

Application for a Permit to Use Groundwater

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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 ADRIENNE CALABRESE & MICHAEL NEWMAN		PHONE (HM) 503-498-2197	
PHONE (WK)	CELL		FAX
ADDRESS 16450 WATER GAP RD.			
CITY WILLIAMS	STATE OR	ZIP 97544	E-MAIL* adriennecalabrese@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 SCOTT FEIN WATER RIGHTS		PHONE 541-842-0795	FAX
ADDRESS 600 TYLER CREEK RD.			CELL
CITY ASHLAND	STATE OR	ZIP 97520	E-MAIL* SFEINSURVEYOR@GMAIL.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:

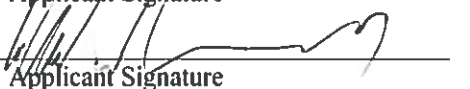
- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application.
- I cannot use water legally until the Water Resources Department issues a permit.
- Oregon law requires that a permit be issued before beginning construction of any proposed well, unless the use is exempt. Acceptance of this application does not guarantee a permit will be issued.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be 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 get water to which they are entitled.

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


Applicant Signature

ADRIENNE CALABRESE
Print Name and Title if applicable

09-04-2020
Date


Applicant Signature

MICHAEL NEWMAIL
Print Name and Title if applicable

09-04-2020
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.

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- 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.

SECTION 3: WELL DEVELOPMENT

WELL NO.	NAME OF NEAREST SURFACE WATER	IF LESS THAN 1 MILE:	
		DISTANCE TO NEAREST SURFACE WATER	ELEVATION CHANGE BETWEEN NEAREST SURFACE WATER AND WELL HEAD
1	Williams creek is 7500 FT. east		

Please provide any information for your existing or proposed well(s) that you believe may be helpful in evaluating your application. For existing wells, describe any previous alteration(s) or repair(s) not documented in the attached well log or other materials *(attach additional sheets if necessary).*

THE SUBJECT WELL HAS BEEN IN OPERATION UNDER CERTIFICATE 66521 SINCE 1981 AND HAS NOT BEEN KNOWN TO HAVE ANY REGULATORY CONCERNS.

SECTION 3: WELL DEVELOPMENT, continued

Total maximum rate requested: 0.04 CFS (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below).

The table below must be completed for each source to be evaluated or the application will be returned. If this is an existing well, the information may be found on the applicable well log. (If a well log is available, please submit it in addition to completing the table.) If this is a proposed well, or well-modification, consider consulting with a licensed well driller, geologist, or certified water right examiner to obtain the necessary information.

OWNER'S WELL NAME OR NO.	PROPOSED	EXISTING	WELL ID (WELL TAG) NO.* OR WELL LOG ID**	FLOWING ARTESIAN	CASING DIAMETER	CASING INTERVALS (IN FEET)	PERFORATED OR SCREENED INTERVALS (IN FEET)	SEAL INTERVALS (IN FEET)	MOST RECENT STATIC WATER LEVEL & DATE (IN FEET)	PROPOSED USE			
										SOURCE AQUIFER***	TOTAL WELL DEPTH	WELL-SPECIFIC RATE (GPM)	ANNUAL VOLUME (ACRE-FOOT)
1	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Jose 2042	<input type="checkbox"/>	6 INCH	80	120	80		GRAVEL & SAND	120	0.04	10.0
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									

- * Licensed drillers are required to attach a Department-supplied Well Tag, with a unique Well ID or Well Tag Number to all new or newly altered wells. Landowners can request a Well ID for existing wells that do not have one. The Well ID is intended to serve as a unique identification number for each well.
- ** A well log ID (e.g. MARI 1234) is assigned by the Department to each log in the agency's well log database. A separate well log is required for each subsequent alteration of the well.
- *** Source aquifer examples: Troutdale Formation, gravel and sand, alluvium, basalt, bedrock, etc.

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For Department Use: App. Number: _____

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 if your proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters.

To answer the following questions, use the map provided in Attachment 3 or the link below to determine whether the proposed point of appropriation (POA) 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 TRSQQ or the Lat/Long of a POA 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 POA is located, please call the customer service desk at (503) 986-0801.

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

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Is the well or proposed well located in an area where the Upper Columbia Rules apply?

Yes No

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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, and if the Department determines that proposed groundwater use has the potential for substantial interference with nearby surface waters:

- I understand that the permit, if issued, will not allow use during the time period April 15 to September 30, except as provided in OAR 690-033-0140.
- I understand that the 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 well or proposed well located in an area where the Lower Columbia rules apply?

Yes No

If yes, and the proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters 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, you will be required to provide the following information, if applicable.

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:

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Statewide - OAR 690-033-0330 thru -0340

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Is the well or proposed well located in an area where the Statewide rules apply?

Yes No

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If yes, and the proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters you are notified that 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.

SECTION 5: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Irrigation	April through October	6.0
Nursery	November through March	4.0

For irrigation use only:

Please indicate the number of primary and supplemental acres to be irrigated (*must match map*).

Primary: 2.0 Acres Supplemental: Acres

If you listed supplemental acres, list 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: 6.0

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households: (Exempt Uses: Please note that 15,000 gallons per day for single or group domestic purposes and 5,000 gallons per day for a single industrial or commercial purpose are exempt from permitting requirements.)

- If the use is **mining**, describe what is being mined and the method(s) of extraction (*attach additional sheets if necessary*): _____

SECTION 6: WATER MANAGEMENT

A. Diversion and Conveyance

What equipment will you use to pump water from your well(s)?

- Pump (give horsepower and type): 5 HP 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 is pumped from the POA via a 2 inch diameter pipeline to 2 inch diameter lay flat hose from which highly efficient drip irrigation is utilized to appropriate the water.

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler) (*attach additional sheets if necessary*)

Drip

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 aquatic life and riparian habitat; prevent the discharge of contaminated water to a surface stream; prevent adverse impact to public uses of affected surface waters (*attach additional sheets if necessary*).

Highly efficient drip irrigation will be utilized to cultivate row crops. Drip tape is buried subsurface in raised beds with virtually no run off.

SECTION 7: PROJECT SCHEDULE

- Date construction will begin: Upon receipt of permit
- Date construction will be completed: 1 year
- Date beneficial water use will begin: 1 year

SECTION 8: RESOURCE PROTECTION

In granting permission to use water the state encourages, and in some instances requires, careful control of activities that may affect adjacent 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.

- Water quality will be protected by preventing erosion and run-off of waste or chemical products.
 Describe: Highly efficient drip irrigation will be utilized to cultivate row crops. Drip tape is buried subsurface in raised beds with virtually no run off.

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

Describe planned actions and additional permits required for project implementation: _____

- Other state and federal permits or contracts required and to be obtained, if a water right permit is granted:

List: _____

SECTION 9: WITHIN A DISTRICT

Check here if the point of appropriation (POA) or place of use (POU) are located within or 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*).

The subject POA has been in good working order since 1976 and been irrigating 3 acres under certificate 66521 since 1981. Property owner is actively farming row crops and nursery stock. An additional 2.0 acres of irrigation and 1.0 acre of nursery use within the request seasons will make the economics of small scale farming more practical on the subject property.

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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: Well Development
- SECTION 4: Sensitive, Threatened or Endangered Fish Species Public Interest Information
- SECTION 5: Water Use
- SECTION 6: Water Management
- SECTION 7: Project Schedule
- SECTION 8: Resource Protection
- SECTION 9: Within a District
- SECTION 10: Remarks

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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: \$ 2560⁰⁰
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

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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

NOTICE TO WATER WELL CONTRACTOR

The original and first copy of this report are to be filed with the

STATE ENGINEER, SALEM, OREGON 97310 within 30 days from the date of well completion.

WATER WELL REPORT

STATE OF OREGON

(Please type or print)

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AUG 24 1976

State Well No.

WATER RESOURCES STATE PERMIT No.

SALEM, OREGON

385/SW229C

(1) OWNER:

Name: ART Ferrare
Address: 10495 Water gap rd. Williams, OR

(2) TYPE OF WORK (check):

New Well [x] Deepening [] Reconditioning [] Abandon []
If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary [x] Driven []
Cable [] Jetted []
Dug [] Bored []

(4) PROPOSED USE (check):

Domestic [x] Industrial [] Municipal []
Irrigation [] Test Well [] Other []

CASING INSTALLED:

Threaded [] Welded [x]
6" Diam. from 0 ft. to 80 ft. Gage 1250

PERFORATIONS:

Perforated? [] Yes [x] No.
Type of perforator used
Size of perforations in. by in.

(7) SCREENS:

Well screen installed? [] Yes [x] No
Manufacturer's Name
Type Model No.
Diam. Slot size Set from ft. to ft.

(8) WELL TESTS:

Drawdown is amount water level is lowered below static level
Was a pump test made? [] Yes [x] No If yes, by whom?
Yield: gal./min. with ft. drawdown after hrs.
AIR test 50 gal./min. with 25 ft. drawdown after 1 hrs.

(9) CONSTRUCTION:

Well seal—Material used cement grout
Well sealed from land surface to 80 ft.
Diameter of well bore to bottom of seal 10 in.
Diameter of well bore below seal 6 in.
Number of sacks of cement used in well seal 22 sacks
Number of sacks of bentonite used in well seal
Brand name of bentonite
Number of pounds of bentonite per 100 gallons of water
Was a drive shoe used? [x] Yes [] No Plugs Size: location
Did any strata contain unusable water? [] Yes [x] No
Type of water? depth of strata
Method of sealing strata off
Was well gravel packed? [] Yes [x] No Size of gravel:
Gravel placed from ft. to ft.

(10) LOCATION OF WELL:

County Josephine Driller's well number
SW 1/4 NE 1/4 Section 22 T.38S R. 5W W.M.
Bearing and distance from section or subdivision corner
SL 702

(11) WATER LEVEL: Completed well.

Depth at which water was first found 86 ft.
Static level 10 ft. below land surface. Date 8-20-76
Artesian pressure lbs. per square inch. Date

(12) WELL LOG:

Diameter of well below casing 6
Depth drilled 120 ft. Depth of completed well 120 ft.
Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level and indicate principal water-bearing strata.

Table with columns: MATERIAL, From, To, SWL. Rows include: Brown clay (0-19), Gravel medium (19-22), Granite decomposed (22-67), Granite hard grey (67-120) 10.

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Work started 8-19-76 Completed 8-20-76
Date well drilling machine moved off of well 19

Drilling Machine Operator's Certification:

This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.
[Signed] [Signature] Date 8-21, 1976
(Drilling Machine Operator)
Drilling Machine Operator's License No. 685

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.
Name M. Clanton Well Drilling (Person, firm or corporation) (Type or print)
Address 15th NE Bendin Grants, Bend, Ore
[Signed] [Signature] (Water Well Contractor)
Contractor's License No. 614 Date 8-7-76, 1976

① A 28928820(VB)

①

Recording Requested By:

Vanessa Blacksmith
First American Title Company of Oregon
118 NE C St.
Grants Pass, OR 97526

When Recorded Mail To:

Vanessa Blacksmith
First American Title Company of Oregon
118 NE C St.
Grants Pass, OR 97526

Mail Tax Statements To:

Adrienne Calabrese
Michael Newman
P.O. Box 114
Honeydew, CA 95545

JOSEPHINE COUNTY OFFICIAL RECORDS	
RHIANNON HENKELS, COUNTY CLERK	2017-013399
DED-WRD	09/28/2017 10:05 AM
Cnt=1 Pgs=4 Stn=0 JEDWARDS	
\$20.00 \$20.00 \$11.00 \$5.00 \$10.00	\$66.00
I, Rhiannon Henkels, County Clerk, certify that the within document was received and duly recorded in the official records of Josephine County.	

Cdo-

WARRANTY DEED

Berton R. Dummer and Joan A. Dummer as co-trustees of the Berton R. and Joan A. Dummer Revocable Trust Agreement Dated May 9, 2014 , hereinafter referred to as "Grantors", convey and warrant unto Michael Newman and Adrienne Calabrese, not as tenants in common but with right of survivorship, all that real property situated in Josephine County, State of Oregon and described as: See Exhibit "A" attached.

Grantors hereby covenant that they are the owners of the above-described property free of all encumbrances except: See Exhibit "B" attached.

The true and actual consideration for this transfer is: \$539,950.00.

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, 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

DAVIS, HEARN, ANDERSON & TURNER
A Professional Corporation
515 E. Main Street
Ashland, Oregon 97520
(541) 482-3111 Fax (541) 488-4455
www.davishearn.com

Warranty Deed -1-

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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, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

DATED this 27 day of September, 2017

Berton R. Dummer TRUSTEE Joan A. Dummer TRUSTEE
Berton R. Dummer, Trustee Joan A. Dummer, Trustee

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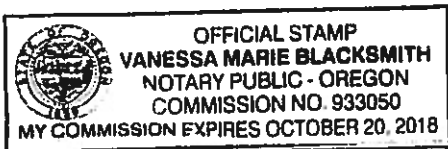
STATE OF OREGON)
) §
COUNTY OF JOSEPHINE)

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On the 27 day of September, 2017, personally appeared the above-named Berton R. Dummer and Joan A. Dummer and acknowledged the foregoing instrument to be a voluntary act. Before me:

as CO-TRUSTEES of The Berton R. and Joan A. Dummer Revocable Trust Agreement dated May 9, 2014, on behalf of the trust.

Vanessa Blacksmith
Notary Public for Oregon
My Commission Expires: 10/20/2018



DAVIS, HEARN, ANDERSON & TURNER
A Professional Corporation
515 E. Main Street
Ashland, Oregon 97520
(541) 482-3111 Fax (541) 488-4455
www.davishearn.com

3

Exhibit "A"

Real property in the County of Josephine, State of Oregon, described as follows:

Commencing at the center of Section 22, Township 38 South, Range 5 West of the Willamette Meridian, Josephine County, Oregon; thence North 89°30' West along the East-West center line of said Section 1103 feet to the True Point of Beginning; thence South 89°30' East, along said center line 703 feet; thence South 300 feet; thence North 89°30' East, parallel to said East-West centerline, 105 feet; thence South 270 feet; thence South 89°30' East, parallel to said East-West centerline, 1240 feet, more or less, to the Westerly right of way line of Water Gap Road; thence Southerly along said right of way line, 25 feet, more or less, to a point that is 595 feet South of said East-West centerline; thence North 89°30' West, parallel to said centerline, 2090 feet, more or less, to a point South of the true point of beginning; thence North 595 feet to the true point of beginning.

NOTE: This Legal Description was created prior to January 01, 2008.

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EXHIBIT "B"

1. Rights of the public and of governmental bodies in and to that portion of the premises herein described lying below the high water mark of Horsehead Creek.

2. Easement, including terms and provisions contained therein:

Recording Information: February 01, 1941 as Volume 93, Page 79, Deed Records, May 19, 1949 as Volume 146, Page 321, Deed Records and October 06, 1950 as Volume 153, Page 618, Deed Records

In Favor of: California Oregon Power Company
For: Right of way

3. Easement, including terms and provisions contained therein:

Recording Information: April 20, 1962 as Volume 219, Page 383, Deed Records

In Favor of: Pacific Power and Light Company

For: Right of way

Affects: 20 feet in width

4. Easement, including terms and provisions contained therein:

Recording Information: September 13, 1972 as Volume 285, Page 380, Deed Records

In Favor of: Pacific Power and Light Company

For: Right of way

5. Easement, including terms and provisions contained therein:

Recording Information: August 27, 1981 as Document No. 81-14197

In Favor of: Pacific Power and Light Company

For: Right of way

Affects: 10 feet in width

Re-recorded December 22, 1981 as Document No. 81-20709

6. An easement reserved in a deed, including the terms and conditions thereof:

For: Ingress and egress

Recording Information: April 14, 1983 as Document No. 83-03688

Affects: East of the North-South centerline of Section 22

Re-recorded April 20, 1983 as Document No. 83-03937

7. Maintenance Agreement for Access Road and the terms and conditions thereof:

Recording Information: April 14, 1983 as Document No. 83-03691

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SEP 14 2020

OWRD

Land Use Information Form



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1266
 (503) 986-0900
 www.wrd.state.or.us

Applicant(s): Michael Newman and Adrienne Calabrese

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Mailing Address: 16450 Water Gap Road

JUL 22 2020

City: Williams

State: OR Zip Code: 97544

Daytime Phone: 702-986-2747
 7000 PLANNING

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:
38	5W,W M	22	NE,SW	702	WR	Diverted X	Conveyed X	Used X	
						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:

Josephine

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 Ground Water Registration Modification
 Limited Water Use License
 Allocation of Conserved Water
 Exchange of Water

Source of water: Reservoir/Pond
 Ground Water
 Surface Water (name)

Estimated quantity of water needed: .04 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 of crops.

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OWRD

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

See bottom of Page 3. →

Land Use Information Form



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

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 ground water 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.

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SEP 14 2020

NOTE TO LOCAL GOVERNMENTS

OWRD

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 30day 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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JOCO - PLANNING

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.

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JUL 22 2020

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): Section 19.65.020.B.5, JCC

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
	RECEIVED	Obtained Denied	Being Pursued Not Being Pursued
	SEP 14 2020	Obtained Denied	Being Pursued Not Being Pursued
	OWRD	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.

Farm use as defined in ORS 215.203 is an outright permitted use in the Woodlot Resource (WR) zone per Section 19.65.020.B.5 of the Josephine County Code (JCC).

Name: Kayla Wallace, CFM Title: Associate Planner
 Signature: Kayla Wallace Phone: 541-474-5427 Date: July 24, 2020
 Government Entity: Josephine County Community Development - Planning Division

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: Christiane Calabrese
 City or County: Wasco County Staff contact: Tami Smith
 Signature: Tami Smith Phone: 541-474-5424 Date: 7-22-2020