

Application for a Permit to
Store Water in a Reservoir
 Alternate Review (ORS 537.409)



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

You may use this form for any reservoir storing less than 9.2 acre-feet *or* with a dam less than 10 feet high.

Use a separate form for each reservoir

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SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant

| | | | |
|-------------------------------|-------------|----------------------------|----------|
| NAME TAJS ENTERPRISES, LLC | | PHONE (HM) 541-836-2134 | |
| PHONE (WK) | CELL | FAX | |
| ADDRESS P.O. BOX 47 | | | |
| CITY DRAIN | STATE OR | ZIP 97435 | E-MAIL * |

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 JOHN B. WHIPPLE | | PHONE | FAX |
| ADDRESS P.O. BOX 47 | | | CELL (541)580-2282 |
| CITY DRAIN | STATE OR | ZIP 97435 | E-MAIL * JB@ALDERCRAFT.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 final order documents will also be mailed.)

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application.
- I cannot legally store water until the Water Resources Department issues a permit.
- Oregon law requires that a permit be issued before beginning construction. 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.

| | | |
|---|------------------------------------|---------|
|  | John B Whipple Manager | 3-17-21 |
| Applicant Signature | Print Name and Title if applicable | Date |
| | | |
| Applicant Signature | Print Name and Title if applicable | Date |

SECTION 2: SOURCE OF WATER AND LOCATION OF RESERVOIR

| | | | | | |
|-------------------------------|--|-------------------|--------------|-----------------|-----------|
| Reservoir name: | Pond 1 | | | | |
| Source*: | Unnamed Stream | Tributary: | Umpqua River | | |
| County: | Douglas | | | | |
| Quantity: | 3.0 AF Acre-Feet [length x width x depth / 43,560] | | | | |
| Reservoir Location: | Township (N or S) | Range (E or W) | Section | Quarter-Quarter | Tax Lot # |
| | T22S | R8W | 25 | SESW | 300 |
| Maximum Height of Dam: | 12 feet. If excavated write "zero feet." | | | | |

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* Provide the name of the water body or other source from which water will be diverted, and the name of the stream or lake it flows into. Indicate if source is run-off, seepage, an unnamed stream, or spring.

SECTION 3: WATER USE

Indicate the proposed use(s) of the stored water: Multipurpose

NOTE: You may wish to consider filing for "Multipurpose use" for your reservoir. Multipurpose use does not limit the types of future uses for the stored water. Multipurpose covers all uses including: stock water, fish and wildlife, aesthetics, domestic, irrigation, agriculture, fire protection and pollution abatement.

SECTION 4: PROPERTY OWNERSHIP

Do you own all the land where you propose to divert, transport, and use water?

- Yes (please check appropriate box below then skip to section 5)
 - There are no encumbrances
 - This land is encumbered by easements, right of way, roads of way, roads or other encumbrances
- No (Please check the appropriate box below)
 - I have a recorded easement or written authorization permitting access.
 - I do not currently have written authorization or easement permitting access.
 - 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 irrigated and/or domestic use only (ORS 274.040). (Do not check this box if you described your use as "Multipurpose" in #3 above.)

List the names and mailing addresses of all affected landowners:

SECTION 5: ENVIRONMENTAL IMPACT

Channel: Is the Reservoir: in-stream or off channel?

Wetland: Is the project in a wetland? YES NO unknown

Existing: Is this an existing reservoir? YES NO

If YES, how long has it been in place? Unknown years.

Fish Habitat: Is there a fish habitat upstream of the proposed structure? YES NO unknown

If YES, how much? miles.

Existing: Have you been working with other agencies? YES NO

Indicate agency, staff and phone numbers of those involved. Also indicate any agencies that are cost sharing in this project.

SECTION 6: WITHIN A DISTRICT

Check here if the point of diversion or place of use are located within or served by an irrigation or other water district.

| | | | |
|---------------------------|--------|----------|--|
| Irrigation District Name: | | Address: | |
| City: | State: | Zip: | |

SECTION 7: DESCRIPTION

Provide a short description of the design and operation of the proposed diversion, including a description of how live flow will be passed outside the authorized storage season. Use this space for narrative. You may also provide narrative and sketches on separate pages.

The reservoir will be used to store water for future irrigation needs. Additional permitting will be required. Flow, if any, outside the authorized storage season will be bypassed by an out-let pipe.

If the diversion involves a dam, use this space below for sketches of the diversion (e.g. cross-section of the dam with its dimensions, dimension and placement of outlet pipe, means of passing live flow outside of the authorized storage season, and means for providing fish passage).

Watermaster Alternate Reservoir Application Review Sheet


In lieu of the water right application process set forth in ORS 537.140 to 537.211, an owner of a reservoir may submit an alternate reservoir application for a reservoir that has a storage capacity less than 9.2 acre-feet or a dam or impoundment structure less than 10 feet in height. ORS 537.409 describes the criteria used to evaluate alternate reservoir applications.

The review shall be limited to issues pertaining to: a) water availability, b) potential detrimental impact to existing fishery resources; and c) potential injury to existing water rights. (ORS 537.409 (6))

Within 60 days after the Water Resources Department provides public notice, any person may submit detailed, legally obtained information in writing, requesting the Department to deny the application for a permit on the basis that the reservoir: (a) Would result in injury to an existing water right; or (b) Would pose a significant detrimental impact to existing fishery resources. (ORS 537.409 (5))

| | | |
|---|---------|-------|
| Applicant's Name <u>TASS ENT LLC Pond #1</u> | | |
| 1. Does the proposed reservoir have the potential to injure existing water rights? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO Explain: | | |
| 2. Can conditions be applied to mitigate the potential injury to existing water rights? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO Explain: <u>limit storage season to match water availability.</u> | | |
| 3. Is water available for the proposed reservoir? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO | | |
| 4. If yes, during what period? Beginning: <u>NOV</u> End: <u>SEP</u> Attach a WARS printout at 50% exceedance. If WARS does not cover the proposed location, make a recommendation for a storage season based upon regulation history and your knowledge of the location. (Water Availability for Reservoir Policy found under OAR 690-410-0070(2)(c)) | | |
| 5. Did you meet with staff from another agency to discuss this application? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO | | |
| Who: | Agency: | Date: |
| Who: | Agency: | Date: |

Watermaster Name: Mary Burgeson Ast WM DIST 15

Watermaster Signature:  Date: 3/16/2021

NOTE: This completed form must be returned to the applicant

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Water Availability Analysis

Detailed Reports

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UMPQUA R > PACIFIC OCEAN - AB LITTLE MILL CR
UMPQUA BASIN

Water Availability as of 3/16/2021

Watershed ID #: 73350 ([Map](#))
Date: 3/16/2021

Exceedance Level: 50% ▾
Time: 10:09 AM

| | | | |
|--------------------------------|-------------------------------|----------------------------|--------------|
| Water Availability Calculation | Consumptive Uses and Storages | Instream Flow Requirements | Reservations |
| Water Rights | | Watershed Characteristics | |

Water Availability Calculation

Monthly Streamflow in Cubic Feet per Second
Annual Volume at 50% Exceedance in Acre-Feet

| Month | Natural Stream Flow | Consumptive Uses and Storages | Expected Stream Flow | Reserved Stream Flow | Instream Flow Requirement | Net Water Available |
|-------|---------------------|-------------------------------|----------------------|----------------------|---------------------------|---------------------|
| JAN | 11,400.00 | 246.00 | 11,200.00 | 0.00 | 1,700.00 | 9,450.00 |
| FEB | 12,000.00 | 256.00 | 11,700.00 | 0.00 | 1,700.00 | 10,000.00 |
| MAR | 11,300.00 | 75.70 | 11,200.00 | 0.00 | 1,700.00 | 9,520.00 |
| APR | 9,080.00 | 90.50 | 8,990.00 | 0.00 | 1,700.00 | 7,290.00 |
| MAY | 6,250.00 | 119.00 | 6,130.00 | 0.00 | 1,700.00 | 4,430.00 |
| JUN | 3,270.00 | 196.00 | 3,070.00 | 0.00 | 1,700.00 | 1,370.00 |
| JUL | 1,720.00 | 230.00 | 1,490.00 | 0.00 | 1,000.00 | 490.00 |
| AUG | 1,260.00 | 206.00 | 1,050.00 | 0.00 | 1,000.00 | 54.00 |
| SEP | 1,230.00 | 173.00 | 1,060.00 | 0.00 | 1,000.00 | 57.10 |
| OCT | 1,560.00 | 74.00 | 1,490.00 | 0.00 | 1,560.00 | -74.00 |
| NOV | 4,060.00 | 130.00 | 3,930.00 | 0.00 | 1,700.00 | 2,230.00 |
| DEC | 11,400.00 | 245.00 | 11,200.00 | 0.00 | 1,700.00 | 9,450.00 |
| ANN | 4,480,000.00 | 123,000.00 | 4,360,000.00 | 0.00 | 1,100,000.00 | 3,270,000.00 |

Download Data ([Text - Formatted](#), [Text - Tab Delimited](#), [Excel](#))

ODFW Alternate Reservoir Application Review Sheet

This portion to be completed by the applicant.

| | |
|--|--|
| Applicant Name: <u>TAJS Enterprises, LLC; ATTN John Whipple</u> | RECEIVED |
| Address: <u>P.O. Box 47, Drain, OR 97435</u> | MAR 22 2021 |
| Phone/Email: <u>541-580-2282; JB@aldercraft.com</u> | OWRD |
| Reservoir Name: <u>Pond 1</u> | Volume (AF): <u>3.0 AF</u> |
| Source: <u>Unnamed Stream</u> | <input checked="" type="checkbox"/> in-channel |
| Basin Name: <u>Umpqua River</u> | <input type="checkbox"/> off-channel |
| Twp Rng Sec QQ: <u>22S 8W 25 SESW</u> | |
| Note: It is unlikely that ODFW will be able to complete this form while you wait, nevertheless we recommend making an appointment to submit the form so as to provide any necessary clarifications. See pg. 6 of Instructions for contact information. | |

This portion to be completed by Oregon Department of Fish and Wildlife (ODFW) staff.

1) Is the proposed project and AO¹ off channel?..... YES* NO
(if yes then proceed to #4; if no then proceed to #2)

**Based on available information, the proposed use does not appear to involve instream structures that would create or maintain an artificial obstruction. However, if the applicant creates or maintains an artificial obstruction to fish passage for the proposed use, the applicant will need to address Oregon’s fish passage laws.*

2) Is the proposed project or AO located where NMF² are or were historically present?..... YES NO
(if yes then proceed to #3; if no then proceed to #4)

3) If NMF are or were historically present:
a. Is there an ODFW-approved fish-passage plan?..... YES NO
b. Is there an ODFW-approved fish-passage waiver or exemption?..... YES NO

If fish passage is required under ORS 509.580 through .910, then either 3(a) or 3(b) must be “Yes” to move forward with the application. If responses to 3(a) and 3(b) are “No”, then the proposed reservoir **does not meet** the requirements of Oregon Fish Passage Law and **shall not** be constructed as proposed.

4) Would the proposed project pose any other significant detrimental impact to an existing fishery resource locally or downstream?..... YES NO
Explain below (for example, list STE species or other existing fishery resources that would be impacted negatively.)
 Any diversion or appropriation of water for storage during the period August 1-October 31 poses a significant detrimental impact to existing fishery resources. *(For example, if diversion of water for storage during a certain time period would cause a significant detrimental impact to an existing fishery resource, then ODFW should recommend conditions or limitations.)* If NMF fish are present at the project site or point

¹ AO = Artificial Obstruction means any dam, diversion, culvert or other human-made device placed in waters of this state that precludes or prevents the migration of native migratory fish. ORS 509.580 (1)

² NMF = Native Migratory Fish Species in Oregon as defined by OAR 635 - 412 - 0005 (32)

of water diversion then the applicant should be advised that a fish screen consistent with screening criteria will be required.

- This proposed pond or reservoir contemplates impounding water in the Columbia Basin above Bonneville Dam. ODFW has determined that additional diversions of water in this area pose a significant detrimental impact to existing fishery resources during the period April 15 through September 30.


ESA-listed fish (Coho Salmon), sensitive species (spring Chinook Salmon, summer steelhead, Pacific Lamprey, Umpqua Chub), and other game fish (winter steelhead, fall Chinook Salmon, Coastal Cutthroat Trout) are present in the Umpqua River during the period of impact. Instream flows to fulfill C81501 for aquatic life are not being met partially or wholly during the period of impact. Based on parameters assessed by ODFW, instream flows are currently below those essential to support the biological needs of an existing fishery resource during August 1-October 31. The proposed use may diminish physical habitat and alter the flow regime to which fish are naturally adapted, negatively affecting their distribution, productivity, and abundance. Therefore, a further reduction in flow or alteration of habitat from the proposed use would likely impair or be detrimental to an existing fishery resource and/or their habitat without appropriate conditions and/or mitigation.

If YES, can conditions be applied to mitigate the significant detrimental impact to an existing fishery resource?

- NO (explain)
- YES (select from Menu of Conditions on next page)

See applicable conditions selected from "Menu of Conditions" on next page

Water is only available to support biologically necessary flows at the POD and/or downstream during November 1-July 31. ODFW recommends the season of use be restricted to coincide with this period or the proposed use be mitigated prior to issuance of a Proposed Final Order for any use outside of this period. Without appropriate mitigation and/or conditions, a further reduction in flow or alteration of habitat from the proposed water use outside this period will impair or be detrimental to an existing fishery resource. If the applicant is interested in pursuing mitigation, please contact ODFW for further information concerning appropriate conditions and a Mitigation Obligation consistent with the goals and standards of OAR 635-415-0025 (ODFW Habitat Mitigation Recommendations) to compensate for any potential impact from the proposed use. Mitigation is often complicated, time consuming, and expensive, and may include, but is not limited to, actions such as replacing the proposed amount of water through purchasing or transferring an existing water right.

ODFW Signature: 

Print Name: Jason Brandt

ODFW Title: SW Hydro Coordinator

Date: 3/2/21

NOTE: This completed form must be returned to the applicant.

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MENU OF CONDITIONS FOR WRD, ODFW, DEQ AND ODA

Revised May 12, 2020

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Use this menu to identify appropriate conditions to be included in the permit:

Agricultural Water Quality Management Area Rules: The permittee shall comply with basin-specific Agricultural Water Quality Management Area Rules described in Oregon Administrative Rule Chapter 603-095. The permittee shall protect riparian areas, including through irrigation practices and the management of any livestock, allowing site capable vegetation to establish and grow along streams, while providing the following functions: shade (on perennial and some intermittent streams), bank stability, and infiltration or filtration of overland runoff.

b52 Water may be diverted only when Department of Environmental Quality sediment standards are being met.

b5 The water user shall install and maintain adequate treatment facilities meeting current DEQ requirements to remove sediment before returning the water to the stream.

b51a The period of use has been limited to November through July.

b57 Before water use may begin under this permit, a totalizing flow meter must be installed at each diversion point.

b58 Before water use may begin under this permit, a staff gage that measures the entire range and stage between full reservoir level and dead-pool storage must be installed in the reservoir. The staff gage shall be United States Geological Survey style porcelain enamel iron staff gage style A, C, E or I.

Bypass Flows: Per 690-410-0070 (2)(c), the following flows shall be bypassed or passed through the reservoir during the filling season:

- 1) When the biologically necessary flows identified below are not available immediately upstream of the impacted area, the permittee shall pass all live flow downstream at a rate equal to the inflow, minus the amount of mitigation water provided upstream, if applicable, and
- 2) When the biologically necessary flows identified below are available immediately upstream of the impacted area, the permittee shall pass flow downstream at a rate equal to or greater than the biologically necessary flows.

Once the reservoir has reached the permitted volume, all live flow shall be passed downstream at a rate equal to the inflow.

The permittee shall quantify and document inflow and outflow and maintain the bypass flows for the life of the permit and subsequent certificate per the approved Bypass Plan. The bypass flow data shall be available upon request by the Oregon Water Resources Department, Oregon Department of Fish and Wildlife, Oregon Department of Environmental Quality, or Oregon Department of Agriculture.

Construction Activities: For construction activities (clearing, grading, excavation, staging, and stockpiling) that will disturb one or more acres and may discharge to state waters, the permittee is required to obtain from DEQ a 1200-C NPDES Stormwater Construction Permit prior to project construction.

fence: The stream and its adjacent riparian area shall be fenced to exclude livestock.

fishpass: As required by ORS 509.585, a person owning or operating an artificial obstruction (AO) may not construct or maintain any AO across any waters of this state that are inhabited, or historically inhabited, by native migratory fish (NMF) without providing passage for NMF. A person owning or operating an AO shall, prior to construction, fundamental change in permit status or abandonment of the AO in any waters of this state, obtain a determination from ODFW as to whether NMF are or historically have been present in the waters. If ODFW determines that NMF are or historically have been present in the waters, the person owning or operating the AO shall either submit a proposal for fish passage to ODFW or apply for a waiver or exemption. Approval of the proposed fish-passage facility, waiver, or exemption must be obtained from the department prior to construction, permit modification or abandonment of the AO. Approved fish-passage plans, waivers, and exemptions shall maintain adequate passage of NMF at all times (ORS 509.601) as per the approved plan, waiver or exemption.

fishself: 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 prior to diversion of any water. Permittee shall obtain written approval from ODFW that the installation of the required screen and by-pass devices meets the state's criteria or the permittee shall submit documentation that ODFW has determined screens and/or by-pass devices are not necessary.

fishapprove: 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.

fishdiv33: 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 635-415, shall be followed.

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.

Applicant Name: TAJIS Enterprises, LLC

ODFW Review

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.

fishmay: Notwithstanding that ODFW has made a determination that fish screens and/or by-pass devices are not necessary at the time of permit issuance, the permittee may be required in the future to install, maintain, and operate fish screening and by-pass devices to prevent fish from entering the proposed diversion and to provide adequate upstream and downstream passage for fish.

futile call: The use of water allowed herein may be made only at times when waters from the (NAME OF SURFACE WATER) would not otherwise flow into a tributary of the type here River or sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

In-Water or Riparian Construction: For in-water or riparian construction, permittee may be required to obtain additional permits from the Oregon Department of State Lands, the U.S. Army Corps of Engineers, and the DEQ Section 401 certification program prior to construction. The applicant must contact these agencies to confirm requirements.

In-Water Work: Any in-water work related to construction, development, or maintenance of the proposed use shall be conducted during the preferred work period of July 1-September 15 unless an alternate time period is approved by the Oregon Department of Fish and Wildlife.

Live Flow: Once the allocated volume has been stored, permittee shall pass all live flow downstream at a rate equal to inflow, using methods that protect instream water quality.

Off-Channel Stored Water Releases: The permittee shall not release polluted water from this off-channel reservoir into waters of the state except when the release is directed by the State Engineer to prevent dam failure.

On-Channel Reservoir: The permittee shall design and operate the water storage facility such that all waters within and below the reservoir meet water quality criteria. The permittee shall develop a reservoir operations plan that details how water quality criteria and standards will be met. A Certified Water Rights Examiner shall verify that the reservoir operations are consistent with the plan before a certificate is issued. The reservoir operator shall maintain a copy of the plan and make it available for review upon request.

riparian: 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 635-415, shall be followed.

Water Quality: All water use under this permit shall comply with state and federal water quality laws. The permittee shall not violate any state and federal water quality standards, shall not cause pollution of any waters of the state, and shall not place or cause to be placed any wastes in a location where such wastes are likely to escape or be carried into the waters of the state by any means. The use may be restricted if the quality of source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards.

wq: 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.

wetland: The permittee must submit an offsite determination request to the Oregon Department of State Lands (DSL) to determine the need for a wetland delineation prior to disturbance or development of the point of diversion and/or diversion of water.

blv: Water must be diverted to a trough or tank through an enclosed water delivery system. The delivery system must be equipped with an automatic shutoff or limiting flow control mechanism or include a means for returning water to the stream source through an enclosed delivery system. The use of water shall not exceed 0.10 cubic feet per second per 1000 head of livestock.

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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

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NOTE TO APPLICANTS

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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.

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

Land Use Information Form



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

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Applicant(s): TAJS Enterprises LLC

Mailing Address: PO Box 47

City: Drain

State: OR

Zip Code: 97435

Daytime Phone: (541) 580-2282

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: |
|--------------|-------------|-----------|-------------|------------|---|--|-----------------------------------|--|------------------------|
| <u>T.22S</u> | <u>R.8W</u> | <u>25</u> | <u>SESW</u> | <u>300</u> | _____ | <input checked="" type="checkbox"/> Diverted | <input type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | <u>storage Pond# 1</u> |
| <u>T.22S</u> | <u>R.8W</u> | <u>36</u> | <u>NWNE</u> | <u>100</u> | _____ | <input checked="" type="checkbox"/> Diverted | <input type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | <u>storage Pond#2</u> |
| _____ | _____ | _____ | _____ | _____ | _____ | <input type="checkbox"/> Diverted | <input type="checkbox"/> Conveyed | <input type="checkbox"/> Used | _____ |
| _____ | _____ | _____ | _____ | _____ | _____ | <input type="checkbox"/> Diverted | <input type="checkbox"/> Conveyed | <input type="checkbox"/> Used | _____ |

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

Douglas

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: 4.0 AF
 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 storage

Briefly describe:

Storage is needed for two existing reservoirs on the property.

Pond #1 3.0 AF
Pond #2 1.0 AF

For Local Government Use Only

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

Please check the appropriate box below and provide the requested information

- Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): LUDO 3.3.050 (1) & 3.4.050 (1)
- 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: | |
|---|--|--|--|
| | | <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 |
| | | <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 |
| | | <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 |

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.

| | |
|---|--|
| <u>R43799, R43791</u> <u>Farm-Cropland (F3); Farm Grazing (FG)</u> | DOUGLAS COUNTY PLANNING DEPARTMENT ROOM 106, JUSTICE BUILDING DOUGLAS COUNTY COURTHOUSE ROSEBURG, OR 97470 |
|---|--|

Name: Sean Vermilya Title: Planning Technician

Signature: Sean Vermilya Phone: 541-440-4289 Date: 3/16/2021

Government Entity: Douglas County Planning Department

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: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

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. →

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Oregon Water Resources Department
 Alternate Reservoir Application

-  Main
-  Help
-  Return
-  Contact Us

For impoundments less than 10 feet in height or storing less than 9.2 acre feet of water.

Today's Date: Monday, March 15, 2021

| | | |
|--|--|------------|
| Base Application Fee. | | \$410.00 |
| Proposed Dam Height in feet. | 12 | |
| Proposed Reservoir volume in Acre Feet. | 3.0 | \$105.00 |
| Subtotal: | | \$515.00 |
| 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. | <input type="button" value="Recalculate"/> | |
| Estimated cost of Permit Application | | \$1,035.00 |

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Application Completeness Checklist

Applicants are encouraged to use this checklist before submitting a complete application to the Department.

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1. Landowner name, mailing address and telephone number provided
2. Application signed – All parties noted as applicants must sign the application
3. Source and tributary listed.
4. Reservoir Location. TRSQQ and tax lot provided.
5. Dam height indicated, if applicable
6. Property ownership completed
7. If applicant does not own all the land, is the affected landowner's name and mailing address listed?
8. Environmental impact section completed?
9. **Completed Watermaster review sheet**, signed and dated. Note: Must be completed within last 6 months.
 - Will the reservoir injure an existing water right? YES NO
 - If YES, can conditions be applied to mitigate injury? YES NO
 - If NO, return the application.
10. **Completed ODFW review sheet**, signed and dated. Note: Must be completed within last 6 months.
 - Will the reservoir pose a significant detrimental impact to an existing fishery resource? YES NO
 - If YES, can conditions be applied to mitigate the impact? YES NO N/A
 - If NO, return the application.
11. **Completed Land-Use Form** or receipt signed by the appropriate planning department official enclosed?
Note: Does the use on land-use form match the proposed use on the application? Must be completed within the last 12 months.
12. **Include a copy of a Legal Description** of all the property involved with this application. A copy of a deed, land sales contract, or title insurance to meet this requirement.
13. **Acceptable Map**. Note: Requirements set forth by the Commission; causes fatal flaw if not provided by the applicant.
 - Reservoir Location - noting Township, Range, Section, 1/4 1/4 and Tax Lot number(s)
 - Scale of the Map, even scale such as 1" = 400', 1" = 1000', or 1" = 1320'
 - Reference corner on map
 - North directional symbol
 - 1/4's clearly identified
 - Reservoir clearly identified **
 - Dam location identified, with measured distances from survey corner. If no dam, use coordinates to the center of reservoir.
 - If diverting water from a river or stream to a reservoir located off-channel, include measured distances from survey corner
14. **Fees:** Are the appropriate fees included? Use this fee calculator to determine the application fees:

https://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator/Permit_for_AltRes.aspx

Property Details for Property ID: R43111**Owner Information :**

Owner Name: TAJ'S ENTERPRISES LLC
 Owner Address #1: PO BOX 47
 Owner Address #2:
 Owner Address # 3: Alternate Account #: 2640.00
 Owner City/State/Zip: DRAIN, OR 97435-0047 Account Status: A

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Property Information :

Township: 22 Situs Address: 0 MEHL CREEK RD ELKTON,
 OR 97436
 Range: 08W Map ID: 22082500300
 Section: 25 County Property Class: 502
 Quarter: Legal Acreage: 345.57
 Sixteenth: Code Area: 03402
 Maintenance Area: 1 Neighborhood Code: JH
 Year Built: Living Area:
 Bedrooms: Baths:
 Exemption Code: Exemption Desc.:
 MFD Home ID:

OWRD

Value Information : 2020-2021 Certified Values and Tax Information

| | |
|---------------------------------------|------------------------------------|
| Improvement Appr. Value: \$30,855.00 | Total Appr. Value: \$192,025.00 |
| Land Appr. Value: \$161,170.00 | Exemption Value: \$0.00 |
| Land Market Value: \$610,543.00 | Total Assessed Value: \$153,573.00 |
| Total Real Market Value: \$641,398.00 | Taxes Imposed: \$1,201.08 |

Sales Information :

Deed No: 2006-11256
 Sale Price: \$0.00 Sale Date: 4/10/2006

DISCLAIMER

The information provided here is for convenience ONLY. For All Commercial, Industrial, and Multi-Family Properties visit the Douglas County Assessor's Office. The records located at the Douglas County Assessor's office are the one and only legal instruments for Assessment purposes. Although reasonable attempts are made to maintain this information as accurate as possible, these documents are being provided as an informational convenience ONLY. Douglas County in no way will be liable for any inaccuracies, inconsistencies, errors, omissions, or other deviations in these documents from the original copies maintained and filed at the Douglas County Assessor's Office.

Property Details for Property ID: R43791**Owner Information :**

Owner Name: TAJIS ENTERPRISES LLC
 Owner Address #1: PO BOX 47
 Owner Address #2:
 Owner Address # 3: Alternate Account #: 2676.00
 Owner City/State/Zip: DRAIN, OR 97435-0047 Account Status: A

Property Information :

| | |
|---------------------|---|
| Township: 22 | Situs Address: 7874 MEHL CREEK RD ELKTON, OR 97436 |
| Range: 08W | Map ID: 22083600100 |
| Section: 36 | County Property Class: 5121 |
| Quarter: | Legal Acreage: 80.00 |
| Sixteenth: | Code Area: 03404 |
| Maintenance Area: 1 | Neighborhood Code: JIR |
| Year Built: 1870 | Living Area: 1920 |
| Bedrooms: 1 | Baths: BATH1 |
| Exemption Code: | Exemption Desc.: |
| MFD Home ID: | |

Value Information : 2020-2021 Certified Values and Tax Information

| | |
|---------------------------------------|------------------------------------|
| Improvement Appr. Value: \$77,029.00 | Total Appr. Value: \$148,452.00 |
| Land Appr. Value: \$71,423.00 | Exemption Value: \$0.00 |
| Land Market Value: \$509,656.00 | Total Assessed Value: \$140,050.00 |
| Total Real Market Value: \$586,685.00 | Taxes Imposed: \$1,243.18 |

Sales Information :

Deed No: 2006-11256
 Sale Price: \$0.00 Sale Date: 4/10/2006

DISCLAIMER

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DOUGLAS COUNTY OFFICIAL RECORDS
BARBARA E. NIELSEN, COUNTY CLERK

2006-011256



\$51.00

00147908200600112560070072

05/02/2006 03:37:46 PM

DEED-BS Cnt=1 Stn=18 RECORDINGDESK
\$35.00 \$11.00 \$5.00

AFTER RECORDING RETURN TO:

Steven A. Nicholes
DUFFY KEKEL LLP
1200 Standard Plaza
1100 S.W. Sixth Avenue
Portland, Oregon 97204-1079

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

TAJS Enterprises, LLC
P.O. Box 47
Drain, OR 97435-0047

OK

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BARGAIN AND SALE DEED

ROBERT J. WHIPPLE, as Trustee of the Robert J. Whipple Trust under Agreement dated April 9, 1996, Grantor, conveys to TAJ S Enterprises, LLC, an Oregon limited liability company, Grantee, Grantor's interest in the real property described on the attached EXHIBIT A.

The true and actual consideration for this conveyance is \$0.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

DATED: 4/10/06

Robert J. Whipple, Trustee

STATE OF OREGON)
) ss.
County of Douglas)

The foregoing instrument was acknowledged before me on April 10, 2006, by ROBERT J. WHIPPLE, Trustee of the Robert J. Whipple Trust under Agreement dated April 9, 1996.

Notary Public for Oregon



EXHIBIT A

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In Township 22 South, Range 7 West, W. M.

In Section 28 (Parcel No. 1) 22-07-28-500 R39311
Southeast Quarter of the Northeast Quarter; Southwest Quarter of the Northeast Quarter; Northwest Quarter of the Southeast Quarter; East Half of the Southeast Quarter; Southeast Quarter of the Northwest Quarter.
22-07-33-100 R40535
In Section 33 (Parcel No. 2) 22-07-33-2000 R40767
East half of the Northeast quarter (E 1/2 NE 1/4). East Half of the Southeast Quarter, less cemetery parcel described in Book 26, Page 2, in deed records.
22-07-34-100 R40775
In Section 34 (Parcel No. 3) 22-07-34-200 R40791
22-07-34-300 R40783 *REF*
Northeast Quarter; South Half; West Half of the Northwest Quarter; Southeast Quarter of the Northwest Quarter; Northeast Quarter of the Northwest Quarter. (Entire Section)
22-07-00-2800 R40815
In Section 35 (Parcel No. 4) 22-07-00-3000 R40831
That part of Lots 3 and 4 lying South of the ridge; Lots 5, 6, 9 and 10; W 1/2 SW 1/4; SE 1/4 SE 1/4.

In Township 23 South, Range 7 West, W. M.

In Section 1 (Parcel No. 5) 23-07-00-300 R59659
Lot 4 (NW 1/4 NW 1/4).
23-07-02-100 R59673
In Section 2 (Parcel No. 6) 23-07-02-200 R59680
(Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16.)
(Entire Section) 23-07-02-300 R59687
In Section 3 (Parcel No. 7A) 23-07-02-301 R59694 *REF*
North Half of the Northeast Quarter; South Half of the Northwest Quarter.
23-07-03-100 R59701
23-07-03-300 R59715

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Property Known as the Beckley Ranch:

22-07-30-300 R39767
22-08-25-300 R43111
22-08-26-500 R43143
22-08-35-100 R43735
R43751
22-08-36-100 R43791
R43799

BEGINNING at the intersection of the section line common to Sections 26 and 35, Township 22 South, Range 8 West, Willamette Meridian, Douglas County, Oregon, and the center line of that 60 foot easement as described in Book 553, records of Douglas County, Oregon, Recorder's No. 74-11743; thence following said center line southeasterly to the northerly right of way line of County Road No. 11; thence continuing along the prolongation of said center line to the mean high water line of the left bank of the Umpqua River; thence downstream along said line to the range line between Section 31, Township 22 South, Range 7 West, Willamette Meridian and Section 36, Township 22 South, Range 8 West, Willamette Meridian; thence North along said range line to the corner common to Sections 30 and 31, Township 22 South, Range 7 West, Willamette Meridian and Sections 25 and 36, Township 22 South, Range 8 West, Willamette Meridian; thence N. 43° 44' 05" E. 1106.04 feet to a point; thence N. 46° 32' W. 2688.18 feet to the East-West center line of Section 25, Township 22 South, Range 8 West, Willamette Meridian; thence West along said centerline to the center of Section 25; thence N. 0° 45' 52" W. along the North-South center line of Section 25, 1312.15 feet to the North center 1/16 corner of Section 25; thence S. 64° 05' 27" W. 3045.95 feet to the quarter corner common to Sections 25 and 26, Township 22 South, Range 8 West, Willamette Meridian; thence S. 3° 42' 34" E. along the section line common to Sections 25 and 26, 996.52 feet to a point; thence S. 82° 52' 00" W. 2566.80 feet to a point on the North-South center line of Section 26; thence West along the North line of the Southeast quarter of the Southwest quarter of Section 26 to the Northwest corner thereof; thence South along the West line of the Southeast quarter of the Southwest quarter of Section 26 to the section line common to Sections 26 and 35; thence East along said section line to the place of beginning.

EXCEPTING THEREFROM that portion within County Road No. 11.

Located in Sections 25, 26, 35 and 36, Township 22 South, Range 8 West, Willamette Meridian, Douglas County, Oregon.

3 - BARGAIN AND SALE DEED

F:\C3164-01\DEED_TrustProperties to TAJLS LLC.WPD

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Property Adjoining the Beckley Ranch;

22-07-31-500 R39839
R39871

BEGINNING at the intersection of the mean high water line of the left bank of the Umpqua River and the range line between Section 31, Township 22 South, Range 7 West, Willamette Meridian, Douglas County, Oregon, and Section 36, Township 22 South, Range 8 West, Willamette Meridian, Douglas County, Oregon; thence North, on said range line, to the Section corner common to Sections 30 and 31, Township 22 South, Range 7 West, Willamette Meridian and Sections 25 and 36, Township 22 South, Range 8 West, Willamette Meridian; thence S. 57° 13' 25" E. 405.97 feet to a point; thence S. 27° 22' 46" E. 686.24 feet to a point on the southerly right of way line of County Road No. 11; thence N. 66° 29' 07" E. along said right of way line 435.43 feet to a point; thence S. 15° 41' 07" E. 1360.38 feet, more or less, to the said mean high water line; thence upstream along said line to the place of beginning. EXCEPTING THEREFROM that portion within County Road No. 11. p.f.
m.g.

Located in Section 31, Township 22 South, Range 7 West, Willamette Meridian, Douglas County, Oregon.

4 - BARGAIN AND SALE DEED

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Parcel 154:

Parcel 154: (Deed Recorded Vol. 339, Pages 877 and 878)

Part A (Parcel 1):

22-07-21-1100 R38943

A strip of land 100 feet in width, being 50 feet on either side of the following described center line (all distances to be measured at right angles to said center line):

Beginning at Station 0 + 00 a point on the Section line common to Sections 21 and 28, Township 22 South, Range 7 West, W.M., 372.7 feet S. 89° 04' E. of corner common to Sections 20, 21, 28 and 29; thence 94.6 feet around a curve to the left to Station 0 + 94.6, the long chord of which is N. 31° 43' W. 92.0 feet; thence N. 53° 58' W. 91.1 feet to Station 1 + 85.7; thence 88.1 feet around a curve to the right, the long chord of which is N. 38° 02' W. 86.5 feet to Station 2 + 73.8; thence N. 22° 07' W. 78.6 feet to Station 3 + 58.4;

thence 98.6 feet around a curve to the left, the long chord of which is N. 33° 55' W. 97.9 feet to Station 4 + 51.0; thence N. 45° 42' W. 364.7 feet to Station 8 + 65.7; thence N. 35° 22' W. 77.0 feet to Station 9 + 42.7; a point on the South right of way of State Highway No. 38; thence N. 16° 00' W. 70.0 feet to Station 1121 + 87.2 on said highway center line, from which point the $\frac{1}{4}$ corner common to Sections 20 and 21 bears N. 16° 00' E. 410.82 feet and N. 04° 46' E. 1527.4 feet; EXCEPT the rights of the public in said State Highway No. 38.

Subject to the privilege of maintaining a crossing of said property at Station 2 + 73.8 for the purpose of moving livestock from one side of parcel 1 to the other side thereof, as set forth in a Deed recorded in Book 339, Page 877...

(Said Deed also provides that: In the event the grantors, in said Deed, their heirs and assigns, should sever their ownership so that they are no longer the common owners of the real property lying on both sides of Parcel 1, then and in such event the within privilege shall terminate).

Property located in Drain, Oregon:

22-05-17AD-3200 R23723 *REF*

Parcel 1:

Lot 12, Block 3, EASTMORELAND, an Addition to the City of DRAIN,
Douglas County, Oregon.

22-05-17AB-1500 R21123

Parcel No. 2: East 20 feet of the Westerly 48 feet of Lot 5, Block 4, in the City
of Drain, County of Douglas, State of Oregon.

22-05-17AB-1600 R21107

Parcel No. 3: Beginning at a point 48 feet east of the southwest corner of Lot
5, Block 4, and running thence easterly along the south line 15 feet; thence
northerly at right angles to the first line 40 feet; thence easterly at right angles
to last line 17 feet; thence northerly at right angles to last line 10 feet; thence
westerly along the north line of said Lot 5, 32 feet; thence southerly to the
place of beginning; all of said described property being in Block 4 in the City
of Drain, County of Douglas, State of Oregon.

Parcel 4:

22-05-17AB-600 R21067

The South Half (S $\frac{1}{2}$) of Lot Number Three (3) in Block
Number Four (4); ALSO, that part of Lot Number Four
(4) in Block Number Four (4) described as follows,
to-wit:

BEGINNING at the Northeast corner of said Lot Number
Four (4) and running South seven and one-half ($7\frac{1}{2}$)
feet; thence West eighty (80) feet; thence North seven
and one-half ($7\frac{1}{2}$) feet; thence East eighty (80) feet to
the place of beginning. 600,PT1800

EXCEPTING THEREFROM the following:

BEGINNING at the Southwest corner of Lot 3, Block 4,
City of Drain; thence North 25.0 feet to the North line
of the S $\frac{1}{2}$ of said Lot 3; thence East 16.0 feet along
said North line of the S $\frac{1}{2}$ to a point; thence South 25.0
feet to the line between Lots 3 and 4; thence West 16.0
feet to the point of beginning. EXC PT1800

All of the above described property lying and being in
the City of DRAIN, Douglas County, Oregon.

6 - BARGAIN AND SALE DEED

FAC3164-01NDEED_TrustProperties to TAJS LLC.WPD

20-07-00-2800 R11439

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Beginning at a point in the center of the Smith River Road on the South line of the SE1/4 of the NW1/4 Sec. 25, T20S, R7W. from which the 1/4 corner common to Secs. 25 and 26 bears S. 89°24' W. 1614.4 ft. thence N. 89°24'E on E & W the E and W center line of said Sec. 25 899.5 ft. to a point in the center of the above mentioned road, thence down said road around irregular curves N: 25°54' W. 241.5 ft., N. 35°32' W. 154.8 ft., N. 72°54' W. 136.0 ft., N. 88°23' W. 142.1 ft., S 60°47' W. 135.2 ft. S. 55°47' W 167.6 ft., S. 40°01' W. 105.8 ft., S. 29°08' W. 129.4 ft., and S. 40 44' W. 62.8 ft. to the point of beginning, enclosing a parcel of land containing 4.88 acres, all in the SE1/4 of the NW1/4. Section 25, Township 20 S., Range 7 West.