



Oregon
Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

November 19, 2020

Paradise Lodge LLC
3140 Juanipero Way Suite 210
Medford OR 97504

On November 16, 2020 the Water Resources Department received the Claim of Beneficial Use (COBU) for the following file(s):

Application S-87036 Permit S-54550

The COBU included a report and map. The Department hopes to review your submittal within approximately 2 - 4 years. At that time we will review these items and provide a final certificate, proposed certificate, or a request for additional information.

If you are interested in having your COBU reviewed sooner, you may pay to have your file processed immediately, using the Reimbursement Authority program, which is described at:

<https://www.oregon.gov/OWRD/programs/WaterRights/RA/Pages/Certificate.aspx>

Customer Service phone: (503) 986-0900

Enclosed is your receipt for the \$200.00 COBU recording fee

If you sell the property, please contact the Department, or have the new owners contact the Department about the need to file an assignment.

Cc: file S-87036
Joseph L Strahl, CWRE

Checklist for Claims of Beneficial Use Received at CSG Counter

Application #:	WRD Reviewer:
Transfer #:	
Date Received:	
CWRE Name:	
Priority Date (s):	

Fees Required:

- YES NO A fee of \$200 must accompany this form for permits with priority dates of July 9, 1987, or later.
- YES NO A fee of \$200 must accompany this form for any transfers including a water right with a priority date of July 9, 1987, or later.
 Example – A transfer involves 5 rights and one of the rights has a priority date of July 9, 1987, or later, the fee is required.

Fill in App or Transfer Number

Map Review:

- Map on polyester film (OAR 690-014-0170(1) & 310-0050(1)(b))
- Application & permit #; or transfer # (OAR 690-014-0100(1))
- Disclaimer (OAR 690-014-0170(5))
- North arrow (OAR 690-310-0050(2)(c))
- CWRE stamp and signature (OAR 690-014 & 310-0050)
- Appropriate scale (1" = 1320', 1" = 400', or the original full-size scale of the county assessor map) (014 & 310)
- Township, range, section, and tax lot numbers (OAR 690-310-0050(4))

Report Review:

- On form provided by the Department (OAR 690-014-0100(1))
- Application & permit #; or transfer # (OAR 690-014)
- Ownership information (OAR 690-014)
- Date of survey (OAR 690-014)
- Person interviewed (OAR 690-014)
- County (OAR 690-014)
- CWRE stamp and signature (OAR 690-014-0100)
- Signature(s) of all permittee of transfer holder (OAR 690-014-0100)

MONEY SLIP

DATE: _____ RECEIPT #: _____

RECEIVED FROM: _____ APPLICATION PERMIT TRANSFER

CASH CHECK # _____ OTHER (IDENTIFY) _____ TOTAL RECD \$ _____

1083 TREASURY 4178 MISC CASH ACCT.

0407 COPIES _____ \$ _____
 OTHER: (IDENTIFY) _____ \$ _____

0243 Instream Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

1083 TREASURY 4270 WRD OPERATING ACCT.

MISCELLANEOUS

0407 COPY & TAPE FEES 4611 \$ _____

0410 RESEARCH FEES \$ _____

0409 MISC REVENUE (IDENTIFY) \$ _____

TC162 DEPOSIT LIAB. (IDENTIFY) \$ _____

0240 EXTENSION OF TIME \$ _____

WATER RIGHTS

0201 SURFACE WATER EXAM FEE \$ _____ RECORD FEE \$ _____

0203 GROUND WATER \$ _____ 0202 \$ _____

0205 TRANSFER \$ _____ 0204 \$ _____

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR EXAM FEE \$ _____ RECORD FEE \$ _____

LANDOWNER'S PERMIT \$ _____ 0219 \$ _____

OTHER (IDENTIFY) COBU \$ 200.00 0220 \$ _____

0607 TREASURY 0487 HYDROELECTRIC

0233 POWER LICENSE FEE (FWWRD) LIC NUMBER _____ \$ _____

0231 HYDRO LICENSE FEE (FWWRD) _____ \$ _____

HYDRO APPLICATION \$ _____

SPECIAL INSTRUCTIONS:

RETURN TO APPLICANT -- LETTER ATTACHED

Groundwater File Review:

- Pump Test not required (Priority Date prior to December 20, 1988) *If no, include pump test flyer w/acknowledgment letter
- Pump Test required (Priority Date on or after December 20, 1988)
- Pump Test submitted
- Pump Test not submitted

CLAIM OF BENEFICIAL USE for Surface Water Permits claiming more than 0.1 cfs



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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**A fee of \$200 must accompany this form for permits
with priority dates of July 9, 1987, or later.**

1. File Information:

APPLICATION # S-87036	PERMIT # S-54550	PERMIT AMENDMENT # T-
---------------------------------	----------------------------	---------------------------------

2. Property Owner (current owner information):

APPLICANT/BUSINESS NAME Paradise Lodge, LLC.		PHONE NO. 541-779-8390	ADDITIONAL CONTACT NO. 541-315-3372
ADDRESS 3140 Juanipero Way, Suite 210			
CITY Medford	STATE OR	ZIP 97504	E-MAIL becky@schleining.com

If the current property owner is not the permit holder of record, it is recommended that an assignment be filed with the Department. ***Each** permit holder of record must sign this form.*

3. Permit or holder of record (this may, or may not, be the current property owner):

PERMIT HOLDER OF RECORD Paradise Lodge, LLC			
ADDRESS 3140 Juanipero Way #210			
CITY Medford	STATE OR	ZIP 97504	

ADDITIONAL PERMIT HOLDER OF RECORD			
ADDRESS			
CITY	STATE	ZIP	

4. Date of Site Inspection:

September 24, 2020

5. Person(s) interviewed and description of their association with the project:

NAME	DATE	ASSOCIATION WITH THE PROJECT
William Benavente	9/24/2020	Manager williambenavente@gmail.com

6. County:

Curry

7. If any property described in the place of use of the permit final order is excluded from this report, identify the owner of record for that property (ORS 537.230(5)):

OWNER OF RECORD Paradise Lodge, LLC		
ADDRESS 3140 Juaniero Way Suite 210		
CITY Medford	STATE OR	ZIP 97504

Add additional tables for owners of record as needed

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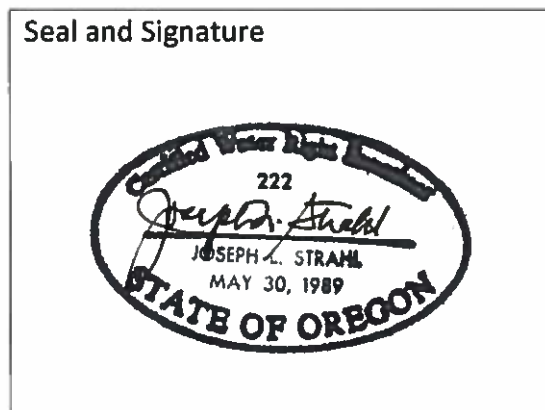
SECTION 2
SIGNATURES

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CWRE Statement, Seal and Signature

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge.



CWRE NAME Joseph L. Strahl		PHONE NO. 541-301-2946	ADDITIONAL CONTACT NO.
ADDRESS 9300 John Day Drive			
CITY Gold Hill	STATE OR	ZIP 97525	E-MAIL joe4548@gmail.com

Permit Holder of Record Signature or Acknowledgement

Each permit holder of record must sign this form in the space provided below.

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge. I request that the Department issue a water right certificate.

SIGNATURE	PRINT OR TYPE NAME	TITLE	DATE
	Cathy Schleining	Paradise Lodge LLC General Manager	11/10/20

**SECTION 3
CLAIM DESCRIPTION**

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1. Point of diversion name or number:

POINT OF DIVERSION (POD) NAME OR NUMBER (CORRESPOND TO MAP)
POD #1 Lost Creek Reservoir
POD #2

2. Point of diversion source and tributary:

POD NAME OR NUMBER	SOURCE	TRIBUTARY
POD #1	Lost Creek Reservoir	Rogue River
POD#2	Lost Creek Reservoir	Rogue River

3. Developed use(s), period of use, and rate for each use:

POD NAME OR NUMBER	USES	IF IRRIGATION, LIST CROP TYPE	SEASON OR MONTHS WHEN WATER WAS USED	ACTUAL RATE OR VOLUME USED (CFS, GPM, OR AF)
POD #2	Irrigation	Lawn	April 1st to October 31st	135.1 GPM
Total Quantity of Water Used				135.1 GPM

4. Provide a general narrative description of the distribution works. This description must trace the water system from each point of diversion to the place of use:

There is a submersible pump in the River and a 3 inch pipeline leading to the area irrigated. The 3 inch pipeline splits into two 2 inch pipelines. There are 5 turnout valves where the flow can be used for flood irrigation or a 2 inch hose connected to carry to the total of 9 sprinklers used.

Reminder: The map associated with this claim must identify the location of the point(s) of diversion, Donation Land Claims (DLC), Government Lots (GLot), and Quarter-Quarters (QQ).

5. Variations:

Was the use developed differently from what was authorized by the permit, or permit amendment final order? If yes, describe below.

YES

(e.g. "The permit allowed three points of diversion. The water user only developed one of the points." or "The permit allowed 40.0 acres of irrigation. The water user only developed 10.0 acres.")

The permit allowed for 12.9 acres of Primary and 44.9 acres of Supplemental irrigation. The field survey found 4.8 acres of Primary and 24.6 acres of Supplemental. POD is located approximately 150 feet upstream from the Permit location.

6. Claim Summary:

POD NAME OR #	MAXIMUM RATE AUTHORIZED	CALCULATED THEORETICAL RATE BASED ON SYSTEM	AMOUNT OF WATER MEASURED	USE	# OF ACRES ALLOWED	# OF ACRES DEVELOPED
POD #2	0.72 CFS	0.3 CFS	0.30	Irrigation	57.8	29.4

**SECTION 4
SYSTEM DESCRIPTION**

Are there multiple PODs?

NO

If "YES" you will need to copy and complete a separate Section 4 for each POD.

POD Name or Number this section describes (only needed if there is more than one):

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POD #2 (note: POD #1 is Lost Creek Reservoir where stored water is released into the Rogue River)

A. Place

of Use

1. Is the right for municipal use?

NO

TWP	RNG	MER	SEC	QQ	GLOT	DLC	USE	IF IRRIGATION, # PRIMARY ACRES	IF IRRIGATION, # SUPPLEMENTAL ACRES
33 S	10 W	WM	18	NESW	16		Irrigation	0.8	1.9
33 S	10 W	WM	18	NWSW	10		Irrigation	0.7	14.4
33 S	10 W	WM	18	NWSW	18		Irrigation	0	2.2
33 S	10 W	WM	18	SWSW	11		Irrigation	2.0	2.4
33 S	11 W	WM	25	SWSW	1		Irrigation	1.3	3.7
Total Acres Irrigated								4.8	24.6

Reminder: The map associated with this claim must identify Donation Land Claims (DLC), Government Lots (GLOT), Quarter Quarters (QQ), and if for irrigation, the number of acres irrigated within each projected DLC, GLOT, and QQ.

B. Diversion and Delivery System Information

Provide the following information concerning the diversion and delivery system. Information provided must describe the equipment used to transport and apply the water from the point of diversion to the place of use.

1. Is a pump used?

YES

2. Pump Information:

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
Franklin	2261118020	19A19-30-00150A	Submersible	3 inch	3 inch

3. Motor Information:

MANUFACTURER	HORSEPOWER
Franklin Electric	7.5

4. Theoretical Pump Capacity:

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
7.5	35	0 feet	88 feet	0.3 CFS

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5. Provide pump calculations:

See attached

6. Measured Pump Capacity (using meter if meter was present and system was operating):

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)
111269	119375	1 hour	0.301

Reminder: For pump calculations use the reference information at the end of this document.

7. Is the distribution system piped?

YES

8. Mainline Information:

MAINLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
3 inch	50 feet	Steel	Above ground
3 inch	336 feet	PVC	Above ground

9. Lateral or Handline Information:

LATERAL OR HANDLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
2 inch	2380 feet	PVC	Buried
2 inch	500 feet	Hose	Above ground
2 inch	280 feet	Aluminum hand line	Above ground

10. Sprinkler Information:

SIZE	OPERATING PSI	SPRINKLER OUTPUT (GPM)	TOTAL NUMBER OF SPRINKLERS	MAXIMUM NUMBER USED	TOTAL SPRINKLER OUTPUT (CFS)
9/64	50	4 GPM	19	19	0.169 CFS
9/32	50	16 GPM	1	1	0.036 CFS

Reminder: For sprinkler output determination use the reference information at the end of this document.

11. Drip Emmitter Information:

SIZE	OPERATING PSI	EMITTER OUTPUT (GPM)	TOTAL NUMBER OF EMITTERS	MAXIMUM NUMBER USED	TOTAL EMITTER OUTPUT (CFS)
NA					

12. Drip Tape Information:

DRIPPER SPACING IN INCHES	GPM PER 100 FEET	TOTAL LENGTH OF TAPE	MAXIMUM LENGTH OF TAPE USED	TOTAL TAPE OUTPUT (CFS)	ADDITIONAL INFORMATION
NA					

13. Pivot Information:

MANUFACTURER	MAXIMUM WETTED RADIUS	OPERATING PSI	TOTAL PIVOT OUTPUT (GPM)	TOTAL PIVOT OUTPUT (CFS)
NA				

C. Storage

1. Does the distribution system include in-system storage (e.g. storage tank, bulge in system / reservoir)? NO

D. Gravity Flow Pipe

(THE DEPARTMENT TYPICALLY USES THE HAZEN-WILLIAM'S FORMULA FOR A GRAVITY FLOW PIPE SYSTEM)

1. Does the system involve a gravity flow pipe? NO

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E. Gravity Flow Canal or Ditch

(THE DEPARTMENT TYPICALLY USES MANNING'S FORMULA FOR CANALS AND DITCHES)

1. Is a gravity flow canal or ditch used to convey the water as part of the distribution system? NO

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F. Additional notes or comments related to the system:

The 500 foot hose is used to connect to the 5 outlet valves. This hose can be attached to the sprinklers (7 lengths of 2 inch handline) or to the big sprinkler on wheels. There are 12 sprinklers on tripods and supplied by garden hose. The 2 inch hose is also used for flood irrigation from the outlet valves. Flood irrigation is used near the outlet valves and the sprinklers are used for the areas around the buildings and over 500 feet from the outlet valves. All the sprinklers run at the same time. When flood irrigating, two valves are opened at a time, one on each branch from the 3 inch mainline. Each valve will run 67.5 GPM (total 135.1 GPM).

**SECTION 5
CONDITIONS**

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All conditions contained in the permit, permit amendment, or any extension final order shall be addressed. Reports that do not address all performance related conditions will be returned.

1. Time Limits:

Permits and any extension final orders contain any or all of the following dates: the date when the actual construction work was to begin, the date when the construction was to be completed, and the date when the complete application of water to the proposed use was to be completed. These dates may be referred to as ABC dates. Describe how the water user has complied with each of the development timelines established in the permit or permit extension of time:

	DATE FROM PERMIT	DATE ACCOMPLISHED*	DESCRIPTION OF ACTIONS TAKEN BY WATER USER TO COMPLY WITH THE TIME LIMITS
ISSUANCE DATE	May 14, 2009		
BEGIN CONSTRUCTION (A)		July 2009	Begin installation of pipelines
COMPLETE CONSTRUCTION (B)		September 2012	Complete installation of pump and pipelines
COMPLETE APPLICATION OF WATER (C)		September 2012	System as described herein was complete on this date

* MUST BE WITHIN PERIOD BETWEEN PERMIT OR ANY EXTENSION FINAL ORDER ISSUANCE AND THE DATE TO COMPLETELY APPLY WATER

2. Is there an extension final order(s)?

NO

3. Measurement Conditions:

a. Does the permit, permit amendment, or any extension final order require the installation of a meter or approved measuring device? YES

Reminder: If a meter or approved measuring device was required, the COBU map must indicate the location of the device in relation to the point of diversion.

b. Has a meter been installed? YES

c. Meter Information

POD NAME OR #	MANUFACTURER	SERIAL #	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED
POD #2	Netafim	WST-3"-06-1360	Working	111269	September 2009

4. Recording and reporting conditions:

a. Is the water user required to report the water use to the Department? YES

b. Have the reports been submitted? YES

If the reports have not been submitted, attach a copy of the reports if available.

5. Fish Screening:

a. Are any points of diversion required to be screened to prevent fish from entering the point of diversion? **YES**

Reminder: If fish screening devices were required, the COBU map must indicate their location in relation to the point of diversion.

b. Has the fish screening been installed? **YES**

c. When was the fish screening installed?

DATE	BY WHOM
September 2009	William Benavente, Manager of Paradise Lodge

Reminder: If the permit was issued on or after February 1, 2011, the fish screen is required to be approved by the Oregon Department of Fish and Wildlife regardless of the rate of diversion.

d. If the diversion involves a pump and the total diversion rate of all rights at the point of diversion is less than 225 gpm (0.5 cfs) and the permit was issued prior to February 1, 2011:

- Has the self-certification form previously been submitted to the Department? **NO**

If not, go to <https://www.oregon.gov/OWRD/Forms/Pages/default.aspx> complete and attach a copy of the 'ODFW Small Pump Screen Self Certification' form to this claim, and send a copy of it to the Oregon Department of Fish and Wildlife (ODFW).

Reminder: Failure to submit evidence of a timely installed fish screen may result in an unfavorable determination. The ODFW self certification form needs to have been previously submitted or be attached to this form.

e. If the diversion does not involve a pump or the total diversion rate of all rights at the point of diversion is 225 gpm (0.5 cfs) or greater:

- Has the ODFW approval been previously submitted? **NA**

If not, contact and work with ODFW to ensure compliance. To demonstrate compliance, provide signed documentation from ODFW. A form is available at:

<https://www.oregon.gov/OWRD/Forms/Pages/default.aspx>

Reminder: Failure to submit evidence of a timely installed fish screen may result in an unfavorable determination. In order to receive a favorable approval, the ODFW/WRD "Fish Screen Inspection" form needs to have been previously submitted or be attached to this form.

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6. By-pass Devices:

a. Are any points of diversion required to have a by-pass device to prevent fish from entering the point of diversion?

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If "NO", items b and c relating to this section may be deleted.

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Reminder: If by-pass devices were required, the COBU map must indicate their location in relation to the point of diversion.

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b. Have by-pass devices been installed?

NA

c. Describe the diversion works as related to whether a by-pass device is installed or unnecessary:

(Provide a letter from ODFW indicating the device is approved or is unnecessary. If there is no letter from ODFW, explain whether or not a by-pass device is necessary.)

DESCRIPTION	IF INSTALLED (DATE)	IF INSTALLED, BY WHOM
No bypass device is necessary because there is direct diversion from the river by a submersible pump placed in the river.	September 2009	William Benavente, Lodge Manager

7. Other conditions required by permit, permit amendment final order, or extension final order:

- a. Was the water user required to restore the riparian area if it was disturbed? **YES**
- b. Was a fishway required? **YES**
- c. Was submittal of a water management and conservation plan required? **NO**
- d. Other conditions? **NO**

If "YES" to any of the above, identify the condition and describe the water user's actions to comply with the condition(s):

a. There was no construction in the riparian zone. The submersible pump is placed under an existing boat dock. There is a 3 inch hose from the pump to above the high water line where the hose connects to 3 inch PVC.
b. The submersible pump is placed in the river, so there is no possibility for fish to leave the mainstem of the river.

**SECTION 6
ATTACHMENTS**

Provide a list of any additional documents you are attaching to this report:

ATTACHMENT NAME	DESCRIPTION
CBU map	Two maps
Pump capacity calculation sheet	
ODFW	Fish screen self-certification
Deed of Ownership	
Permit S-54550	
Curry County Corner Record	Proof of reference corner

SECTION 7

CLAIM OF BENEFICIAL USE MAP

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The Claim of Beneficial Use Map must be submitted with this claim. Claims submitted without the Claim of Beneficial Use map will be returned. The map shall be submitted on poly film at a scale of 1" = 1320 feet, 1" = 400 feet, or the original full-size scale of the county assessor map for the location.

Provide a general description of the survey method used to prepare the map. Examples of possible methods include, but are not limited to, a traverse survey, GPS, or the use of aerial photos. If the basis of the survey is an aerial photo, provide the source, date, series and the aerial photo identification number.

The ground inspection was done using an aerial photo from July 8, 2017 to identify the area irrigated and system location. Google Earth was used for elevation change from the River to the area irrigated. ArcView 10.8.1 software used to calculate the area irrigated (using ESRI World Imagery dated July 8, 2017). The BLM GIS version of PLSS was used for section and quarter-quarter lines. Tax lot lines were drawn from the legal description on the deed.

Map Checklist

Please be sure that the map you submit includes ALL the items listed below.

(Reminder: Incomplete maps and/or claims may be returned.)

- Map on polyester film
- Appropriate scale (1" = 400 feet, 1" = 1320 feet, or the original full-size scale of the county assessor map)
- Township, Range, Section, Donation Land Claims, and Government Lots
- If irrigation, number of acres irrigated within each projected Donation Land Claims, Government Lots, Quarter-Quarters
- Locations of fish screens and/or fish by-pass devices in relationship to point of diversion
- Locations of meters and/or measuring devices in relationship to point of diversion or appropriation
- Conveyance structures illustrated (pumps, reservoirs, pipelines, ditches, etc.)
- Point(s) of diversion or appropriation (illustrated and coordinates)
- Tax lot boundaries and numbers
- Source illustrated if surface water
- Disclaimer ("This map is not intended to provide legal dimensions or locations of property ownership lines")
- Application and permit number or transfer number
- North arrow
- Legend
- CWRE stamp and signature

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Pump Capacity Calculation Sheet

using Department designed formula:

$(hp)(\text{efficiency}) / (\text{lift} + \text{psi head}) = \text{capacity in cfs}$

Efficiency:

Centrifugal = 6.61

Turbine = 7.04

Data Entry (fill in underlined blanks)

HP = 7.5
Efficiency = 7.04
Lift = 88
PSI = 35

Results Calculated

(hp)(efficiency) = 52.8
Head based on psi = 88.9
Total dynamic head = 176.9
(head + lift)

Pump Capacity = 0.30 feet per second



OREGON DEPARTMENT of FISH and WILDLIFE
FISH SCREENING PROGRAM
 SMALL PUMP SCREEN SELF CERTIFICATION

This copy submit with copy
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 NOV 16 2020
 OWRD

FOR PERMITS OR TRANSFERS ISSUED PRIOR TO FEBRUARY 1, 2011

As evidence of having met fish screen installation requirements, please provide the information requested below, sign the certification, and send copies to:

Oregon Water Resources Department, and
 Water Rights Section,
 725 Summer Street NE, Suite A,
 Salem, OR 97301-1271

Pete Baki
 Oregon Dept. Fish and Wildlife
 4034 Fairview Industrial Drive SE
 Salem, OR 97302

Water right permit certificate number: 5-54550 Amount of water diverted 0.30 CFS

Stream: Rogue River Tributary to: _____

Location (GPS if available): W 123° 56' 01.55" N 42° 41' 56.45"

Screen Length: 3 feet Screen Diameter: 8 inch

Is pump screen self-cleaning: No

If screen is not a cylinder shape, please provide a diagram and measurements.

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Certification:

I certify that my permit or transfer final order was issued prior to February 1, 2011.

I certify that my small pumped diversion of less than 225 gpm meets fish screening criteria, and that I will maintain it to comply with regulatory criteria. I also understand that should fish screening standards change, I may be required to modify my installation to meet applicable standards.

Applicant Signature: [Signature] Date: 11/10/20 WRD File #: 5-54550

Printed Name and Address: Cathy Scherwag 3140 Juanipero Way #201

Phone: (541) 779-8380 Fax: () _____ Medford, OR 97504



OREGON DEPARTMENT of FISH and WILDLIFE
FISH SCREENING PROGRAM
SMALL PUMP SCREEN SELF CERTIFICATION

This copy submitted to ODFW
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 NOV 16 2020
 Pete Baki
 ODFW
 4034 Fairview Industrial Drive
 Salem, OR 97302
OWRD

FOR PERMITS OR TRANSFERS ISSUED PRIOR TO FEBRUARY 1, 2011

As evidence of having met fish screen installation requirements, please provide the information requested below, sign the certification, and send copies to:

Oregon Water Resources Department, and
 Water Rights Section,
 725 Summer Street NE, Suite A,
 Salem, OR 97301-1271

Pete Baki
 Oregon Dept. Fish and Wildlife
 4034 Fairview Industrial Drive SE
 Salem, OR 97302

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Water right permit certificate number: S-54550 Amount of water diverted 0.30 CFS

Stream: Regua River Tributary to: _____

Location (GPS if available): W 123° 56' 01.55" N 42° 41' 56.45"

Screen Length: 3 feet Screen Diameter: 8 inch

Is pump screen self-cleaning: No

If screen is not a cylinder shape, please provide a diagram and measurements.

Certification:

I certify that my permit or transfer final order was issued prior to February 1, 2011.

I certify that my small pumped diversion of less than 225 gpm meets fish screening criteria, and that I will maintain it to comply with regulatory criteria. I also understand that should fish screening standards change, I may be required to modify my installation to meet applicable standards.

Applicant Signature: [Signature] Date: 11/01/20 WRD File #: S-54550

Printed Name and Address: CATHY SCHLEINING 3140 JUNIPERO #201
MADFORD, OR 97501

Phone: 541 779-8390 Fax: () _____

First American has recorded this instrument by request as an accommodation only, and has not examined it for regularity and sufficiency or as to its effect upon the title to any real property that may be described therein.

Grantor:

Powder River, Inc.
3140 Juanipero, Ste 201
Medford OR 97504

After recording return to:

Paradise Lodge LLC
3140 Juanipero Way #201
Medford OR 97504

Until a change is requested all tax Statements shall be sent to:

(above) - Grantee
Paradise Lodge LLC

CURRY COUNTY, OREGON 2012-03625
LAND
Cnt=1 Pgs=2 RECC 09/25/2012 03:31 PM
\$10.00 \$11.00 \$16.75 \$10.00 \$46.75



I Renee' Kelen, County Clerk, certify that the within document was received and duly recorded in the official records of Curry County.



Renee' Kelen - Curry County Clerk

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STATUTORY BARGAIN AND SALE DEED

Powder River, Inc., a New Jersey corporation, Grantor, does hereby bargain, sale and convey to Paradise Lodge, LLC, an Oregon limited liability company, Grantee(s), the following described real property together with any appurtenances thereto:

See attached EXHIBIT A, made a part hereof

CASH AND OTHER CONSIDERATIONS

The true consideration for this conveyance is ~~\$0.00~~ (consist of other property or value given) (Complies with requirements of ORS 93.030)

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, OF CHAPTER 424, OREGON LAWS 2007. 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 213.010, 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, OF CHAPTER 424, OREGON LAWS 2007.

Dated this day JUNE 5, ²⁰¹² ~~2009~~

Powder River, Inc.

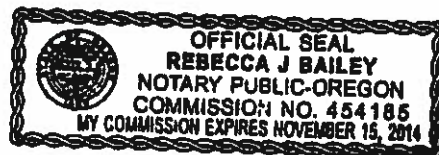
BY: [Signature]

STATE OF OREGON
COUNTY OF JACKSON

This instrument was acknowledged before me on this day JUNE 5, ²⁰¹² ~~2009~~

by EVAN SCHLEINING as SECRETARY on behalf of Powder River, Inc., a New Jersey corporation

Rebecca J. Bailey
Notary Public for Oregon
My commission expires: 11-15-2014



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Exhibit A

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Parcel I:

South Half (S1/2) of the Northeast Quarter (NE1/4) of the Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4), Southeast Quarter (SE1/4) of the Northwest Quarter (NW1/4) of the Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4), Southeast Quarter (SE1/4) of the Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4), East Half (E1/2) of the Southwest Quarter (SW1/4) of the Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4), and Lots numbered Eleven (11), Sixteen (16) and Eighteen (18), in Section Eighteen (18), Township Thirty-three (33) South, Range Ten (10) West, Willamette Meridian, Curry County, Oregon and Southeast Quarter (SE1/4) of the Southeast Quarter (SE1/4) of the Southeast Quarter (SE1/4) of the Southeast Quarter (SE1/4) of Section Twenty-four (24), Township Thirty-three (33) South, Range Eleven (11) West, Willamette Meridian, Curry County, Oregon.

EXCEPTING THEREFROM a parcel of land lying in Governments Lots Eleven (11) and Eighteen (18), Section Eighteen (18), Township Thirty-three (33) South, Range Ten (10) West, Willamette Meridian, Curry County, Oregon, described as follows:

Beginning at the Section corner common to Section 24 and 25 of Township 33 South, Range 11 West, Willamette Meridian, said point being on the West boundary of Section 18 of Township 33 South, Range 10 West;

thence due East 120 feet;

thence South, parallel with the East boundary of said Section 25 to its intersection with the mean high water line on the Northerly bank of the Rogue River;

thence Southwesterly following said river bank to its intersection with the East boundary of said Section 25;

thence North following the East boundary of Section 25 to the Point of Beginning.

Parcel II:

Government Lot One (1), Section Twenty-five (25), Township Thirty-three (33) South, Range Eleven (11), Willamette Meridian, Curry County, Oregon.

ALSO a parcel of land lying in Governments Lots Eleven (11) and Eighteen (18), Section Eighteen (18), Township Thirty-three (33) South, Range Ten (10) West, Willamette Meridian, Curry County, Oregon, described as follows:

Beginning at the Section corner common to Section 24 and 25 of Township 33 South, Range 11 West, Willamette Meridian, said point being on the West boundary of Section 18 of Township 33 South, Range 10 West;

Thence due East 120 feet;

Thence South parallel with the East boundary of said Section 25 to its intersection with the mean high water line on the Northerly bank of the Rogue River;

Thence Southwesterly following said river bank to its intersection with the East boundary of said Section 25;

Thence North following the East boundary of Section 25 to the Point of Beginning.

EXCEPTING THEREFROM the parcels of land described in deed recorded October 30, 1947 DV: 32 Page: 357, deed recorded November 15, 1947 DV: 32 Page: 358; deed recorded March 24, 1958 DV: 52 Page: 558, deed recorded December 4, 1972 BR: 27 Page: 413.

STATE OF OREGON

COUNTY OF CURRY

PERMIT TO APPROPRIATE THE PUBLIC WATERS

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THIS PERMIT IS HEREBY ISSUED TO

PARADISE LODGE, LLC.
3140 JUANIPERO WAY 210
MEDFORD, OR 97504

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: S-87036

SOURCE OF WATER: LOST CREEK RESERVOIR UNDER PERMITS R-8141 AND R-8142,
A TRIBUTARY OF ROGUE RIVER

PURPOSE OR USE: IRRIGATION USE ON 12.9 ACRES AND SUPPLEMENTAL IRRIGATION
USE ON 44.9 ACRES

MAXIMUM VOLUME: 110.0 ACRE FEET

PERIOD OF USE: APRIL 1 THROUGH OCTOBER 31

DATE OF PRIORITY: NOVEMBER 13, 2007

POINT OF DIVERSION LOCATION: SW ¼ SW ¼, SECTION 18, TOWNSHIP 33 SOUTH,
RANGE 10 WEST, W.M.; 500 FEET SOUTH AND 720 FEET EAST FROM SE CORNER,
SECTION 24, TOWNSHIP 33 SOUTH, RANGE 11 WEST, W.M.

The amount of water used for irrigation under this right, together with
the amount secured under any other right existing for the same lands, is
limited to a diversion of ONE-EIGHTIETH of one cubic foot per second and
4.5 acre-feet for each acre irrigated during the irrigation season of
each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
NE ¼ SW ¼	2.5 ACRES	7.0 ACRES
NW ¼ SW ¼	2.5 ACRES	25.0 ACRES
SW ¼ SW ¼		6.5 ACRES

SECTION 18
TOWNSHIP 33 SOUTH, RANGE 10 WEST, W.M.

SE ¼ SE ¼	<u>PRIMARY</u> 1.3 ACRES SECTION 24	<u>SUPPLEMENTAL</u> 1.2 ACRES
NE ¼ NE ¼	6.6 ACRES SECTION 25	5.2 ACRES
TOWNSHIP 33 SOUTH, RANGE 11 WEST, W.M.		

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Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter or other suitable measuring device as approved by the Director at each point of diversion. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month, and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water-use information, including the place and nature of use of water under the permit.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

The use of water under this right is subject to the terms and conditions of Contract No. 089E101621, or a satisfactory replacement, between the Bureau of Reclamation and the applicant, a copy of which is on file in the records of the Water Resources Department.

The permittee shall install, maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional, and approved in writing by ODFW prior to diversion of any water. The permittee may submit evidence in writing that ODFW has determined screens and/or by-pass devices are not necessary.

Use of water under authority of this permit may be regulated if analysis of data available after the permit is issued discloses that the appropriation will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife in effect as of the priority date of the right or as those quantities may be subsequently reduced.

The permittee shall not construct, operate or maintain any dam or artificial obstruction to fish passage in the channel of the subject stream without providing a fishway to ensure adequate upstream and downstream passage for fish, unless the permittee has requested and been granted a fish passage waiver by the Oregon Fish and Wildlife Commission. The permittee is hereby directed to contact an Oregon Department of Fish and Wildlife Fish Passage Coordinator, before beginning construction of any in-channel obstruction.

At the time of perfection, the permittee may request that the use be certificated as primary irrigation, if water has been used beneficially according to the terms and conditions of this permit, and if underlying primary water rights are simultaneously diminished or canceled.

STANDARD CONDITIONS

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.

If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR Chapter 635, Division 415.

The use may be restricted if the quality of the source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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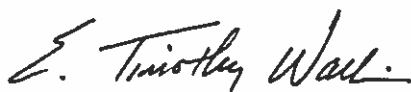
OWRD

The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

Completion of construction and complete application of the water to the use shall be made on or before October 1, 2013. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner.

Issued May 14, 2009



for Phillip C. Ward, Director
Water Resources Department

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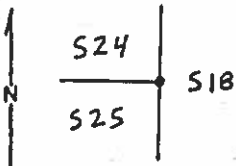
CURRY COUNTY, OREGON
CORNER RECORD (SEARCH)

Index File No. _____
T 335 R 11w
Merid. Willamette

Tract or Survey No. 33-318 Cor No. R-25

Section Corner County Curry State Oregon

CORNER DIAGRAM



DESCRIBE CORNER MONUMENT FOUND

Monumented with an iron pipe, 1/2" diam., firmly set, projecting 2" above the ground, in a collar of stone.

DESCRIBE BEARING TREES OR OTHER OFFICIAL ACCESSORIES FOUND

- A Badly decayed stump, size and species indeterminate, bears N23°W, 46.2' dist., no visible marks. (Record: Fir)
- A Douglas Fir, 40" diam., bears S73°W, 74.9' dist., with a healed blaze.
- A Douglas Fir, 42" diam., bears N22 1/2°W, 64.6' dist., with a healed blaze.

PHOTO IDENTIFICATION DATA

Photo No. _____
Filed At. _____
Object Ident. _____
Ident. By _____
Signature

DESCRIBE CORNER LOCATION RELATIVE TO NEAR-BY FEATURES, ALSO HOW TO REACH CORNER

PLANE COORDINATE POSITION DATA

State _____ Zone _____
X _____
Y _____
Estab. By _____
Agency

Signature

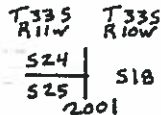
L.S. No.

Date

CORNER RECORD (PERPETUATION)

MONUMENT: DESCRIBE NEW MONUMENT SET, OR WORK DONE TO PRESERVE EXISTING MONUMENT

Set a stainless steel post, 28" long, 2 1/2" diam., 24" in the ground, in a collar of stone with brass cap marked.



ACCESSORIES: DESCRIBE NEW BT4 WITNESS OBJECTS ETC. ESTABLISHED, OR WORK DONE TO PRESERVE EXISTING EVIDENCE

- A Black oak, 18" diam., bears S74°W, 28.9' dist., marked T335 R11W S25 BT
 - A Douglas Fir, 40" diam., bears N12°W, 55.1' dist., marked T335 R11W S24 BT
- Deposit the iron pipe inside and a magnet in a white plastic case at the base of the stainless steel post.

Work Done By Richard S. Kaiser Title _____ Date 4/29/03 State Registration No. BLM or Agency _____

Certified Cor. Record Prepared? Yes No Filed At _____ Date _____

REMARKS

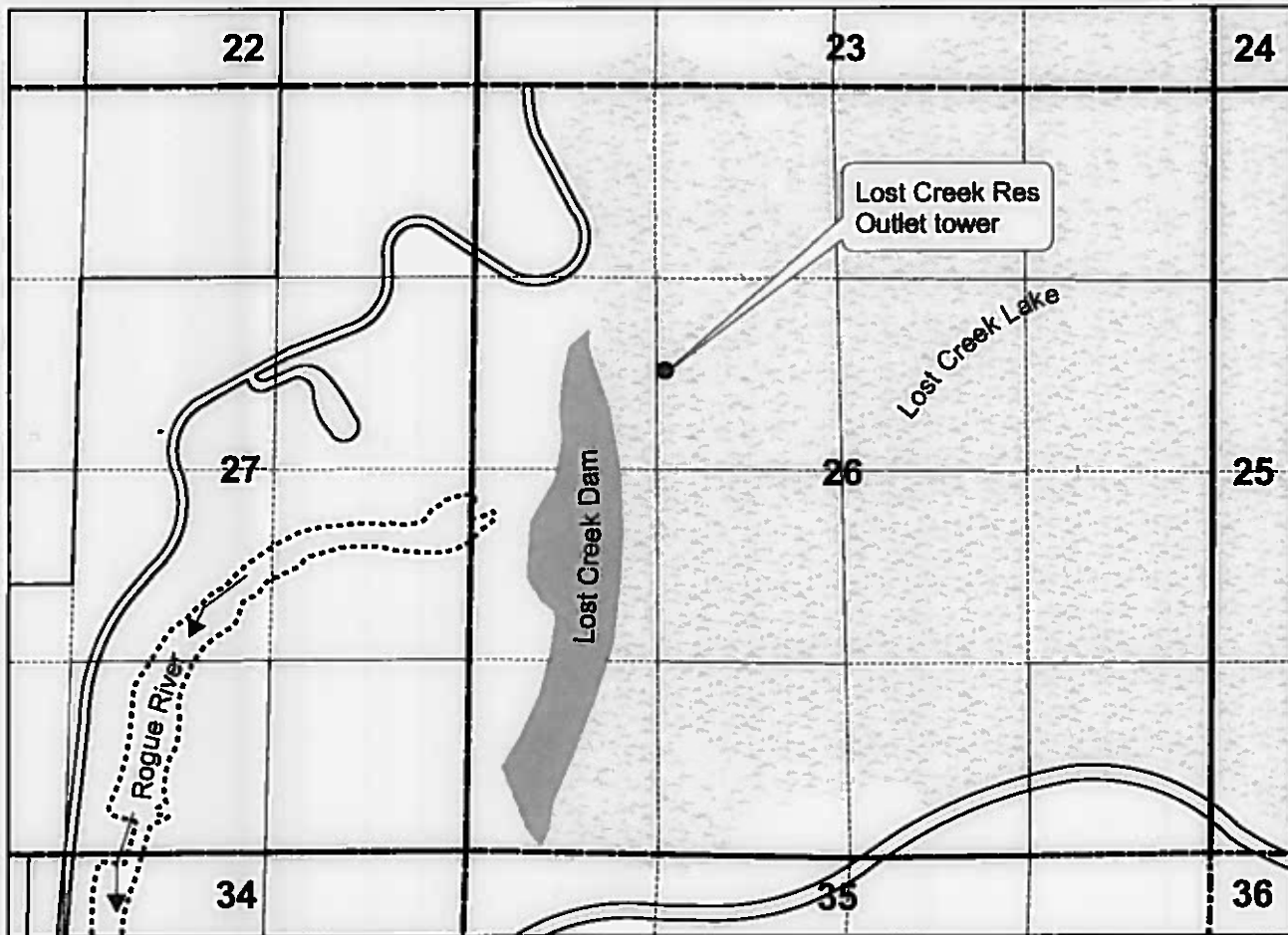
Transcribed From CS 33-318 By Brandon Slagle

Index File No. T R M Tract or Surv No. Cor

**Paradise Lodge, LLC
Claim of Beneficial Use Map
Application S-87036 Permit S-54550**

T 34 S, R 1 W
Sections 26
Page 2 of 2

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Points of Diversion

Lost Creek Reservoir
NW 1/4 Sec 26
T 33 S, R 1 E

POD #1
1197 ft South &
321 Ft East Fm
NW Cor Sec 33
T 34 S, R 1 W

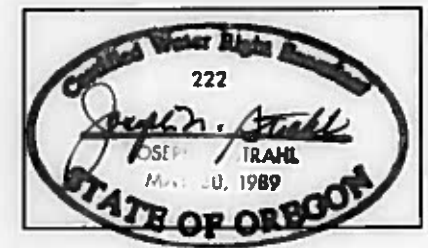
Legend

-  Rogue River
-  Lost Creek Dam
-  Lost Creek Reservoir



1 inch = 1,320 feet

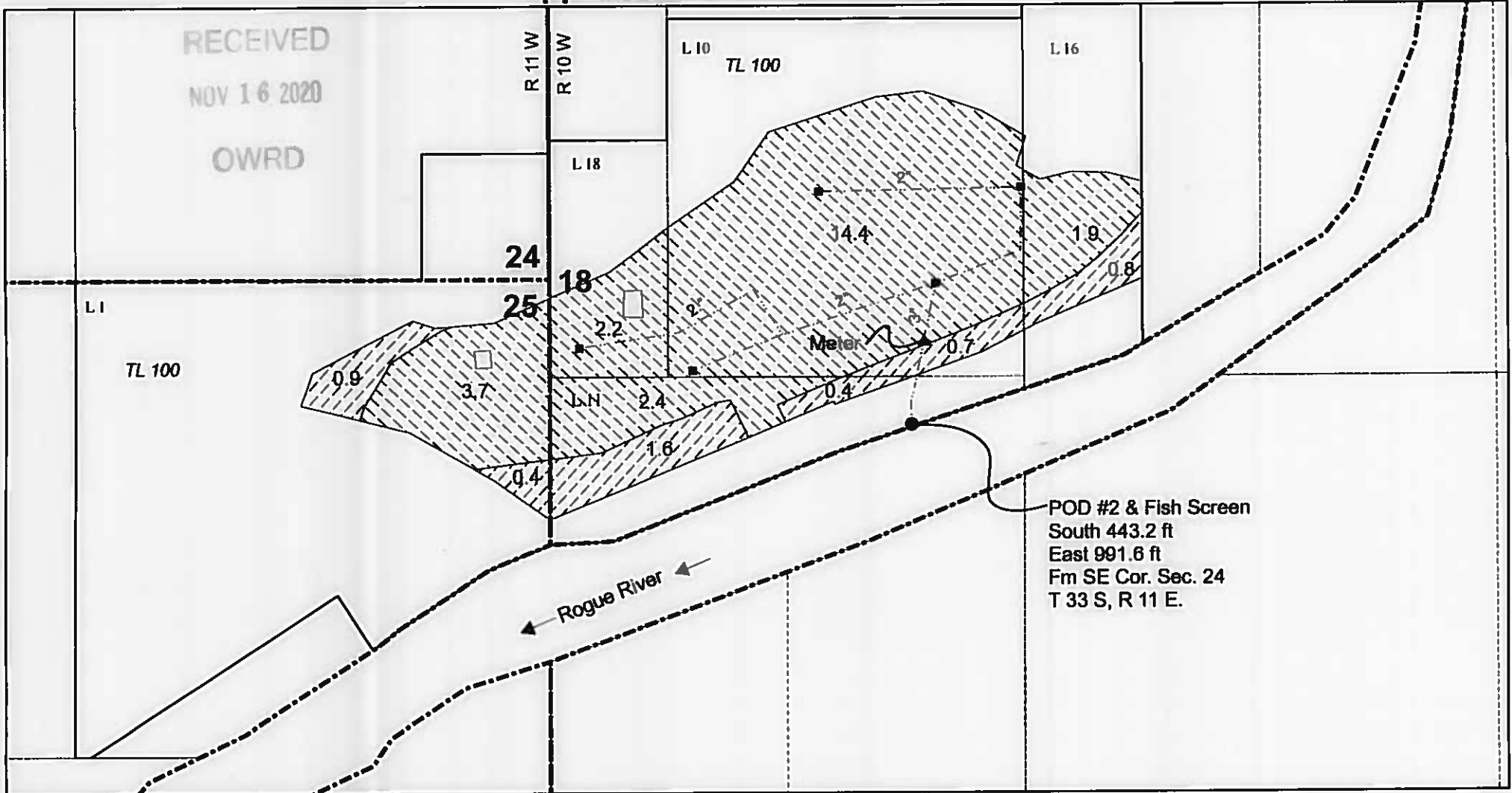
Note: This map is not intended to provide legal dimensions or locations of property ownership lines.








**Paradise Lodge, LLC
Claim of Beneficial Use Map
Application S-87036 Permit S-54550**

T 33 S, R 10 & 11 W
Sections 18 & 25

Page 1 of 2



Legend

-  Primary 4.8 Ac
-  Supplemental 24.6 ac
-  Pipelines
-  water meter
-  Outlet Valve

N



1 inch = 400 feet

Note: This map is not intended to provide legal dimensions or locations of property ownership lines.

