

**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A

SALEM, OR 97301-4172

(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **136285**

INVOICE # \_\_\_\_\_

RECEIVED FROM: James E Foss  
 BY: Kate M Foss

APPLICATION	<u>587556</u>
PERMIT	
TRANSFER	

CASH:  CHECK: # X 1123 OTHER: (IDENTIFY)

TOTAL REC'D \$ 230.00

<b>1083 TREASURY</b>	<b>4170 WRD MISC CASH ACCT</b>	
0407 COPIES		\$
OTHER: (IDENTIFY)		\$
0243 I/S Lease	0244 Muni Water Mgmt. Plan	0245 Cons. Water

<b>4270 WRD OPERATING ACCT</b>		
MISCELLANEOUS	<u>46111</u>	
0407 COPY & TAPE FEES		\$
0410 RESEARCH FEES		\$
0408 MISC REVENUE: (IDENTIFY)		\$
TC162 DEPOSIT LIAB. (IDENTIFY)		\$
0240 EXTENSION OF TIME		\$
<b>WATER RIGHTS:</b>	<b>EXAM FEE</b>	<b>RECORD FEE</b>
0201 SURFACE WATER	\$	0202 \$
0203 GROUND WATER	\$	0204 \$
0205 TRANSFER	\$	
<b>WELL CONSTRUCTION</b>	<b>EXAM FEE</b>	<b>LICENSE FEE</b>
0218 WELL DRILL CONSTRUCTOR	\$	0219 \$
LANDOWNER'S PERMIT		0220 \$
<u>0200</u> OTHER (IDENTIFY) <u>COBU</u>		<u>\$230.00</u>

<b>0536 TREASURY</b>	<b>0437 WELL CONST. START FEE</b>
0211 WELL CONST START FEE	\$
0210 MONITORING WELLS	\$
OTHER (IDENTIFY)	
	CARD#
	CARD#

<b>0607 TREASURY</b>	<b>0467 HYDRO ACTIVITY</b>	LIC NUMBER
0233 POWER LICENSE FEE (FWWRD)		\$
0231 HYDRO LICENSE FEE (FWWRD)		\$
HYDRO APPLICATION		\$

<b>TREASURY</b>	<b>OTHER / RDX</b>
FUND _____	TITLE _____
OBJ. CODE _____	VENDOR # _____
DESCRIPTION _____	\$ _____

RECEIPT: **136285** DATED: 8-27-2021 BY: [Signature]

Distribution: White Copy: Customer Yellow Copy: Fiscal Blue Copy: File Buff Copy: Fiscal

**CLAIM OF  
BENEFICIAL USE  
for Surface Water Permits  
claiming 0.1 cfs or less**



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

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

**A separate form shall be completed for each permit.**

*In cases where a permit has been amended through the permit amendment process, a separate claim for the permit amendment is not required. Incorporate the permit amendment into the claim for the permit.*

This form is subject to revision. **Begin each new claim** by checking for a new version of this form at:

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

The completion of this form is required by OAR 690-014-0100(1) and 690-014-0110(4).

Please type or print in dark ink. If this form is found to contain errors or omissions, it may be returned to you. **Every item must have a response.** If any requested information does not apply to the claim, insert "NA." **Do not delete or alter any section of this form unless directed by the form.** The Department may require the submittal of additional information from any water user or authorized agent.

"Section 8" of this form is intended to aid in the completion of this form and should not be submitted.

If you have questions regarding the completion of this form, please call 503-986-0900 and ask for the Certificate Section.

The Department has a program that allows it to enter into a voluntary agreement with an applicant for expedited services. Under such an agreement, the applicant pays the cost to hire additional staff that would not otherwise be available. This program means a certificate may be issued in about a month. For more information on this program see:

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

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**SECTION 1  
GENERAL INFORMATION**

**1. File Information:**

APPLICATION #	PERMIT # (IF APPLICABLE)	PERMIT AMENDMENT # (IF APPLICABLE)
S-87556	S-54638	NA

**2. Property Owner (current owner information):**

APPLICANT/BUSINESS NAME <b>James Foss</b>		PHONE NO. <del>808-960-2330</del> <b>808-775-0453</b>	ADDITIONAL CONTACT NO. <b>808-960-2330</b>
ADDRESS <b>PO Box 384697</b>			
CITY <b>Waikoloa</b>	STATE <b>HI</b>	ZIP <b>96738</b>	E-MAIL <b>fossination@gmail.com</b> <del>JimF@GBIMAU.COM</del>

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

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

PERMIT HOLDER OF RECORD <b>James Foss</b>			<b>RECEIVED</b>
ADDRESS <b>PO Box 384697</b>			<b>JUL 28 2021</b>
CITY <b>Waikoloa</b>	STATE <b>HI</b>	ZIP <b>96738</b>	<b>OWRD</b>

ADDITIONAL PERMIT HOLDER OF RECORD <b>NA</b>			<b>RECEIVED</b>
ADDRESS			<b>AUG 27 2021</b>
CITY	STATE	ZIP	<b>OWRD</b>

**4. Date of Site Inspection:**

**6/28/2021**

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

NAME	DATE	ASSOCIATION WITH THE PROJECT
<b>James Michael Foss</b>	<b>6/28/2021</b>	<b>Son of landowner</b>

**6. County:**

**DOUGLAS**

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

OWNER OF RECORD <b>NA</b>		
ADDRESS		
CITY	STATE	ZIP

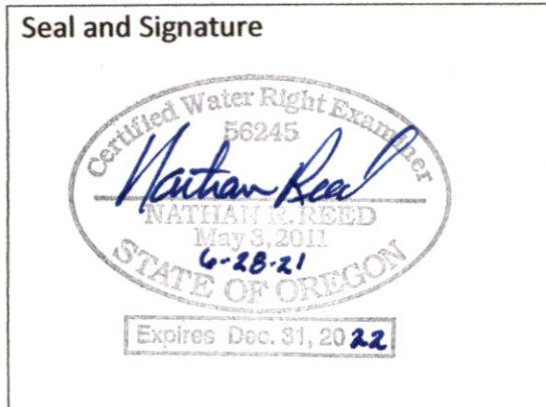
Add additional tables for owners of record as needed



**SECTION 2  
SIGNATURES**

CWRE Statement, Seal and Signature

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



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CWRE NAME <b>NATHAN REED</b>		PHONE NO. <b>541-784-7191</b>	ADDITIONAL CONTACT NO. <b>NA</b>
ADDRESS <b>157 WEST BODIE STREET</b>			
CITY <b>ROSEBURG</b>	STATE <b>OR</b>	ZIP <b>97471</b>	E-MAIL <b>nreed68@hotmail.com</b>

Permit Holder's of Record Signature or Acknowledgement

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

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

SIGNATURE	PRINT OR TYPE NAME	TITLE	DATE
	James Foss	NA	7-19-21

SECTION 3  
CLAIM DESCRIPTION

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1. POD source and, if from surface water, the tributary:

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POD NAME OR NUMBER	SOURCE	TRIBUTARY
POD 1	Galesville Reservoir (R-9964)	Cow Creek
POD 2	South Umpqua River	Umpqua River

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

POD NAME OR NUMBER	USES	IF IRRIGATION, LIST CROP TYPE	SEASON OR MONTHS WHEN WATER WAS USED	ACTUAL RATE OR VOLUME USED (CFS, GPM, OR AF)
POD 2	DOMESTIC	LAWN/GARDEN	YEAR ROUND	2.0 AF
<b>Total Quantity of Water Used</b>				<b>2.0 AF</b>

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

A submersible pump within a 6-inch diameter stainless mesh fish screen draws water from the South Umpqua out 1-1/4" rigid pipe to ABS for SW492. A 5/8" diameter hose is bifurcated to a totalizing flow meter to a fish sink.

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

4. Variations:

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

NO

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

5. Claim Summary:

POD / POA NAME OR #	MAXIMUM RATE AUTHORIZED	CALCULATED THEORETICAL RATE BASED ON SYSTEM	AMOUNT OF WATER MEASURED	USE	# OF ACRES ALLOWED	# OF ACRES DEVELOPED
POD 2	0.01 CFS	0.04 CFS	0.01 CFS	DOMESTIC	NA	NA



**SECTION 4  
SYSTEM DESCRIPTION**

Are there multiple PODs?

NO

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

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

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**A. Place of Use**

Attach Claim of Beneficial Use map.

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

**B. Diversion and Delivery System Information**

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

1. Is a pump used?

YES

If "NO" items 2 through item 5 may be deleted.

**2. Pump Information:**

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)
GRUNDFOS	UNKNOWN	UNKNOWN	SUBMERSIBLE

**3. Theoretical Pump Capacity:**

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *IF A WELL, THE WATER LEVEL DURING PUMPING	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
1.0	60	-7 feet	30 feet	0.04

**4. Provide pump calculations:**

60 psi = 152.4 feet:  $Q = (Hp \times \text{eff.}) / (\text{Sum Total Head}) = (1.0 \times 7.04) / (152.4 - 7 + 30) = 0.04 \text{ cfs}$

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

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)
3.00	13.47	2.0 min	0.01

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

**6. Sprinkler Information:**

SIZE	OPERATING PSI	SPRINKLER OUTPUT (GPM)	TOTAL NUMBER OF SPRINKLERS	MAXIMUM NUMBER USED	TOTAL SPRINKLER OUTPUT (CFS)
11/64	60	6.6	5	3	0.04

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

**7. Drip Emitter Information:**

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

**8. Drip Tape Information:**

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

**C. Storage**

1. Does the distribution system include in-system storage (e.g. storage tank, bulge in system / reservoir)?

NO

**D. Gravity Flow Pipe**

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

1. Does the system involve a gravity flow pipe?

NO

**E. Gravity Flow Canal or Ditch**

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

1. Is a gravity flow canal or ditch used to convey the water as part of the distribution system?

NO

**F. Additional notes or comments related to the system:**

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**SECTION 5  
CONDITIONS**

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

**1. Time Limits:**

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

	DATE FROM PERMIT	DATE ACCOMPLISHED*	DESCRIPTION OF ACTIONS TAKEN BY WATER USER TO COMPLY WITH THE TIME LIMITS
ISSUANCE DATE	3-18-2010		
BEGIN CONSTRUCTION (A)		4/5/2010	Procured sink and meter
COMPLETE CONSTRUCTION (B)		5/20/10	finished cut-in to SW492 system
COMPLETE APPLICATION OF WATER (C)	3-18-2015	5/20/10	Beneficially using water domestically.

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

**2. Is there an extension final order(s)?** NO

**3. Measurement Conditions:**

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

*If "NO", items b through f relating to this section may be deleted.*

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

b. Has a meter been installed? YES

**c. Meter Information**

POD NAME OR #	MANUFACTURER	SERIAL #	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED
POD2	Zenner	20036953	working (rplcmnt)	13.47	6/5/21

**4. Recording and reporting conditions:**

a. Is the water user required to report the water use to the Department? NO

**5. Fish Screening:**

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



If "NO", items b through e relating to this section may be deleted.

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

b. Has the fish screening been installed? YES

c. When was the fish screening installed?

DATE	BY WHOM
1992	Gerald Foss

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

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d. If the diversion involves a pump and the total diversion rate of all rights at the point of diversion is less than 225 gpm (0.5 cfs):

- Has the self-certification form previously been submitted to the Department? **NA**

If not, go to <https://www.oregon.gov/OWRD/Forms/Pages/default.aspx>

complete and attach a copy of the 'ODFW Small Pump Screen Self Certification' form to this claim, and send a copy of it to the Oregon Department of Fish and Wildlife (ODFW).

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

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

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

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

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

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

**6. By-pass Devices:**

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

**NO**

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

- a. Was the water user required to restore the riparian area if it was disturbed? **YES**
- b. Other conditions? **YES**

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

**7.a. Riparian area disturbance at minimum. Access path remains.**  
**7.b. Use of water under this is subject to the terms and conditions of contract No. D-2009-16, or a satisfactory replacement between Douglas County and the applicant.**

**SECTION 6**

**ATTACHMENTS**

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

ATTACHMENT NAME	DESCRIPTION
Fish Screen Self Certification	Fish Screen sign off
CBU Map	Final Proof Survey

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## SECTION 7

### CLAIM OF BENEFICIAL USE MAP

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

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

A Garmin Rino 650, handheld, GPS was used to locate coordinates of pertinent features.  
Along with Douglas County GIS using 2019 ultra-high definition aerials.

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#### Map Checklist

Please be sure that the map you submit includes ALL the items listed below.  
(Reminder: Incomplete maps and/or claims may be returned.)

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





OREGON DEPARTMENT of FISH and WILDLIFE

FISH SCREENING PROGRAM

SMALL PUMP SCREEN SELF CERTIFICATION

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FOR PERMITS OR TRANSFERS ISSUED PRIOR TO FEBRUARY 1, 2011

**If the permit or transfer final order was issued on or after February 1, 2011, you are required to have your fish screen inspected and approved by Oregon Department of Fish and Wildlife staff.**

The Oregon Water Resources Department in coordination and cooperation with the Oregon Department of Fish and Wildlife includes screen requirements on pumps to protect fish as a condition of many surface water and/or reservoir water right permits. This is done in accordance with ORS 537.153.

The Oregon Department of Fish and Wildlife does not usually inspect small pump screens at **pumped diversions less than 225 gpm** (gallons per minute), but furnishes the following general fish screening criteria information to the water right permit holder:

- **Screen material open area** must be at least 27% of the total wetted screen area.
- **Perforated plate:** Circular screen face openings must not exceed 3/32 or 0.0938 inch (2.38 mm) in diameter.
- **Mesh/Woven wire screen:** Square screen face openings must not exceed 3/32 or 0.0938 inch (2.38 mm) on a diagonal.
- **Profile bar screen/Wedge wire:** Slotted screen face openings must not exceed 0.0689 inch (1.75 mm) in the narrow direction.
- **Screen area** must be large enough not to cause fish impact. The wetted screen area required depends on the water approach velocity.
- **Approach velocity** is the water velocity perpendicular to and upstream of the vertical projection of the screen face.
- **An Active pump screen** is a self-cleaning screen that has a proven automatic cleaning system. The **screen approach velocity for active pump screens** must not exceed 0.4 ft/s (feet per second) or 0.12 m/s (meters per second). The minimum wetted screen area needed in square feet is calculated by dividing the maximum water flow rate in cubic feet per second (1 cfs = 449 gpm) by 0.4 ft/s.
- **A Passive pump screen** is a screen that has no automated cleaning system. **Screen approach velocity for passive pump screens** must not exceed 0.2 ft/s or 0.06 m/s. The minimum wetted screen area needed in square feet is calculated by dividing the maximum water flow rate in cubic feet per second by 0.2 ft/s.
- **Pump screen depth:** The screen must be submerged at least one screen radius below the minimum water surface with a minimum of one screen radius between the screen bottom and the water bottom or constructed surface.

*For further information on fish screening please contact:*

Pete Baki: 503-947-6217  
pete.baki@state.or.us

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OREGON DEPARTMENT of FISH and WILDLIFE

FISH SCREENING PROGRAM

SMALL PUMP SCREEN SELF CERTIFICATION

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FOR PERMITS OR TRANSFERS ISSUED PRIOR TO FEBRUARY 1, 2011

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

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

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

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Water right permit/certificate number: S-54638 Amount of water diverted 0.01 cfs

Stream: South Umpqua River Tributary to: Umpqua River

Location (GPS if available): N 42° 57' 10.92" W 123° 19' 55.61"

Screen Length: 10' Screen Diameter: 6"

Is pump screen self-cleaning: NO

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

Certification:

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

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

Applicant Signature: [Signature] Date: 7/20/21 WRD File #: \_\_\_\_\_

Printed Name and Address: James Foss PO Box 384697, Waikoloa, HI 96738

Phone: (808) 775-0453 Fax: ( ) \_\_\_\_\_

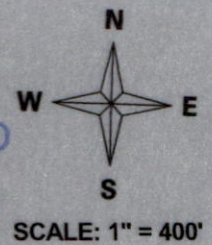


# CLAIM OF BENEFICIAL USE MAP

FOR: JAMES FOSS

BY: NATHAN REED, PE, CWRE  
 T30S, R5W, W.M. SECTION 19 DLC 43  
 APPLICATION NO. S-87556  
 PERMIT NO. S-54638

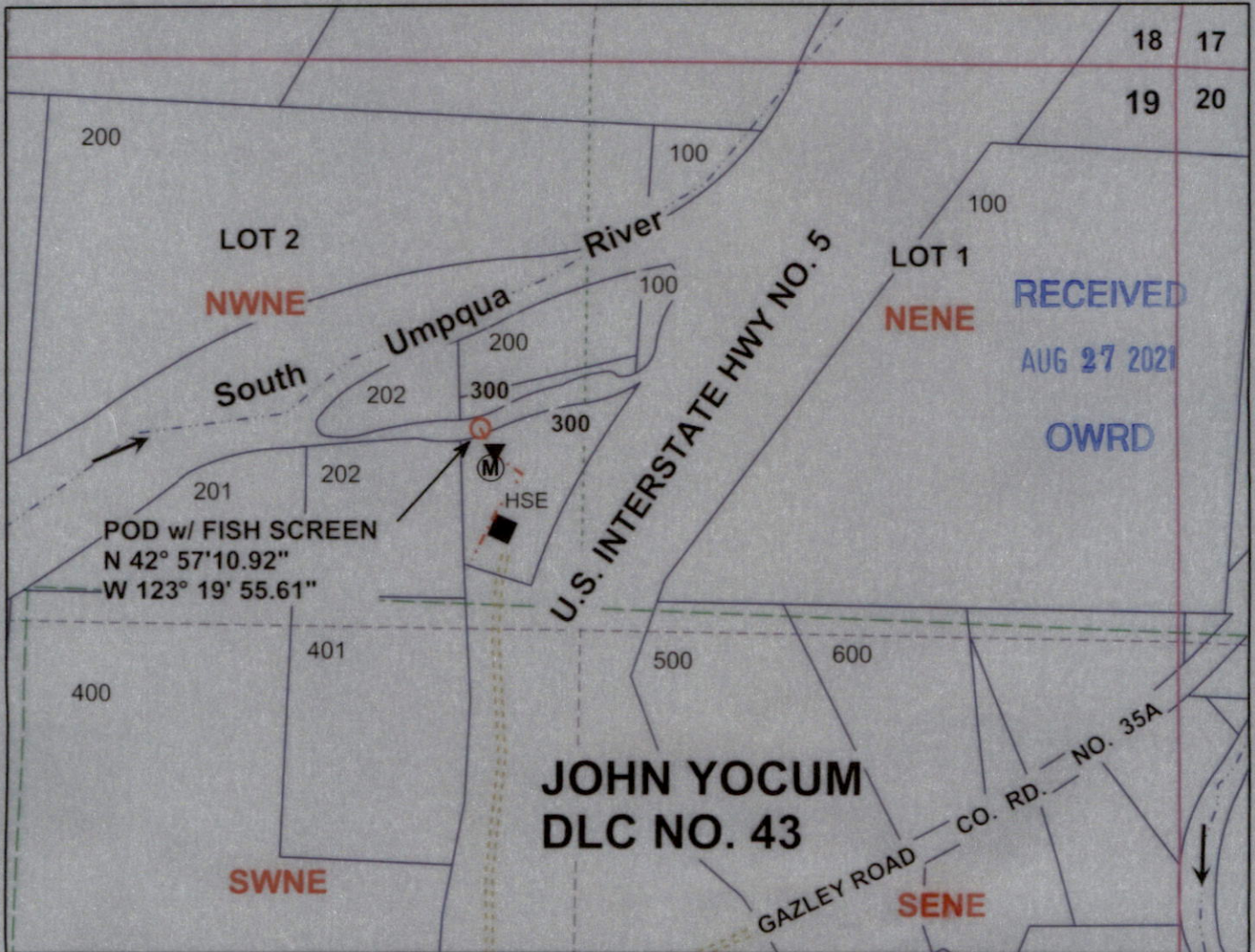
DATE SURVEYED: JUNE 28, 2021



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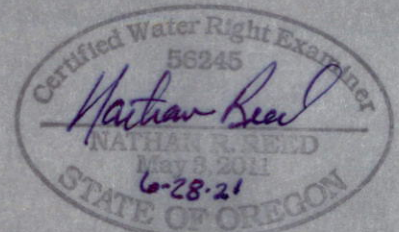
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POD IS LOCATED 811 FEET SOUTH AND 1623 FEET WEST FROM THE NE CORNER, SECTION 19.

### Legend

- |  |       |  |            |  |         |  |           |
|--|-------|--|------------|--|---------|--|-----------|
|  | River |  | Pipeline   |  | Gov Lot |  | Quarter   |
|  | POD   |  | structure  |  | DLC     |  | Sixteenth |
|  | Sink  |  | Roads      |  | Section |  | Parcels   |
|  | Meter |  | Flow arrow |  |         |  |           |

MAP PREPARED FOR:  
 JAMES FOSS  
 PO BOX 384697  
 WAIKOLOA, HI 96738



Expires Dec. 31, 2022

THE PURPOSE OF THIS MAP IS TO IDENTIFY THE LOCATION OF THE WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES.

MAP PREPARED BY:  
 NATHAN R. REED, PE, CWRE  
 157 WEST BODIE STREET  
 ROSEBURG, OR 97471