorney at Law  
PO Box 1205  
Roseburg, OR 97470

DOUGLAS COUNTY OFFICIAL RECORDS  
BARBARA E. NIELSEN, COUNTY CLERK

2011-005591



\$51.00

DEED-BS Cnt=1 Str=3 marriagecounter  
\$15.00 \$11.00 \$15.00 \$10.00

03/30/2011 03:49:24 PM

### BARGAIN AND SALE DEED

Dorothy J. Lawwill and Patricia K. L. Bonsky, Grantors, convey to Calapooya Covey, LLC, Grantee, that certain real property more particularly described in attached Exhibit "A" which by this reference is incorporated herein in full.

The true consideration for this conveyance is valuable consideration other than money.

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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. 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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009.

DATED: 5/6/2011

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*Dorothy J. Lawwill*  
Dorothy J. Lawwill

*Patricia K. L. Bonsky*  
Patricia K. L. Bonsky

STATE OF OREGON )  
 )ss.  
County of Douglas )

This instrument was acknowledged before me this 30<sup>th</sup> day of March, 2011, by Dorothy J. Lawwill.

Kim A. Phillips  
Notary Public for OREGON  
My Commission Expires: 8-24-13



STATE OF OREGON )  
 )ss.  
County of Douglas )

This instrument was acknowledged before me this 30<sup>th</sup> day of March, 2011, by Patricia K. L. Bonsky

Kim A. Phillips  
Notary Public for OREGON  
My Commission Expires: 8-24-13



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EXHIBIT A

BEGINNING AT A POINT WHICH LIES EAST 284.0 FEET AND SOUTH 108.9 FEET FROM THE NORTHEAST CORNER OF THE CLINTON SUTHERLIN DONATION LAND CLAIM NO. 49, IN SECTION 10, TOWNSHIP 26 SOUTH, RANGE 4 WEST, W.M., IN DOUGLAS COUNTY, OREGON; RUNNING THENCE EAST A DISTANCE OF 8.185 CHAINS TO A POINT WHICH IS 12.18 1/2 CHAINS EAST AND 1.02 CHAINS SOUTH OF THE NORTHEAST CORNER OF THE CLINTON SUTHERLIN DONATION LAND CLAIM NO. 49, IN SAID SECTION, TOWNSHIP AND RANGE, A POINT FROM WHICH A FIR 24 INCHES IN DIAMETER BEARS SOUTH 14 DEGREES EAST 3 LINKS DISTANT, AND MARKED S.B.T., A BLACK OAK 8 INCHES IN DIAMETER BEARS NORTH 77 DEGREES 14 1/2 LINKS DISTANT AND MARKED S.B.T.; THENCE NORTH 40 DEGREES 40' EAST 21.77 CHAINS; THENCE NORTH 40 DEGREES 20' WEST 4.77 CHAINS TO A POINT WHICH BEARS WEST 5.08 CHAINS AND SOUTH 10.71 CHAINS OF THE QUARTER SECTION CORNER BETWEEN SECTIONS 3 AND 10; THENCE NORTH 40 DEGREES 40' EAST 7.78 CHAINS TO A POINT FROM WHICH A DOUBLE ALDER 12 INCHES IN DIAMETER BEARS SOUTH 77 DEGREES EAST 19 LINKS DISTANT AND MARKED S.B.T., A BALM 18 INCHES IN DIAMETER BEARS NORTH 74 DEGREES 52' LINKS DISTANT AND MARKED S.B.T.; THENCE SOUTH 3.06 CHAINS, BEING ALSO A POINT 7.89 CHAINS SOUTH OF THE ABOVE MENTIONED QUARTER SECTION CORNER; THENCE SOUTH 65 DEGREES 30' EAST 4.77 CHAINS; THENCE SOUTH 19 DEGREES 00' EAST 2.14 CHAINS, TO A FIR 12 INCHES IN DIAMETER MARKED S., THENCE SOUTH 5 DEGREES 00' EAST 6.33 CHAINS TO A WHITE OAK 8 INCHES IN DIAMETER MARKED S., THENCE SOUTH 28 DEGREES 00' WEST 2.22 CHAINS TO A WHITE OAK 8 INCHES IN DIAMETER MARKED S.; THENCE SOUTH 59 DEGREES 52' EAST 3.39 CHAINS TO THE CENTER OF CALAPOOIA CREEK; THENCE DOWN CENTER OF STREAM AS FOLLOWS: SOUTH 37 DEGREES 22' WEST 2.45 CHAINS; THENCE SOUTH 49 DEGREES 21' WEST 1.70 CHAINS; THENCE SOUTH 44 DEGREES 14' WEST 6.38 CHAINS IN THE CENTER OF THE CREEK; THENCE WEST 285.5 FEET; THENCE SOUTH 18 DEGREES 14' WEST 833.8 FEET; THENCE SOUTH 51 DEGREES 38' WEST, A DISTANCE OF 185.9 FEET; THENCE SOUTH 65 DEGREES 36' WEST A DISTANCE OF 415.1 FEET; THENCE SOUTH 88 DEGREES 24' WEST A DISTANCE OF 720.2 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF COUNTY ROAD NO. 19; THENCE NORTH 1 DEGREE 03' WEST ALONG THE EASTERLY RIGHT OF WAY LINE OF SAID COUNTY ROAD, A DISTANCE OF 697.58 FEET TO THE SOUTHWEST CORNER OF TRACT DEEDED TO THE SUTHERLIN SCHOOL DISTRICT NO. 130-C, DOUGLAS COUNTY, OREGON, AS RECORDED IN VOLUME 242, RECORDER'S NO. 194869 OF THE DEED RECORDS OF DOUGLAS COUNTY, OREGON; THENCE ALONG THE SOUTHERLY BOUNDARY OF SAID SCHOOL DISTRICT PROPERTY, SOUTH 89 DEGREES 58' EAST 515.05 FEET TO A 1" INCH IRON PIPE; THENCE NORTH 0 DEGREES 02' WEST 93.0 FEET TO A 1 INCH IRON PIPE; THENCE NORTH 57 DEGREES 58' 30" WEST 299.58 FEET TO A 1/2 INCH IRON ROD; THENCE NORTH 143.1 FEET TO THE PLACE OF BEGINNING.

EXCEPTING FROM THE ABOVE A TRACT OF LAND SOLD TO THE STATE OF OREGON BY DEED RECORDED IN VOLUME 101, PAGE 432, OF THE DEED RECORDS OF DOUGLAS COUNTY, OREGON.

EXCEPT ANY PART THEREOF WHICH LIES IN LOT 5, BLOCK G, NONPAREIL

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Today's Date: Tuesday, February 25, 2020

Base Application Fee.		\$520.00
Acre feet of Stored Water to be diverted.	3.0	\$105.00
	Subtotal:	\$625.00
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		\$1,145.00

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