

Application for a Permit to Use
Surface Water

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

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant

NAME Allan Wooster		PHONE (HM) 541-501-3390	
PHONE (WK)	CELL	FAX	
ADDRESS 85106 TERRITORIAL HWY.			
CITY EUGENE	STATE OR	ZIP 97402	E-MAIL * Wooster.Allan@gmail.com

Organization

NAME JRAW Farm		PHONE	FAX
ADDRESS 85106 Territorial Hwy		CELL	
CITY Eugene	STATE OR	ZIP 97402	E-MAIL *

Agent – The agent is authorized to represent the applicant in all matters relating to this application.

AGENT / BUSINESS NAME		PHONE	FAX
ADDRESS		CELL	
CITY	STATE	ZIP	E-MAIL *

Note: Attach multiple copies as needed

* By providing an e-mail address, consent is given to receive all correspondence from the Department electronically. (Paper copies of the proposed and final order documents will also be mailed.)

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By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application.
- I cannot legally use water until the Water Resources Department issues a permit.
- The Department encourages all applicants to wait for a permit to be issued before beginning construction of any proposed diversion. Acceptance of this application does not guarantee a permit will be issued.
- If I begin construction prior to the issuance of a permit, I assume all risks associated with my actions.
- If I receive a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be cancelled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water right holders to receive water to which they are entitled.

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

Applicant Signature

Print Name and Title if applicable

Date

Applicant Signature

Print Name and Title if applicable

Date

SECTION 2: PROPERTY OWNERSHIP

Please indicate if you own all the lands associated with the project from which the water is to be diverted, conveyed, and used.

Alan Wooster & Josh Rossini own the land

- ☒ YES, there are no encumbrances.
- ☐ YES, the land is encumbered by easements, rights of way, roads or other encumbrances.
- ☐ NO, I have a recorded easement or written authorization permitting access.
- ☐ NO, I do not currently have written authorization or easement permitting access.
- ☐ NO, written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigation and/or domestic use only (ORS 274.040).
- ☐ NO, because water is to be diverted, conveyed, and/or used only on federal lands.

Affected Landowners: List the names and mailing addresses of all owners of any lands that are not owned by the applicant and that are crossed by the proposed ditch, canal or other work, even if the applicant has obtained written authorization or an easement from the owner. (Attach additional sheets if necessary).

Legal Description: You must provide the legal description of: 1. The property from which the water is to be diverted, 2. Any property crossed by the proposed ditch, canal or other work, and 3. Any property on which the water is to be used as depicted on the map.

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SECTION 3: SOURCE OF WATER

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A. Proposed Source of Water

Provide the commonly used name of the water body from which water will be diverted, and the name of the stream or lake it flows into (if unnamed, say so), and the locations of the point of diversion (POD):

Source 1: Lifted Pond (Permit R-15388)	Tributary to: Coyote Creek
TRSQQ of POD: 18 S, 5 W, Sec 32, NE NE	
Source 2:	Tributary to:
TRSQQ of POD:	

If any source listed above is stored water that is authorized under a water right permit, certificate, or decree, attach a copy of the document or list the document number (for decrees, list the volume, page and/or decree name).

B. Applications to Use Stored Water

Do you, or will you, own the reservoir(s) described in Section 3A above?

- ☒ Yes. ☐ No. (Enclose a copy of your written notification to the operator of the reservoir of your intent to file this application, which should have been mailed or delivered to the operator.)

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If *all* sources listed in Section 3A are stored water, the Department will review your application using the expedited process provided in ORS 537.147, unless you check the box below. Please see the instruction booklet for more information.

☐ By checking this box, you are requesting that the Department process your application under the standard process outlined in ORS 537.150 and 537.153, rather than the expedited process provided by ORS 537.147. To file an application under the standard process, you must enclose the following:

- A copy of a signed non-expired contract or other agreement with the owner of the reservoir (if not you) to impound the volume of water you propose to use in this application.
- A copy of your written agreement with the party (if any) delivering the water from the reservoir to you.

SECTION 4: SENSITIVE, THREATENED OR ENDANGERED FISH SPECIES PUBLIC INTEREST INFORMATION

This information must be provided for your application to be accepted as complete. The Water Resources Department will determine whether the proposed use will impair or be detrimental to the public interest with regard to sensitive, threatened or endangered fish species.

To answer the following questions, use the map provided in [Attachment 3](#) or the link below to determine whether the proposed point of diversion (POD) is located in an area where the Upper Columbia, the Lower Columbia, and/or the Statewide public interest rules apply.

For more detailed information, click on the following link and enter the T,R,S,QQ or the Lat/Long of a POD and click on "Submit" to retrieve a report that will show which section, if any, of the rules apply:
https://apps.wrd.state.or.us/apps/misc/lkp_trsqq_features/

If you need help to determine in which area the proposed POD is located, please call the customer service desk at (503) 986-0801.

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

Is the POD located in an area where the Upper Columbia Rules apply?

☐ Yes ☒ No

If yes, you are notified that the Water Resources Department will consult with numerous federal, state, local and tribal governmental entities so it may determine whether the proposed use is consistent with the "Columbia River Basin Fish and Wildlife Program" adopted by the Northwest Power Planning Council in 1994 for the protection and recovery of listed fish species. The application may be denied, heavily conditioned, or if appropriate, mitigation for impacts may be needed to obtain approval for the proposed use.

If yes,

- I understand that the proposed use does not involve appropriation of direct streamflow during the time period April 15 to September 30, except as provided in OAR 690-033-0140.
- I understand that I will install, operate and maintain a fish screen and fish passage as listed in ORS 498.301 through 498.346, and 509.580 through 509.910, to the specifications and extent required by Oregon Department of Fish and Wildlife, prior to diversion of water under any permit issued pursuant to this application.

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- I understand that the Oregon Department of Environmental Quality will review my application to determine if the proposed use complies with existing state and federal water quality standards.
- I understand that I will install and maintain water use measurement and recording devices as required by the Water Resources Department, and comply with recording and reporting permit condition requirements.

Lower Columbia - OAR 690-033-0220 thru -0230

Is the POD located in an area where the Lower Columbia rules apply?

☒ Yes ☐ No

If yes, you are notified that the Water Resources Department will determine, by reviewing recovery plans, the Columbia River Basin Fish and Wildlife Program, and regional restoration programs applicable to threatened or endangered fish species, in coordination with state and federal agencies, as appropriate, whether the proposed use is detrimental to the protection or recovery of a threatened or endangered fish species and whether the use can be conditioned or mitigated to avoid the detriment.

If a permit is issued, it will likely contain conditions to ensure the water use complies with existing state and federal water quality standards; and water use measurement, recording and reporting required by the Water Resources Department. The application may be denied, or if appropriate, mitigation for impacts may be needed to obtain approval of the proposed use.

If yes, provide the following information (the information must be provided with the application to be considered complete).

☐ Yes ☒ No The proposed use is for more than **one** cubic foot per second (448.8 gpm) and is not subject to the requirements of OAR 690, Division 86 (Water Management and Conservation Plans).

If yes, provide a description of the measures to be taken to assure reasonably efficient water use:

Statewide - OAR 690-033-0330 thru -0340

Is the POD located in an area where the Statewide rules apply?

☒ Yes ☐ No

If yes, the Water Resources Department will determine whether the proposed use will occur in an area where endangered, threatened or sensitive fish species are located. If so, the Water Resources Department, Department of Fish and Wildlife, Department of Environmental Quality, and the Department of Agriculture will recommend conditions required to achieve "no loss of essential habitat of threatened and endangered (T&E) fish species," or "no net loss of essential habitat of sensitive (S) fish species." If conditions cannot be identified that meet the standards of no loss of essential T & E fish habitat or no net loss of essential S fish habitat, the agencies will recommend denial of the application unless they conclude that the proposed use would not harm the species.

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SECTION 5: WATER USE

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Provide the amount of water you propose to use from each source, for each use, in cubic feet-per-second (cfs) or gallons-per-minute (gpm). If the proposed use is from storage, provide the amount in acre-feet (af):

(1 cfs equals 448.8 gpm. 1 acre-foot equals 325,851 gallons or 43,560 cubic feet)

SOURCE	USE	PERIOD OF USE	AMOUNT
Lifted Pond	Irrigation	March 1 - October 31	5.5 ☐ cfs ☐ gpm ☒ af
			☐ cfs ☐ gpm ☐ af
			☐ cfs ☐ gpm ☐ af
			☐ cfs ☐ gpm ☐ af

Please indicate the number of primary and supplemental acres to be irrigated.

Primary: 2.6 Acres Supplemental: 0 Acres

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

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 5.5

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households: _____
- If the use is **mining**, describe what is being mined and the method(s) of extraction: _____

SECTION 6: WATER MANAGEMENT

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A. Diversion and Conveyance

What equipment will you use to pump water from your source?

- ☒ Pump (give horsepower and type): EVERBILT 1.5 HP
- ☐ Other means (describe): _____

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

B. Application Method

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

Drip irrigation

C. Conservation

Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; prevent damage to public uses of affected surface waters.

Drip irrigation with ground cloth is what we have researched as the best method of application with conservation in mind.

For Department Use: App. Number: _____

SECTION 7: RESOURCE PROTECTION

In granting permission to use water from a stream or lake, the state encourages, and in some instances requires, careful control of activities that may affect the waterway or streamside area. See instruction guide for a list of possible permit requirements from other agencies. Please indicate any of the practices you plan to undertake to protect water resources:

- ☒ Diversion will be screened per ODFW specifications in ORS 498.301 through 498.346 to prevent uptake of fish and other aquatic life.

Describe planned actions: Screen over intake

- ☐ Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.

Note: If disturbed area is more than one acre, applicant should contact the Department of Environmental Quality to determine if a 1200C permit is required.

Describe planned actions and additional permits required for project implementation: none anticipated

- ☐ Operating equipment in a water body will be managed and timed to prevent damage to aquatic life. Describe planned actions and additional permits required for project implementation: none

- ☐ Water quality will be protected by preventing erosion and run-off of waste or chemical products. Describe planned actions: _____

- ☐ List other federal and state permits or contracts to be obtained, if a water right permit is granted.

_____ none anticipated

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SECTION 8: PROJECT SCHEDULE

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- a) Date construction will begin: 6/1/2020
b) Date construction will be completed: 9/30/2020
c) Date beneficial water use will begin: 5/01/2021

SECTION 9: WITHIN A DISTRICT

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

Irrigation District Name NA	Address	
City	State	Zip

SECTION 10: REMARKS

Use this space to clarify any information you have provided in the application. (Attach additional sheets if necessary).

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Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050 & ORS 537.140)

Include this checklist with the application

Check that each of the following items is included. The application will be returned if all required items are not included. If you have questions, please call the Water Rights Customer Service Group at (503) 986-0900.

Please submit the original application and signatures to the Water Resources Department. Applicants are encouraged to keep a copy of the completed application.

- ☒ SECTION 1: Applicant Information and Signature
- ☒ SECTION 2: Property Ownership
- ☒ SECTION 3: Source of Water
- ☒ SECTION 4: Sensitive, Threatened or Endangered Fish Species Public Interest Information
- ☒ SECTION 5: Water Use
- ☒ SECTION 6: Water Management
- ☒ SECTION 7: Resource Protection
- ☒ SECTION 8: Project Schedule
- ☒ SECTION 9: Within a District
- ☒ SECTION 10: Remarks

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Include the following additional items:

- ☒ Land Use Information Form with approval and signature of local planning department (*must be an original*) or signed receipt.
- ☒ Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.
- ☒ Fees - Amount enclosed: \$ 1,250 —
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.
- ☒ Map that includes the following items:
 - ☒ Permanent quality and drawn in ink
 - ☒ Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
 - ☒ North Directional Symbol
 - ☒ Township, Range, Section, Quarter/Quarter, Tax Lots
 - ☒ Reference corner on map
 - ☒ Location of each diversion, by reference to a recognized public land survey corner (distances north/south and east/west)
 - ☒ Indicate the area of use by Quarter/Quarter and tax lot identified clearly.
 - ☒ Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
 - ☒ Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)

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Land Use Information Form



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Salem, Oregon 97301-1266503-986-0900
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NAME Allan Wooster		PHONE (HM)	
PHONE (WK)	CELL 541-501-3390	FAX	
ADDRESS 85106 Territorial Hwy			
CITY Eugene	STATE OR	ZIP 97402	E-MAIL* wooster.allan@gmail.com

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
18	05	32	00-00	103		☒ Diverted	☒ Conveyed	☒ Used	EFU40
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	

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

Lane

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: 5.5 ☐ cubic feet per second ☐ gallons per minute ☒ acre-feet

Intended use of water: ☒ Irrigation ☐ Commercial ☐ Industrial ☐ Domestic for _____ household(s)
☐ Municipal ☐ Quasi-Municipal ☐ Instream ☐ Other _____

Briefly describe:

To dig a pond next to Coyote Creek 200' X 120' X 10' ; to collect winter flood water to use for irrigation in summer

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.

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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):

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

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued

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

Use of water for irrigation permitted outright per LC 16.212-1 (6.1). Floodplain Roll/Removal Permit was issued (509-PA18-05227) on 12/10/18 to construct pond

Name: TAYLOR CARSLY Title: PLANNER

Signature: [Signature] Phone: 541-682-6765 Date: 4/21/21

Government Entity: LANE COUNTY

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: _____

Land Use Information Form

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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: Allan First Wooster Last

Mailing Address: 85106 Territorial Hwy
Eugene City OR State 97402 Zip Daytime Phone: 541-501-3390

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:
18	05	32	00-00	103		☒ Diverted	☒ Conveyed	☒ Used	24040
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	

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

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B. Description of Proposed Use

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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: 5.5 ☐ cubic feet per second ☐ gallons per minute ☒ acre-feet

Intended use of water: ☒ Irrigation ☐ Commercial ☐ Industrial ☐ Domestic for _____ household(s)
☐ Municipal ☐ Quasi-Municipal ☐ Instream ☐ Other _____

Briefly describe:

To dig a pond next to cyote creek 200x120x10 ft. to collect winter flood water to use for irrigation in the summer time

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See bottom of Page 3. →

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Please check the appropriate box below and provide the requested information

☒ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): Lane Code 16.212(a)

☒ 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:	
Floodplain Fill/Removal permit	Lane Code 16.244 Floodplain combining zone	☐ Obtained ☐ Denied	☒ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
	RECEIVED	☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
	MAY 06 2021	☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
	OWRD	☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued

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

The use of water for irrigation is permitted outright per lane code 16.212(a). To dig the pond, the applicant needs a floodplain fill/removal permit which is in process (permit number SW9-PA18-05827)

Name: Rachel Sorslev Title: Planner
 Signature: [Signature] Phone: 541-682-6903 Date: 10/25/18
 Government Entity: Lane County

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

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Applicant name: _____
 City or County: _____ Staff contact: _____
 Signature: _____ Phone: _____ Date: _____

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Floodplain Fill/Removal permit	Lane Code 16.244 Floodplain combining zone	☐ Obtained ☐ Denied	☒ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued

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 Signature: [Signature] Phone: 541-682-6903 Date: 10/25/18
 Government Entity: Lane County

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Applicant name: _____ JAN 15 2019
 City or County: _____ Staff contact: OWRD
 Signature: _____ Phone: _____ Date: _____

R-88877

AFTER RECORDING RETURN TO:
CASCADE TITLE COMPANY
811 WILLAMETTE ST., EUGENE, OR 97401



Lane County Clerk
Lane County Deeds and Records

2016-001915



\$47.00

01550354201600019150010015

01/19/2016 09:49:17 AM

RPR-DEED Cnt=1 Stn=9 CASHIER 11

\$5.00 \$11.00 \$21.00 \$10.00

TITLE NO. 0293747
ESCROW NO. EU16-0057
TAX ACCT. NO. 1737590 MAP/TAX LOT NO. 18 05 32 #103
TAX ACCT. NO. 1737608 MAP/TAX LOT NO. 18 05 32 #103

GRANTOR

JOHN E. AND SHARON D. MCCAY JOINT REVOCABLE TRUST

GRANTEE

ALLAN WOOSTER

P.O. BOX 777

VENETA, OR 97487

Until a change is requested
all tax statements shall be
sent to the following address:
SAME AS GRANTEE

After recording return to:
CASCADE TITLE CO.
811 WILLAMETTE
EUGENE, OR 97401

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WARRANTY DEED -- STATUTORY FORM

JOHN E. MCCAY, TRUSTEE OF THE JOHN E. AND SHARON D. MCCAY JOINT REVOCABLE TRUST,
Grantor,

conveys and warrants to

ALLAN WOOSTER, Grantee,

the following described real property free of encumbrances except as specifically set forth herein:

Parcel 1, Land Partition Plat No. 2004-P1816, recorded October 26, 2004, Lane County Oregon Plat Records,
in Lane County, Oregon.

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

Except the following encumbrances:
Covenants, Conditions, Restrictions, Easements and Rights of Way of record, if any.

The true consideration for this conveyance is \$400,000.00.

Dated this 14 day of Sept, 2014.

JOHN E. AND SHARON D. MCCAY JOINT
REVOCABLE TRUST

BY:

John E. McCay
JOHN E. MCCAY, TRUSTEE

State of Oregon
County of LANE

This instrument was acknowledged before me on January 14, 2016 by JOHN E. MCCAY AS
TRUSTEE OF THE JOHN E. AND SHARON D. MCCAY JOINT REVOCABLE TRUST.



[Signature]
(Notary Public for Oregon)

My commission expires 4-17-16

② 20293747
EUG-00510M

TRUST DEED

THIS TRUST DEED, made on day 14 of January, 2016, between ALLAN WOOSTER, as Grantor, CASCADE TITLE COMPANY, as Trustee, and JOHN E. MCCAY AND PATRICIA R. MCCAY, TRUSTEES OF THE JOHN E. AND PATRICIA R. MCCAY REVOCABLE TRUST, dated January 12, 2016 as Beneficiary,

WITNESSETH:

Grantor irrevocably grants, bargains, sells and conveys to trustee in trust, with power of sale, the property in Lane County, Oregon, described as:

Parcel 1, Land Partition Plat No. 2004-P1816, recorded October 26, 2004, Lane County Oregon Plat Records, in Lane County, Oregon.

together with all and singular the tenements, hereditaments and appurtenances and all other rights thereunto belonging or in anywise now or hereafter appurtenant, and the rents, issues and profits thereof and all fixtures now or hereafter attached to or used in connection with the property.

FOR THE PURPOSE OF SECURING PERFORMANCE of each agreement of grantor herein contained and payment of the sum of **FOUR HUNDRED THOUSAND AND NO/100ths** Dollars, with interest thereon according to the terms of a promissory note of even date herewith, payable to beneficiary or order and made payable by grantor, the final payment of principal and interest hereof, if not sooner paid, to be due and payable January _____, 2025.

The date of maturity of the debt secured by this instrument is the date, stated above, on which the final installment of said note becomes due and payable. In the event the within described property, or any part thereof, or any interest therein is sold, agreed to be sold, conveyed, assigned, or alienated by the grantor without first having obtained the written consent or approval of the beneficiary, then, at the beneficiary's option, all obligations secured by this instrument, irrespective of the maturity dates expressed therein or herein, shall become immediately due and payable. Said consent shall not be unreasonably withheld.

To protect the security of this trust deed, grantor agrees:

1. To protect, preserve and maintain said property in good condition and repair; not to remove or demolish any building or improvement thereon; not to commit or permit any waste of said property.
2. To complete or restore promptly and in good workmanlike manner any building or improvement which may be constructed, damaged or destroyed thereon, and pay when due all costs incurred therefor.
3. To comply with all laws, ordinances, regulations, covenants, conditions and restrictions affecting the property; if the beneficiary so requests, to join in executing such financing statements pursuant to the Uniform Commercial Code as the beneficiary may require and to pay for filing same in the proper public office or offices, as well as the cost of all lien searches made by filing officers or searching agencies as may be deemed desirable by the beneficiary.
4. To provide and continuously maintain insurance on the buildings now or hereafter erected on said premises against loss or damage by fire and such other hazards as the beneficiary may from time to time require, in an amount not less than the full insurable value, written in companies acceptable to the beneficiary, with loss payable to the latter; all policies of insurance shall be delivered to the beneficiary as soon as insured; if grantor shall fail for any reason to procure any such insurance and to deliver said policies to the beneficiary at least fifteen days prior to the expiration of any policy of insurance now or hereafter placed on said buildings, the beneficiary may procure same at grantor's expense. The amount collected under any fire or other insurance policy may be applied by beneficiary upon any indebtedness secured hereby and in such order as beneficiary may determine, or at option of beneficiary the entire amount so collected, or any part thereof, may be released to grantor. Such application or release shall not cure or waive any default or notice of default hereunder or invalidate any act done pursuant to such notice.
5. To keep said premises free from construction liens and to pay all taxes, assessments and other charges that may be levied or assessed upon or against said property before any part of such taxes, assessments and other charges become past due or delinquent and promptly deliver receipts therefor to beneficiary; should the grantor fail to make payment of any taxes, assessments, insurance premiums, liens or other charges payable by grantor, either by direct payment or by providing beneficiary with funds with which to make such payment, beneficiary may, at its option, make payment thereof, and the amount so paid, with interest at the rate set forth in the note secured hereby, together with obligations described in paragraphs 6 and 7 of this trust deed, shall be added to and become a part of the debt secured by this trust deed, without waiver of any rights arising from breach of any of the covenants hereof and for such payments, with interest as aforesaid, the property hereinbefore described, as well as the grantor, shall be bound to the same extent that they are bound for the payment of the obligation herein described, and all such payments shall be immediately due and payable without notice, and the nonpayment thereof shall, at the option of the beneficiary, render all sums secured by this trust deed immediately due and payable and constitute a breach of this trust deed.
6. To pay all costs, fees and expenses of this trust deed including the cost of title search as well as the other costs and expenses of the trustee incurred in connection with or in enforcing this obligation and trustee's and attorney's fees actually incurred.
7. To appear in and defend any action or proceeding purporting to affect the security rights or powers of beneficiary or trustee; and in any suit, action or proceeding in which the beneficiary or trustee may appear, including any suit for the foreclosure of this deed, to pay all costs and expenses, including evidence of title and the beneficiary's or trustee's attorney's fees; the amount of attorney's fees

NOTE: The Trust Deed Act provides that the Trustee hereunder must be either an attorney, who is an active member of the Oregon State Bar, a bank, trust company, or savings and loan association authorized to do business under the laws of Oregon or the United States, a title insurance company authorized to insure title to real property of this state, its subsidiaries, affiliates, agents or branches, the United States or any agency thereof, or an escrow agent licensed under ORS 696.505 to 696.585.

TRUST DEED

ALLAN WOOSTER
P.O. BOX 777
VENETA, OR 97487

Grantor

JOHN E. MCCAY AND PATRICIA
R. MCCAY, TRUSTEES
85115 Territorial Hwy
Eugene, OR 97402

Beneficiary

After recording return to
CASCADE TITLE COMPANY
811 WILLAMETTE STREET
EUGENE, OR 97401

Lane County Clerk
Lane County Deeds and Records

2016-001916



\$57.00

01550356201600019160030035

01/19/2016 09:49:17 AM

RPR-DTR Cnt=1 Stn=9 CASHIER 11

\$15.00 \$10.00 \$11.00 \$21.00

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*Locally owned &
operated for over 60 years!*

KEEP THIS POLICY IN A SAFE PLACE

For faster service on future sales or loans on your property
present this slip to your broker or loan company showing:

CASCADE TITLE CO.

Policy No. 0293747

We appreciate your business and will continue giving you
the best service possible.

811 Willamette St, Eugene, OR 97401
541 687 2233 | cascadetitle.com

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Chicago Title Insurance Company

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POLICY NO.: 7388-1-0293747-2016.73306-95184319

OWNER'S POLICY OF TITLE INSURANCE

Issued by

Chicago Title Insurance Company

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Any notice of claim and any other notice or statement in writing required to be given the Company under this Policy must be given to the Company at the address shown in Section 18 of the Conditions.

COVERED RISKS

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B, AND THE CONDITIONS, CHICAGO TITLE INSURANCE COMPANY, a Nebraska corporation (the "Company") insures, as of Date of Policy and, to the extent stated in Covered Risks 9 and 10, after Date of Policy, against loss or damage, not exceeding the Amount of Insurance, sustained or incurred by the Insured by reason of:

1. Title being vested other than as stated in Schedule A.
2. Any defect in or lien or encumbrance on the Title. This Covered Risk includes but is not limited to insurance against loss from
 - (a) A defect in the Title caused by
 - (i) forgery, fraud, undue influence, duress, incompetency, incapacity, or impersonation;
 - (ii) failure of any person or Entity to have authorized a transfer or conveyance;
 - (iii) a document affecting Title not properly created, executed, witnessed, sealed, acknowledged, notarized, or delivered;
 - (iv) failure to perform those acts necessary to create a document by electronic means authorized by law;
 - (v) a document executed under a falsified, expired, or otherwise invalid power of attorney;
 - (vi) a document not properly filed, recorded, or indexed in the Public Records including failure to perform those acts by electronic means authorized by law; or
 - (vii) a defective judicial or administrative proceeding.
 - (b) The lien of real estate taxes or assessments imposed on the Title by a governmental authority due or payable, but unpaid.
 - (c) Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
3. Unmarketable Title.
4. No right of access to and from the Land.
5. The violation or enforcement of any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (a) the occupancy, use, or enjoyment of the Land;
 - (b) the character, dimensions, or location of any improvement erected on the Land;
 - (c) the subdivision of land; or
 - (d) environmental protection
 if a notice, describing any part of the Land, is recorded in the Public Records setting forth the violation or intention to enforce, but only to the extent of the violation or enforcement referred to in that notice.
6. An enforcement action based on the exercise of a governmental police power not covered by Covered Risk 5 if a notice of the enforcement action, describing any part of the Land, is recorded in the Public Records, but only to the extent of the enforcement referred to in that notice.
7. The exercise of the rights of eminent domain if a notice of the exercise, describing any part of the Land, is recorded in the Public Records.
8. Any taking by a governmental body that has occurred and is binding on the rights of a purchaser for value without Knowledge.
9. Title being vested other than as stated Schedule A or being defective
 - (a) as a result of the avoidance in whole or in part, or from a court order providing an alternative remedy, of a transfer of all or any part of the title to or any interest in the Land occurring prior to the transaction vesting Title as shown in Schedule A because that prior transfer constituted a fraudulent or preferential transfer under federal bankruptcy, state insolvency, or similar creditors' rights laws; or
 - (b) because the instrument of transfer vesting Title as shown in Schedule A constitutes a preferential transfer under federal bankruptcy, state insolvency, or similar creditors' rights laws by reason of the failure of its recording in the Public Records
 - (i) to be timely, or
 - (ii) to impart notice of its existence to a purchaser for value or to a judgment or lien creditor.
10. Any defect in or lien or encumbrance on the Title or other matter included in Covered Risks 1 through 9 that has been created or attached or has been filed or recorded in the Public Records subsequent to Date of Policy and prior to the recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

The Company will also pay the costs, attorneys' fees, and expenses incurred in defense of any matter insured against by this Policy, but only to the extent provided in the Conditions.

IN WITNESS WHEREOF, CHICAGO TITLE INSURANCE COMPANY has caused this policy to be signed and sealed by its duly authorized officers.

Countersigned:

Authorized Signatory

CHICAGO TITLE INSURANCE COMPANY

7388OR 0293747
 Cascade Title Company
 811 Willamette Street
 Eugene, OR 97401-2918
 Tel: (541) 687-2233
 Fax: (541) 485-0307
 72306 (6/06)



By:

[Signature]

ATTEST

President

[Signature]

Secretary

TRANS	SI	INF.								
TYPE	IND	IND	CODE	CODE	CODE	CODE	CODE	CODE	CODE	REISSUE AMOUNT

ORDER NO.	POLICY NUMBER	DATE OF POLICY	AMOUNT	PREMIUM
0293747	73306-95184319	JANUARY 19, 2016 at 9:49 A.M.	\$400,000.00	\$1,150.00

OWNERS POLICY



SCHEDULE A

Order No.: 0293747

Policy No.: 73306-95184319

Amount of Insurance: \$400,000.00

Premium: \$1,150.00

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Date of Policy: JANUARY 19, 2016 at 9:49 A.M.

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1. Name of Insured:

ALLAN WOOSTER

2. The estate or interest in the land described or referred to in Schedule C and which is covered by this policy is:

FEE SIMPLE

3. Title to the estate or interest in the land referred to herein is at Date vested in:

ALLAN WOOSTER

4. The land referred to in this Policy is described on the attached Schedule "C" and made a part hereof.

SCHEDULE B

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This policy does not insure against loss or damage (and the Company will not pay costs, attorney's fees or expenses) which arise by reason of the following:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Facts, rights, interests or claims which are not shown by the Public Records but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the Public Records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land.
5. Any lien, or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the Public Records.
6. As disclosed by the tax rolls, the premises herein described have been zoned or classified for farm use. At any time that said land is disqualified for such use, the property will be subject to additional taxes or penalties and interest.
7. As disclosed by the tax rolls, the premises herein described have been zoned or classified as forest lands. At any time that said land is disqualified for such use, the property will be subject to additional taxes or penalties and interest pursuant to the provisions of ORS Chapter 321.
8. Rights of the public in and to that portion lying within streets, roads and highways.
9. Grant of Easement and Maintenance Agreement, including the terms and provisions thereof, recorded October 26, 2004, Reception No. 2004-082648, Lane County Deeds and Records.
10. Easements, notes, conditions and restrictions shown, set forth, and/or delineated on the recorded plat.
11. Such rights and easements for navigation and fishing as may exist over that portion of the property lying upon and beneath the waters of Coyote Creek.
12. Judgment in the State Circuit Court, against Allan Robert Wooster, in favor of Linda Marie Bourlet, docketed November 30, 2010, Case No. 15-05-01059, in the amount of \$36.00, child support per month, plus interest, costs, and fees.
13. Judgment in the State Circuit Court, against Allan Robert Wooster, in favor of Linda Marie Wooster, docketed March 23, 2005, Case No. 15-05-01059, in the amount of \$2,000.00, spousal support per month plus interest, costs, and fees.

14. Judgment in the State Circuit Court, against Allan Robert Wooster, in favor of Linda Marie Wooster, docketed March 23, 2005, Case No. 15-05-01059, in the amount of \$1,000.00, monetary award, plus interest, costs, and fees.
15. Deed of Trust, including the terms and provisions thereof, executed by Allan Wooster, Grantor, to Cascade Title Company, Trustee, for the benefit of John E. McCay and Patricia R. McCay, Trustees of the John E. and Patricia R. McCay Revocable Trust, dated January 12, 2016, Beneficiary, dated January 14, 2016, recorded January 19, 2016, Reception No. 2016-001916, Lane County Deeds and Records, to secure payment of a note for \$400,000.00.

END OF SCHEDULE B

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SCHEDULE "C"

The land referred to in the Policy is described as follows:

Parcel 1, Land Partition Plat No. 2004-P1816, recorded October 26, 2004, Lane County
Oregon Plat Records, in Lane County, Oregon.

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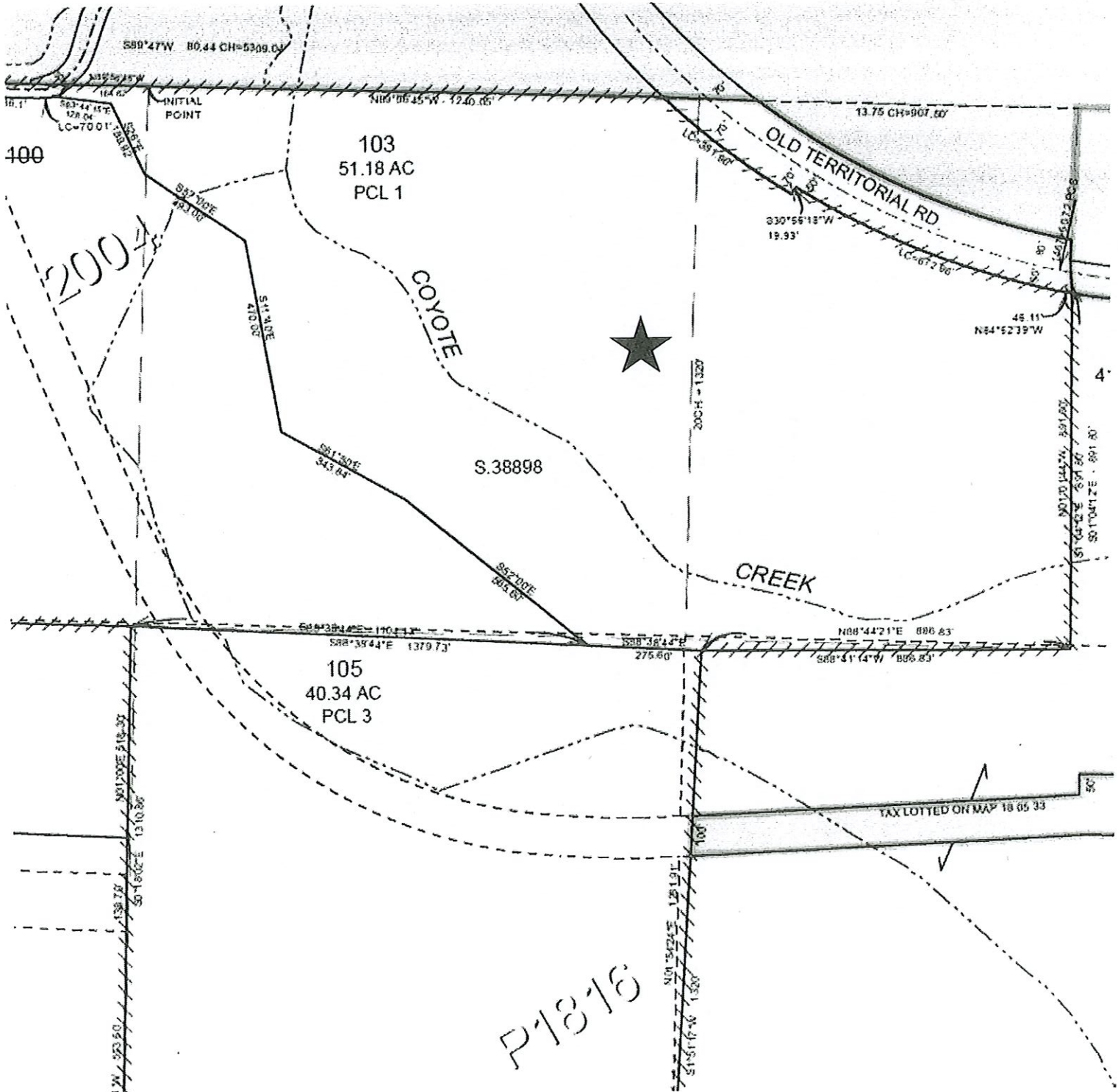
CASCADE TITLE CO.

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MAP NO.
18-05-32-00



THIS MAP/PLAT IS BEING FURNISHED AS AN AID IN LOCATING THE HEREIN DESCRIBED LAND IN RELATION TO ADJOINING STREETS, NATURAL BOUNDARIES AND OTHER LAND, AND IS NOT A SURVEY OF THE LAND DEPICTED. EXCEPT TO THE EXTENT A POLICY OF TITLE INSURANCE IS EXPRESSLY MODIFIED BY ENDORSEMENT, IF ANY, THE COMPANY DOES NOT INSURE DIMENSIONS, DISTANCES, LOCATION OF EASEMENTS, ACREAGE OR OTHER MATTERS SHOWN THEREON.

WARRANTY DEED

THIS INDENTURE WITNESSETH, THAT MATTHE EVANS and FRANK L. EVANS, her husband, and CLARENCE V. CANADAY, a single man over the age of 21 years his wife, for and in consideration of the sum of TEN AND NO/100

DOLLARS, to them paid, do hereby Bargain, Sell and Convey unto ILVA LO GULLOCH and ALVA L. GULLOCH, his wife

the following described premises, to-wit:

The northeast quarter of the northwest quarter, the west half of the northeast quarter, also commencing at the northwest corner of the northeast quarter of northeast quarter of section 32, Township 18 South Range 5 West of Willamette Meridian, run east 13.75 chains, north 30 chains, west 13.75 chains, and north 20 chains to the place of beginning, being in section 32, Township 18 South Range 5 West of Willamette Meridian in Lane County, Oregon.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said grantees, their heirs and assigns forever.

And the said grantees do hereby covenant to and with the said parties their heirs and assigns that they the owners in fee simple of said premises; that they are free from all incumbrances;

and that they will warrant and defend the same from all lawful claims whatsoever.

IN WITNESS WHEREOF, we have hereunto set our hands and seal this 25th day of June, A. D., 1903.

done in the Presence of:

Alfalfa witness →

Matthe Evans (SEAL)
Frank L. Evans (SEAL)
Clarence V. Canaday (SEAL)

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WARRANTY DEED

THIS INDENTURE WITNESSETH, THAT MARTIE EVANS and FRANK L. EVANS, her
husband, and CLARENCE V. CANADAY, a single man over the age of 21
his wife, for and in consideration of the sum of TEN AND NO/100

DOLLARS

to them paid, do hereby Bargain, Sell and Convey unto ALVA MC CULLOCH and
ALLA GRACE MC CULLOCH, his wife

the following described premises, to-wit:

The northeast quarter of the northwest quarter, the west
half of the northeast quarter, also commencing at the northwest corner
of the northeast quarter of northeast quarter of section 32, township
12 South Range 5 East of Willamette Meridian, run east 13.75 chains,
south 40 chains, west 13.75 chains, and north 40 chains to the place
of beginning, being in section 32, township 12 South Range 5 East of the
Willamette Meridian in Lane County, Oregon.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said ALVA MC CULLOCH
heirs and assigns forever.

And the said ALVA MC CULLOCH
do hereby covenant to and with the said ALVA MC CULLOCH
heirs and assigns
that he the owners in fee simple of said premises; that they are free from all incumbrances;

and that he will warrant and defend the same from all lawful claims whatsoever.

IN WITNESS WHEREOF, TO have hereunto set their hands and
seal this 25th day of June, A. D., 19 19

done in the Presence of:

Affiliated Witness

Martie Evans (SEAL)
Frank L. Evans (SEAL)
Clarence Canaday (SEAL)

R-88679

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FEB 08 2019

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Oregon Water Resources Department Stored Water Only Applications - Expedited Secondary

[Main](#)[Help](#)[Return](#)[Contact Us](#)

Today's Date: Monday, August 3, 2020

Base Application Fee.		\$520.00
Acre feet of Stored Water to be diverted.	5.5	\$210.00
Subtotal:		\$730.00
Permit Recording Fee. ***		\$520.00
*** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.		Recalculate
Estimated cost of Permit Application		\$1,250.00

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MAR 03 2021

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MAY 06 2021

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